

ASEAN NEWSLETTER

Prepared for the Ministry of Foreign Affairs and Trade, Republic of Korea by the Institute of Strategic and International Studies (ISIS) Malaysia

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ASEAN News Updates

10th AEC Council Meeting, 45th ASEAN Economic Ministers' Meeting and Related Meetings (August, 18-21, 2013)

The 45th AEM and Related Meetings which include the AEM, ASEAN Investment Area (AIA) Council, ASEAN Free Trade Area (AFTA) Council, CLMV Economic Ministers, the ASEAN-Mekong Basin Development Cooperation (AMBDC), RCEP Participating Countries' Ministers, and consultations with ASEAN's Dialogue Partners (Australia, Canada, China, India, Japan, New Zealand, Russia, South Korea and United States) and the 10th ASEAN Economic Community Council (AECC) Meeting was held in Banda Seri Begawan to discuss AEC related issues. (Source: ASEAN Secretariat)

4th ASEAN Connectivity Symposium: "Partnering Private Sector for ASEAN Connectivity" (August 27, 2013)

The 4th ASEAN Connectivity Symposium, entitled 'Partnering Private Sector for ASEAN Connectivity', was held on 27 August 2013 in Bandar Seri Begawan, Brunei Darussalam. This year's Symposium focused on the role of public-private partnerships (PPPs) in the implementation of the Master Plan on ASEAN Connectivity (MPAC). The discussions centered on (i) identifying the right policy environment and regulatory framework for PPPs; (ii) learning PPP best practices from various regions; and (iii) exploring the potential for private sector involvement in ASEAN Connectivity projects. (Source: ASEAN Secretariat)

ASEAN Launches Book on Human Rights Declaration (August 23, 2013)

ASEAN Intergovernmental Commission on Human Rights (AICHR), in partnership with the Committee of Permanent Representatives (CPR), held a joint event themed "Contributing to the ASEAN Community Building through the Implementation of the ASEAN Human Rights Declaration (AHRD)". The event was highlighted by the launch of the "ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD, and its Translations" book followed by a panel discussion on the AHRD and the ASEAN community building by 2015. The book compiles the translations of the AHRD and the Phnom Penh Statement into the national languages of the ASEAN Member States. (Source: The President Post)

7th ASEAN Coordinating Conference for the ASEAN Political-Security Community (ASCCO) (August 20, 2013)

Senior officials from the Ministry of Foreign Affairs of ASEAN Member States, along with other high-ranking officials of this regional body met at the ASEAN Secretariat to review implementation of the organisation's political-security community blueprint. The conference's main agenda is the Second Biennial Review of the APSC Blueprint which aims to ensure that all activities are responsive to the needs and priorities of ASEAN, taking into account the changing dynamics of the region and the global environment. This Review is of particular importance as there are only two years left before the targeted date of completion of the current Roadmap on an ASEAN Community (2009-2015). (Source: Vietnam Plus)

ASEAN and New Zealand Strengthen Relationship (August 19, 2013)

In an effort to further uplift and strengthen relationship between ASEAN and New Zealand, the Committee of Representatives to ASEAN, with the official invitation of the Government of New Zealand, paid an official visit to New Zealand on 11 – 16 August 2013. During the visit, the CPR called on Honourable Murray McCully, Minister of Foreign Affairs of New Zealand, and Honourable Tim Groser, Minister of Trade of New Zealand at the latter's office. Minister McCully welcomed the CPR and stressed that New Zealand has committed to further strengthen ASEAN-New Zealand dialogue relationship and as reflected in its newly launched ASEAN Strategies and its efforts bring the new ASEAN Strategies to its business communities. Honourable Tim Groser stressed the importance of AANZFTA and the economic road-show to publicize the new ASEAN Strategies in order to convince New Zealand business community to shift their focus on the ASEAN market. (Source: ASEAN Secretariat)

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Asean Defence Ministers Meeting-Plus: A New Zealand Perspective

By: Dr. Paul Sinclair

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The 18 strong ASEAN Defence Ministers Plus Forum {better known by the shorthand ADMM+} held their second meeting in Brunei on 29 August. The inaugural meeting which had taken place in Hanoi in 2010, brought together for the first time in an official setting the Defence Ministers of the ten-strong ASEAN community and of eight other Asia Pacific countries: Australia, China, India, Japan, New Zealand, the Republic of Korea, Russia and the United States. ADMM+ thus mirrors the membership of the East Asia Summit.

