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ASEAN AT FORTY A Balance Sheet

Rodolfo C. Severino

In the year 2007, the Association of Southeast Asian Nations (ASEAN) reached its fortieth year of existence. It had been founded on 8 August 1967 by Indonesia, Malaysia, the Philippines, Singapore, and Thailand.

As ASEAN evolved over those forty years, it was praised as the most successful among the world's regional associations of developing countries. Many countries and groups of countries, including the world's leading powers, sought increasingly closer links with it. At the same time, ASEAN was criticized, even vilified, for not living up to its promise and potential — at least, the promise and potential as the critics saw them.

As is true of many things in human affairs, the truth lies somewhere in the middle of these two views. The beginning of the association's fifth decade is as good a time as any for locating where in the objective middle the truth about ASEAN is.

Peace, Stability, Regionalism, and Human Security

From the beginning, ASEAN set norms for relations between its member states. These basically were:

- the rejection of threat or use of force;
- the peaceful settlement of disputes; and
- non-interference in internal affairs.

ASEAN's founding members knew that their progress, security, and even survival depended on peace, stability, and development of the region as a whole.

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However, the relations between them had been embittered by acrimony and conflict. Their territorial and other disputes threatened to turn to violence. Southeast Asia's immense ethnic, cultural, linguistic, religious, and historical diversity was both a blessing and a potential source of conflict. The countries of Southeast Asia were still struggling with the legacies of colonialism. The region was divided as well as threatened by the tensions and uncertainties of the global Cold War and by the related hot war in Indochina, with intervention in the affairs of the Southeast Asian nations a common instrument in the prosecution of those wars. China's Great Proletarian Cultural Revolution was a disruptive force for the region as it spilled over into Southeast Asia.

These unpromising circumstances led the five original members to found ASEAN on the basis of peace, non-violence, and mutual respect for one another's sovereignty and territorial integrity. They also shaped ASEAN's vision of encompassing all Southeast Asian countries, including Brunei Darussalam, Burma, Cambodia, Laos, and Vietnam, in the association as one regional family, an aspiration that was brought to reality upon Cambodia's admission in 1999.

ASEAN's fundamental norms for inter-state relations were enshrined in the Treaty of Amity and Cooperation (TAC) in Southeast Asia, signed by ASEAN's leaders in Bali in February 1976.¹ ASEAN had earlier stressed its commitment to those norms in the 1971 Declaration on the Zone of Peace, Freedom and Neutrality (ZOPFAN) and, thereafter, reaffirmed it at every opportunity. Each new ASEAN member has had to accede to the TAC. No less than fourteen countries from outside the region have signed on to it.² The norms were codified in the ASEAN Charter that the ten ASEAN leaders adopted in November 2007.³

The ASEAN members' adherence to their norms for inter-state relations, as well as the healing of the region's Cold War division, has contributed in no small measure to the remarkable peace and stability that Southeast Asia has enjoyed over the past forty years. To be sure, disputes between ASEAN member-states, including conflicting territorial claims, persist, as is inevitable between neighbours everywhere. Sometimes these disputes have turned highly emotional. However, the important thing is that they have been dealt with in the spirit of neighbourliness — through personal contacts between leaders, negotiations between officials, or recourse to such international judicial bodies as the International Court of Justice, the International Tribunal for the Law of the Sea, and the World Trade Organization's (WTO) dispute-settlement mechanism — and not by resort to war.

By entering into the 1995 treaty on the Southeast Asia Nuclear Weapon-Free Zone, the ASEAN states have reassured one another that they will not "develop, manufacture or otherwise acquire, possess or have control over nuclear weapons;

... station or transport nuclear weapons by any means; or ... test or use nuclear weapons” and, except for the matter of transport, not allow others to do so. The treaty also has provisions pertaining to the peaceful uses of nuclear energy, including those on safeguards against the possible diversion of nuclear material for weapons purposes, nuclear accidents, and the disposal of nuclear waste. These mutual reassurances have gained resonance in the face of plans of several ASEAN countries to harness nuclear energy for the generation of electricity.

ASEAN’s solidarity bolstered the resistance to Vietnam’s occupation of Cambodia in the 1980s and helped the search for a political solution for that problem, a process that culminated in the 1991 Paris Accords. Similarly, ASEAN cohesion helped uphold its members’ interests with respect to the issue of Indochinese asylum-seekers. The ASEAN nations have been peacefully managing the conflicting claims of four of them⁴ to parts of the South China Sea. They achieved a level of solidarity to be able to deal collectively with China on the issue and the tensions that it generated. Although ASEAN was able to induce China to agree to discuss the South China Sea with the association as a group, ASEAN cohesion seems to have been unravelling in more recent years, as some ASEAN claimants have been striking separate deals with China.

Since the 1970s, ASEAN has leveraged the major powers’ strategic interests in the region to engage them in its Dialogue system for the ASEAN countries’ own political, economic and social purposes. As the Cold War ended and the Cambodian conflict reached a political settlement, ASEAN, its Dialogue Partners and other countries associated with ASEAN founded the ASEAN Regional Forum (ARF). Holding its first ministerial meeting in 1994, the ARF has served as a forum for consultation and dialogue on regional security issues, as a mechanism for building mutual confidence, and as a framework for cooperation in dealing with commonly perceived threats to the security of states and people in the region, including natural disasters, accidents on land or in the sea, threats to transportation, communicable diseases, international terrorism, and transnational crime.

ASEAN has found that it is to its advantage to engage its immediate neighbours to the north — China, Japan, and South Korea — more closely in what is known as the ASEAN Plus Three and ASEAN Plus One processes. The ASEAN Plus Three process now covers twenty sectors and is managed by about fifty mechanisms. The ASEAN Plus Three forum has provided an additional venue for the three major Northeast Asian countries to engage in informal and quiet consultations and dialogues on the problems that have been weighing down the relations among them. In the past three years, ASEAN has been convening the “leaders-led” East Asia Summit (EAS) among its members, Australia, China,

India, Japan, South Korea and New Zealand, contributing further to the continuing process of regionalization in the Asia-Pacific.

ASEAN has thus been eminently successful in the peaceful management of potential inter-state conflicts and the avoidance of actual ones. In so doing, in a mission unique to it, ASEAN has engaged important powers, neighbouring or otherwise, in constructive strategic and economic relationships with the association as a group and helped to strengthen those powers' relations with individual ASEAN members.

However, ASEAN needs to develop a higher degree of political cohesion and activism if it is to exert a stronger influence on world affairs and if it is to exercise more effective leadership of the gathering regionalization of the Asia-Pacific. This would mean taking collective positions on the great global and regional issues of our time. It would require supplying ideas for advancing the substance of regionalism instead of merely managing the process. One of ASEAN's achievements has been to discharge the role of neutral convener of regional forums in the East Asia and the Asia-Pacific. However, carrying out that responsibility seems to be limited to convening and managing those forums. The ASEAN countries have been conspicuous in their failure to provide intellectual content to them.

There is also a growing realization that peace and good relations between nations, although essential, are not enough. The advancement of inter-state relations is not enough for ASEAN to be perceived as fulfilling the aspirations of the human beings who inhabit the region. Globalization and advances in information and communications technology have intensified the awareness of people in the world, including those in Southeast Asia, of their common humanity. Part of this is a convergence of values and of concepts pertaining to the requirements of human development. A consequence of that convergence is an increasing concern for the rights of and justice for the human person, wherever he or she is, especially those within the region.

This was the concern that drove the inclusion in the ASEAN Charter of a collective commitment to principles that have to do not only with the relations between states but also with those between the state and its citizens — principles like democracy, human rights and fundamental freedoms, the rule of law, and good governance. It was also behind the intention expressed in the Charter to set up an ASEAN human rights body.