The ADMM+ concept paper had been adopted by ASEAN Defence Ministers three years earlier as a tool to engage ASEAN Defence Dialogue partners in cooperation on defence and security matters. ASEAN was therefore the driving force in establishing a regional security mechanism for advancing defence diplomacy at the most senior levels.

New Zealand has a longstanding stake in the security of the Asia/Pacific region reflected in our military role in the Malayan Emergency in the early 1950's and our significant commitment to the Korean War. Since then our active participation in the more than 40-year history of the Five Power Defence Arrangements, strong support for developing the defence dialogue process in the ASEAN Regional Forum, and our bilateral defence links with many Asian countries have underlined that commitment. Our stake has assumed even greater importance given that most of our main trading partners are now in the Asia/Pacific region.

Our support for continued regional stability and prosperity had led New Zealand to advocate for several years the development of a forum that would focus on building confidence among the region's militaries by encouraging practical cooperation. At a series of senior defence officials meetings that are an important part of the defence component to the ASEAN Regional Forum's Inter-sessional Group meetings on CBM's and Preventive Diplomacy, my Australian counterpart and I {in a previous capacity} hosted afternoon teas for ASEAN officials to press our case for inclusion in the new forum. Confirmation in 2010 that New Zealand's bid for membership had been successful was thus warmly welcomed.

The joint declaration signed by Ministers at their inaugural meeting in Hanoi included agreements to promote the ADMM+ as an effective forum for cooperation on defence and security issues; to enhance mutual trust and cooperation through greater dialogue; to establish an ASEAN Senior Officials Meeting to implement Ministers' decisions, and to task that body with setting up specific Expert Working Groups to build capacity, expertise and coordination in areas that can contribute to regional peace and security.

Five Expert Working Groups were established each with an ASEAN and non ASEAN co-chair for a three year term. The Groups are Humanitarian Assistance and Disaster Relief; Maritime Security; Peacekeeping Operations; Military Medicine and Counter-Terrorism. New Zealand notified the ASEAN members of its interest in co-chairing one of the Working Groups to demonstrate its strong commitment to the successful development of this new forum.

That led to an invitation to join the Philippines as co-chair of the Peacekeeping Operations Working Group. This Group has since held several meetings on issues such as the legal aspects of peacekeeping, building capability for peacekeeping operations, and force generation. In November 2012 one of these meetings was hosted by Indonesia to showcase their impressive new Peacekeeping Centre at Bogor. The International Red Cross has strongly supported the efforts of this Working Group and made a very useful contribution to the Bogor meeting. New Zealand's term as co-chair will conclude with a desk-top exercise focussing on force generation issues to be held in the Philippines early in 2014.

Recognising that the Expert Working Groups are the fulcrum of ADMM+, New Zealand signalled its wish to continue active engagement in moving that process forward, and next April will join Brunei in co-chairing the Maritime Security Working Group. As a maritime nation with a strong interest in a secure maritime environment New Zealand is keen to work with other member countries to address the many trans-national challenges facing that environment.

Significant progress has also been made by the other four Working Groups. In June a major ADMM+ Humanitarian Assistance/Disaster Relief and Military Medicine exercise was held in Brunei with more than

3,000 personnel including from New Zealand taking part. This was a very important event as it was the first exercise held under the ADMM+ umbrella. It demonstrated that this was a forum that promoted practical cooperation not just dialogue although that of course remains important. And its focus on disaster relief was particularly appropriate given the frequency of such events in the region. Planning is well underway for a counter-terrorism exercise in Indonesia in September, and a maritime security exercise in Australia also to be held in September.

As in Hanoi, the Brunei meeting concluded with a joint declaration. Ministers welcomed the progress made since their previous meeting. They reiterated the strategic importance of ADMM+, and the need to continue to give emphasis to capacity-building through more regular engagement including in training and joint exercises. They agreed to work towards reducing vulnerability to miscalculations and avoiding undesirable incidents at sea. Ministers also agreed to the establishment of a sixth Expert Working Group on Humanitarian Mine Action. The meeting was described by the Brunei Chair as a “significant milestone” in the region’s evolving security architecture.