To be sure, almost all of the world's governments, including those in Southeast Asia, may be accused of falling short, in one way or another, of the ideals committed to in the ASEAN Charter, ideals that are goals to be aspired

for, not necessarily already achieved. Governments around the world are, in one degree or another, vulnerable to accusations of violating the norms embodied in the ideals. At the same time, those governments reject the possibility of intervention in their internal affairs in the name of those ideals. This is why the proposed ASEAN human rights body, the terms of reference for which are still to be drawn up, will probably not engage in accusation or condemnation or in any form of coercive intrusion. Rather, it would, more productively, undertake work related to advocacy, public awareness, capacity building, and the promotion of regional conventions in specific sectors of human rights. Already, ASEAN has made collective commitments against trafficking in persons, the worst forms of child labour, violence against women, and the abuse of migrant workers (in both sending and receiving countries). The human rights body could also focus on the right to development and on the rights of the poor. Its establishment was foreshadowed as early as 1993, when ASEAN made clear its balanced position on human rights and “agreed that ASEAN should also consider the establishment of an appropriate regional mechanism on human rights”.⁵ However, it is still unclear whether and how the potential presented by the Charter will be realized. It is far from certain whether and how faithfully the principles proclaimed in it — the principles pertaining to the internal behaviour of states — will be carried out in substance.

Integrating the Regional Economy

A human right that ASEAN has long upheld is the right to development. Today, the advancement of this right means achieving competitiveness in the global economy and raising productivity, as well as promoting social justice, at home. For relatively small economies like those of the ASEAN members, competitiveness and productivity require the integration of the regional economy.

As the decade of the 1990s began, the ASEAN countries found their competitiveness for markets and investments threatened and their development at risk. The transformation of the General Agreement on Tariffs and Trade (GATT) into the WTO was giving impetus to globalization. Other regions were integrating their economies — not just the European Union but also North America, the southern cone of Latin America, and the Gulf states. The EU was taking in the relatively low-cost countries of Eastern Europe. The continent-sized economies of China and India were beginning to surge. The ASEAN countries realized, at least on an intellectual plane, that they had to integrate the regional economy if they were to survive the intensification of global competition.

The first step that the ASEAN countries, then numbering six, took in this direction was to commit themselves to the establishment of the ASEAN Free Trade Area (AFTA).⁶ Concluded in 1992, the AFTA agreement called for the reduction of import tariffs on intra-ASEAN trade to 0–5 per cent by a certain date and for the elimination of quantitative and other non-tariff barriers to that trade. Each new ASEAN member had to accede to the AFTA agreement, with time-frames similar to that of the original signatories.

The tariff-cutting exercise is more or less on track, even after the deadline was advanced twice, so that most intra-ASEAN trade is now duty-free, at least on paper. However, ASEAN knew that regional economic integration required more than the elimination of tariffs. Customs procedures had to be rationalized and coordinated. Product standards had to be harmonized. Trade in services had to be liberalized. Transportation and communications links had to be expanded and made easier and less expensive.

To achieve these other measures for regional economic integration, ASEAN has over the years adopted frameworks, implementing agreements, codes of conduct, roadmaps, and plans of action. However, progress has been extremely slow, too slow for traders and investors to consider ASEAN as an integrated economy.

There are a number of reasons for this sluggish pace. Some countries lack the institutional or personnel capacity to carry out the agreed measures. Clearly, technical assistance is needed to overcome this obstacle. Others find it difficult or are unwilling to undertake the necessary domestic reforms, for example, in customs and the regulatory agencies. Some lack confidence in the ability of their companies or industries to deal with regional competition and are unwilling to expose their firms or sectors, especially politically powerful ones, to such competition. In these ASEAN member-countries, the benefits of regional economic integration — reduced transaction costs, greater efficiency, and attraction to investments — are assigned a low priority.

The new ASEAN Charter is intended to strengthen the enforcement of and compliance with ASEAN agreements. It remains to be seen whether it will succeed in doing so.

For both political and economic considerations, ASEAN and several of its partners have concluded or are negotiating arrangements that are called free trade agreements (FTAs) but cover more than trade. They also deal with investments, services, and other economic interaction. Of these, the most advanced arrangement is the one with China, which has concluded the trade-in-goods and trade-in-services components of the free trade arrangement with ASEAN. South Korea has done so as well, but with Thailand opting out, at least temporarily, for reasons pertaining

to agricultural trade. Agreements with Australia and New Zealand and with India are being negotiated. Japan concluded a framework agreement with ASEAN as a whole in 2003 and has struck individual “comprehensive economic partnerships” with Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore, and Thailand. The United States, a leading trading partner of and source of investments for most Southeast Asian countries, has reached a looser arrangement with ASEAN and previously concluded a comprehensive bilateral agreement with Singapore. It has started negotiations on such agreements with Malaysia and Thailand.

East Asian financial cooperation is carried out largely in the ASEAN Plus Three context, an endeavour dubbed as the Chiang Mai Initiative. One component is the collective surveillance and review of the region’s economy and of the economies of the individual countries in it. In order to stave off speculative attacks on the region’s currencies, a network of bilateral currency swap and repurchase agreements has been developed. Sixteen such agreements, with a value of US\$80 billion, have been concluded so far. The network is being multilateralized and set looser from International Monetary Fund “conditionalities”. An Asian Bond Market Initiative has been launched, with a number of Asian-currency bonds issued. The coordination of exchange rates is being explored.

However, other than the technical support extended by the Asian Development Bank (ADB), ASEAN and ASEAN Plus Three financial cooperation lacks the administrative and intellectual infrastructure to move it forward in expeditious and substantive ways. There is now talk of setting up institutions for this purpose.

Most ASEAN countries have long recognized the value of tourism to their economies — in terms of jobs generated, the number of people involved, the geographical extent of its impact, and the rapidity of cash turnover. Since its inception in 1981, the ASEAN Tourism Forum, rotated among ASEAN countries normally in January, has become the largest and most successful tourism fair in Asia and one of the biggest in the world, with hundreds of sellers, buyers, and media representatives thronging to the event. In 2002, ASEAN concluded a tourism agreement that would facilitate the entry of visitors into the region and their movement within it, while prescribing measures to protect the environment and the cultural heritage and prevent the exploitation of women and children. Since then, that agreement has been thoroughly ignored.

Cooperating for Common Purposes

ASEAN has provided the platform for regional cooperation in an expanding range of sectors. These are sectors of a transnational nature, in which ASEAN cooperation

is useful, even necessary, for dealing with common threats and advancing common purposes. Such cooperation has been most notable in combating environmental degradation, including the disastrous haze episodes, communicable diseases, international terrorism, and transnational crime.

Protecting the environment is an obvious area for regional cooperation, as the marine and atmospheric environment and the threats to it know no national boundaries, with neighbouring countries sharing the same environment. The health of or damage to the region's natural environment can have a deep impact on people's physical health, their livelihoods, their education, and their very lives. Thus, ASEAN has asserted at every opportunity the high priority that it gives to cooperation in protecting and improving the natural environment. It has designated ASEAN Heritage Parks, set up a project to restore degraded forests and ecosystems, agreed on a set of marine water quality criteria, and adopted a programme on environmental education and public awareness. With EU support, ASEAN operates a Centre for Biodiversity in the Philippines.