ADMM+ has been criticised by some commentators for avoiding the hard security issues in the region. That is unfair. The primary objective was to build and sustain confidence between the region’s military and civilian defence officials and to develop the habit of working together on transnational security issues. The activities undertaken to date demonstrate that remarkable progress has been made in such a short time.

From New Zealand’s perspective one unstated but very important objective has been the space the forum has created for China and the United States to work together. That United States Defense Secretary Hagel was prepared to continue with his Brunei programme despite the pressing preoccupations of Syria, demonstrates the significance Washington attaches to ADMM+. In Beijing the ADMM+ is seen as a forum that in the words of Teng Jianqun, Director of the Department for American Studies at the China Institute of International Studies, “engages and reassures China, rather than isolates and threatens it”.

ADMM+ has made an excellent beginning in its contributions to evolving defence engagement in the Asia/Pacific region. There will inevitably be challenges ahead, but by building trust and confidence among the region’s defence forces, ADMM+ is now on the way to making a very important contribution to stability and prosperity in the Asia Pacific. The forum has offered a very useful opportunity to New Zealand to demonstrate its continued strong commitment to support and contribute in a meaningful way to this vital process.

Building the ASEAN-China strategic partnership: the maritime dimension

By: Aileen S.P. Baviera, PhD

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The commemoration of the 10th anniversary of the ASEAN-China strategic partnership this year will be met by greater skepticism than at its launching in 2003. Recent developments in the East Asian region point to still huge mistrust between the two sides, particularly between China and the ASEAN states that are embroiled in territorial and maritime disputes with China in the South China Sea. Of late, security tensions have been compounded by escalating geopolitical rivalry between China and the region's other big powers -- the United States and Japan, both also vital partners of ASEAN.

That said, healthy skepticism underscores the challenges but does not belittle the importance of this relationship between East Asia's now preeminent economic and rising military power on the one hand, and its most successful regionalist collective and key catalyst of multilateral dialogue and cooperation on the other hand. It may be argued that ASEAN-China cooperation is bound to have even greater impact in the near future, not only on their current shared bilateral interests such as free trade, economic cooperation and infrastructure connectivity, but also on matters beyond their own geographic reach. Much, however, depends on each side's vision of its own regional role.

There are certainly reasons why ASEAN would want to push for greater strategic unity and influence. First of all, as ASEAN moves slowly but surely toward the vaunted ASEAN Economic Community and even the political-security and sociocultural areas of community building, it will need more than ever a peaceful and orderly regional environment. This requires mitigating intra-ASEAN conflicts as well as any major security problem involving ASEAN member states and external players. Fortunately, intra-ASEAN tensions remain manageable, and since embarking on political reform, the Myanmar situation is no longer the obstacle to cooperative relations with the West that it once was. However, ASEAN is now witness to resurgent big power competition that once more (as it did during the Cold War) risks polarizing the member states as well as infringing on its collective autonomy. Preventing such an outcome requires an ASEAN proactive and possibly preemptive strategy, and a unity of perspective that simply is lacking at the moment.

China, for its part, needs its immediate neighbors' recognition of its new status and future power aspirations, or at the very least will seek to neutralize ASEAN support for other powers that may be perceived by China as seeking to curtail its influence. At a time when its defense concerns with Japan, the United States and even India are growing, China cannot afford (politically) to antagonize all of its neighbors, let alone fight even limited wars simultaneously on several fronts. The territorial and maritime disputes that embroil China with specific ASEAN states (Philippines, Vietnam, Malaysia, Brunei, and Indonesia) but which have vital economic and security implications for the ASEAN region and beyond, serve as the test of China's readiness to look beyond its own national sovereignty into the legitimate interests of its smaller neighbors as well as issues affecting the public good such as freedom of navigation. Its assertive actions in the last few years have unfortunately led to reduced confidence and effectively set back decades of erstwhile successful diplomacy with ASEAN. Whether and how China can successfully pursue a more assertive stance on territorial sovereignty in the South China Sea while at the same time extending assurances to its neighbors of its benign intentions is anyone's guess. In the midst of this kind of uncertainty, an effective and binding ASEAN-China code of conduct can have a constructive role to play.

China appears to want to promote maritime cooperation with ASEAN as one of the centerpieces of the strategic partnership. In Beijing's view, rather than resolving territorial issues, cooperation may be pursued initially by picking low lying fruit – e.g. working together on shared concerns such as marine environment, navigation safety, search and rescue, transnational crime. Beijing has established a \$3 billion fund for this purpose. Because the shared ocean space between China and ASEAN is no less than the disputed South China Sea (enclosed in the Chinese national mindset as the 9-dashed line), such maritime cooperation may be viewed in a number of ways, including as a Chinese gambit to expand its influence over the yet evolving rules governing activities at sea, or – arguably from rose-tinted glasses - as a window of opportunity to develop cooperative regimes that may gradually erode the 9 dashed-line mindset, metaphorically speaking.

ASEAN, the Philippines, Vietnam, the US, Japan, India or any other country cannot deny that China has legitimate maritime security interests in Southeast Asia and beyond. It is always only a matter of time before new powers step up to claim more influence. A China that is actively involved in cooperative maritime regimes operating based on internationally accepted norms and principles should be a welcome development to all coastal states.

At the same time, however, China in turn has to learn to accept that it is not the only big power in the region nor will it be in the foreseeable future. And that there are rules and laws in place such as UNCLOS precisely intended to check abuse in the exercise of power by anyone and against anyone. Moreover, small and medium powers, no longer consenting to be pushed around by big ones, will seek recourse to somehow push back. The Philippines, by seeking a ruling by an arbitral panel under UNCLOS on the legality of the 9-dashed line and other Chinese actions on Philippine EEZ, has tried to open an alternative arena for dispute settlement based on accepted norms. However, Manila must be realistic enough to see international law as a subset of international politics, and to consider the perspective that legal decisions may work best if they operate as complementary to, rather than as a substitute for, efforts to arrive at win-win political-diplomatic solutions.

A truly strategic partnership between China and ASEAN will not be about expanding even more trade or pursuing short-term mutual economic gain. It will have to be about working together, and with others, toward removing the bases for strategic mistrust. Beyond that, it will have to be about building inclusive and effective arrangements for regional security that are needed to underpin our shared struggles for peace, prosperity and progress in the East Asian region.

ASEAN at 46: Stronger By The Year

By: Ms. Natalie Shobana Ambrose

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ASEAN has come a long way since its inception in 1967. Envisaged as a unifying, stabilising organization in the mid 60's, it has not only grown from the original five members to 10 members, it has also evolved beyond what the founding fathers had envisaged it to be.

Today, there are more than one thousand ASEAN-related meetings and through the years, ASEAN has garnered the influence to bring together at least 27 nations together through the ASEAN Regional Forum among other significant meetings like the East Asian Summit, while the list of countries requesting to be more engaged with ASEAN grows even longer. This is a positive sign for an organization that was founded at a time where member-states were recovering from post- World War Two colonization and enjoying the first fruits of a flourishing economy.

In his ASEAN Day message, Secretary-General of ASEAN H.E. Le Luong Minh said '46 years after its inception, from a loose grouping, ASEAN is developing into a rules-based organization with its own Charter and legal personality. Through our perseverance and commitment, we are strengthening our affinity and becoming a real family of nations in an ASEAN Community.'

Just like any other family, ASEAN has had its share of challenges and tiffs. While there has been no major unrest between member states, there have been and there are on-going conflicts within and between member states. Such violent disagreements such as the Preah Vihear temple dispute between Thailand and Cambodia, unresolved territorial island disputes between Malaysia and Indonesia, and between Malaysia and Singapore, the 2400 kilometres shared borderline between Myanmar and Thailand and the contentious Sabah invasion have gnawed at ASEAN's reputation.

Add to that internal conflicts such as the stateless Muslim minority Rohingya's living in Myanmar's Rakhine state, the Bangsamoro conflict in the Philippines and fighting in Southern Thailand, have also contributed to ASEAN being criticized as ineffective, and these are just border issues members have disagreed on.

There are many other socio-economic squabbles such as the transboundary haze concerns and appropriation of cultural heritage. But in any case, when a myriad group of people come together, there is bound to be conflict. The question however is should this then be the measurement of success and failure of the regional body?

ASEAN has done many things well too especially with regards to economic development. Of all three pillars of the ASEAN Community, the economic cooperation pillar is the most advanced and is likely to achieve its objectives by 2015 or a little thereafter. Forty-six years ago, ASEAN economies were agricultural-based. Today most of its cities are concrete jungles with a skyline full of tall buildings while ASEAN now boasts among the world's highest economic growth rates causing the rest of the world to take notice of the grouping. That is exactly what they have done, in particular the US.