A particularly vivid manifestation of activities in one country having a severe impact on others in the region has been the periodic episodes of atmospheric haze pollution arising from the burning of forests and peat lands. The fires take place mainly in Indonesia but have grievous effects on neighbouring countries as well as on parts of Indonesia itself — on health, education, transportation, agriculture, and so on. With the support of the ADB, the UN Development Programme (UNDP), the UN Environment Programme, the European Union, Japan, the United States, and others, ASEAN has embarked on a number of cooperative endeavours to deal with this transnational problem. It has strengthened the ASEAN Specialised Meteorological Centre in Singapore, which helps greatly in the daily tracking of forest fires and "hot spots". It has adopted a set of very detailed measures for preventing land and forest fires and mitigating their effects. It has embarked on exercises to hone the readiness of cooperative fire-fighting capabilities. ASEAN has undertaken consciousness-raising sessions among local officials and communities on the "zero-burning" policy that it has agreed on. Still, the haze from the land and forest fires continues to recur almost every year, as narrow commercial and political interests continue to trump regional environmental, economic, and health concerns.

It is generally acknowledged that ASEAN coordination and cooperation were a vital component of the international effort to stop the 2003 SARS crisis in its tracks. Cooperation on SARS was effective — more than on the haze — because the disease posed a threat to everyone, nobody benefited from it, and the ASEAN leaders were directly involved in the work against it. It remains to be seen whether

ASEAN collaboration in dealing with the more complex and diffused threat of an avian influenza pandemic will prove as effective.

Both by itself as an association and together with other countries, ASEAN has placed its collective political weight behind the international condemnation of international terrorism and cooperation against it. At the same time, ASEAN has made it clear that terrorism is not to be associated with any religion, race, or ethnic group. Cooperation among law enforcement agencies at the operational level has resulted in numerous arrests of suspected terrorists and the conviction of those found guilty.

The results of ASEAN cooperation against other transnational crime have been uneven. The oldest of these cooperative endeavours are those related to illicit drugs — their production, trafficking, and use. Carried out largely by the ASEAN Senior Officials on Drugs, they involve not only law enforcement but also prevention, treatment and rehabilitation, public information, and education. There has been less success in cooperatively dealing with trafficking in persons.

Cultivating a Regional Identity

Cooperation in these and other areas has formed useful collaborative arrangements, practical networks and personal friendships that have helped cultivate a sense of regional identity in Southeast Asia, as well as build the ability to deal cooperatively with transnational problems. The programmes that bring the region's young people together, like the Japanese-funded and -organized Ship for Southeast Asian Youth and Friendship Program for the Twenty-first Century and the ASEAN youth camps and jamborees, have served to instil a sense of region in the people of Southeast Asia at an early age. Such schemes for ASEAN's youth are necessary and helpful, but they are far from enough for the realization of the regional identity that is essential for the building of the ASEAN Community to which the region proclaims itself to aspire.

Without a much deeper feeling of regional identity — the identification of one's own interest and the interest of the nation with the regional welfare — enduring stability and regional economic integration, and the mutual confidence required for them, would not be possible. Cultivating a sense of region in people starts with mutual understanding and appreciation of one another. Clearly, this process has to start at an early age. Indeed, ASEAN's founding document, the ASEAN Declaration of 8 August 1967, proclaimed as one of its objectives the promotion of Southeast Asian studies. Yet, in this, ASEAN has hardly begun.

It is time for ASEAN to do so, if it is to fulfil its promise and potential.

Notes

- ¹ <<http://www.aseansec.org/1217.htm>>.
- ² Papua New Guinea (1989), China (2003), India (2003), Japan (2004), Pakistan (2004), South Korea (2004), Russia (2004), Mongolia (2005), New Zealand (2005), Australia (2005), France (2007), Timor-Leste (2007), Sri Lanka (2007), and Bangladesh (2007).
- ³ <<http://www.aseansec.org/21069.pdf>>.
- ⁴ Brunei Darussalam, Malaysia, the Philippines, and Vietnam.
- ⁵ Joint Communiqué of the Twenty-Sixth ASEAN Ministerial Meeting, Singapore, 23–24 July 1993. See <<http://www.aseansec.org/2009.htm>>.
- ⁶ <<http://www.aseansec.org/12375.htm>>.