This year in commemoration of ASEAN's 46th founding anniversary, Secretary of State John Kerry reaffirmed the United States allegiance stating that the US is 'deeply committed to supporting and partnering with ASEAN'. Whether we like it or not, the US attention on ASEAN has strengthened the regional organisation's standing. Kerry's anniversary greeting to ASEAN ended with the words 'know that the United States stands with you as a steadfast partner'. Just last month Kerry participated in the ASEAN-U.S. Ministerial meeting and later this year President Barak Obama is scheduled to participate in the East Asia Summit and the ASEAN-U.S. Summit to be held in October in Brunei.

While the US may have been the first dialogue partner nation to establish a dedicated mission to ASEAN, today there are at least 64 ambassadors currently accredited to ASEAN.

Many still criticise ASEAN as weak while there are some who have called it an intergovernmental success story. The challenges ahead are big for the regional body but looking back from where it first started, ASEAN for better or worse has grown stronger with each passing year.

Japan must engage with ASEAN or risk irrelevance

By: Dr. Tang Siew Mun

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(The article was originally published August 19, 2013 in the East Asia Forum)

Japan's Liberal Democratic Party (LDP) is poised for a comfortable victory in the coming upper house elections. With the latest Kyodo News poll (13 July) putting the cabinet approval rating at 65.3 per cent and the absence of a credible opposition, Prime Minister Shinzō Abe and the LDP look set to consolidate their hold on the Diet. As sweet as the victory will be for Abe personally, the biggest cause for celebration is that Japan is pulling itself out from the political quandary that has divided the country since 2007. Control of the lower and upper houses will give the Abe administration the legislative support and legitimacy to put into action its legislative agenda. Attention is now turning to the question of which direction Abe will lead Japan.

High on Abe's agenda is revising the Constitution. His first target will be revising Article 96, to lower the threshold of Diet approval to amend the Constitution from two-thirds to a 50 per cent majority. It is far from certain whether the LDP will secure the commanding majority needed to amend the Constitution for the first time since it was enacted in 1947. If Abe succeeds he would pave the way for his ultimate prize: amending the erstwhile sacrosanct Article 9.

While efforts to revise the Constitution, especially Article 9, may appeal to certain quarters within Japan, revision would cause unnecessary complications for Japan's relations with its Asian neighbours. It would trigger an avalanche of protest and condemnation from China and South Korea, and some ASEAN states. It would be foolhardy for Abe to use his hard-fought political capital to further what some in Japan and elsewhere see as a nationalist agenda.

Abe's real goal should be to ensure the 'Three Arrows' of Abenomics hit the economic bull's eye. Nothing is more important than revitalising and strengthening the nation. The government must urgently address issues like energy security, the competitiveness of Japanese exports and deflation. At the same time, Tokyo can ill-afford to be singularly inward looking. It is in Japan's interest to ensure that the strengthening of its relations with ASEAN remains a priority.

Japan's regional profile has been in the decline since the 1990s. Its economic woes caused blossoming relations with ASEAN to wither prematurely. As Tokyo struggled during the 'lost decades', ASEAN fell into the embrace of China's charm diplomacy. China is now ASEAN's top trade partner and overtook Japan as the region's largest economy in 2010. This economic stagnation has had a direct effect on Japan's diplomacy and as a result it has lost ground to China in people-to-people diplomacy. While the Japan Foundation's budget has been under the knife in the past few years, China has established a network of Confucius Institutes across Southeast Asia.

While losing the status of number one economic power in the region is a blow to the Japanese psyche, it is by no means a fatal blow. Japan's interest would be irreparably harmed if Tokyo allows its diplomatic footprint to fade even further. Japan needs to put in the 'face time' and to 'show up' in the region. Abe's visit to Malaysia, the Philippines and Singapore at the end of the month is a step in the right direction. But Japan needs to do more to make up for lost time.

The solution is for Japan to put ASEAN at the centre of its diplomatic strategy. If Japan continues its lacklustre engagement with ASEAN, it may well find itself overshadowed by other major powers — such as China and the United States — that have unabashedly sought to woo ASEAN in earnest. Japan's stake in ASEAN is not limited to securing business deals and market share. The more important goal is to remain relevant. To do so, Japan must be part of ASEAN's strategic and political calculations.

On this score, the Abe administration has its work cut out.
