

This book analyzes the reasons behind the decision to develop a security community in Southeast Asia known as the ASEAN Security Community (ASC). So far there have been, at least, two mainstream roads in explaining the development of the ASC, namely the approaches related to norms and the security cooperation evolution. Unlike those two previous ones, this work adopts a "multi-level" path which argues that the rationales behind the development of the ASC were the outcome of the interplay between the global strategic environment, regional political dynamics, and individual ASEAN members' strategies. Therefore, this book will not only clarify the background and the rationales behind the establishment of the ASC but also throw light on ASEAN security dynamics, particularly in the period from the end of the 1997 financial crises to 2007. Finally, this book identifies ASEAN's security challenges, institutional developments, and the current problems in consolidating the ASC.

The Evolving ASEAN Security Community

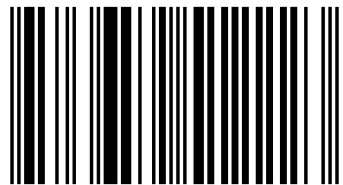


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The Evolving ASEAN Security Community

Background and Rationales

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TABLE OF CONTENTS

Table of Contents	i
List of Tables	iv
Abstract	v
List of Abbreviations	vi
Introduction	ix
Chapter 1 : ASEAN and the Regional Security during the Cold-War	
1.1. Introduction.....	1
1.2. The Birth of ASEAN and Its Reasons	1
1.2.1. The Objectives.....	2
1.2.2. The Basic Motivation.....	5
1.3. ASEAN Political and Security Cooperation.....	12
1.3.1. Zone of Peace, Freedom and Neutrality (ZOPFAN).....	12
1.3.2. ASEAN and the Cambodia Conflict.....	15
1.3.3. The Declaration of ASEAN Concord and the Treaty of Amity and Cooperation.....	17
1.4. Conclusion.....	21
Chapter 2 : ASEAN in the Post-Cold War Era: From Symbol to System?	
2.1. Introduction.....	23
2.2. The End of the Cold War in Southeast Asia.....	23
2.3. ASEAN's Membership Enlargement.....	25
2.4. ASEAN's Post-Cold War Security Issues.....	27
2.4.1. Arms Race.....	28
2.4.2. Territorial Disputes.....	30
2.4.3. Separatist Movements.....	34
2.5. ASEAN's Responses.....	36
2.5.1. The ASEAN Regional Forum.....	36
2.5.2. The Southeast Asia Nuclear Weapon Free Zone (SEANWFZ).....	41
2.6. Conclusion.....	43

Chapter 3	: ASEAN in Crisis: A Call for New Definition of Security	
3.1.	Introduction.....	45
3.2.	Financial Crisis: Causes and Impacts	45
3.3.	War on Terrorism in Southeast Asia	51
3.4.	Infectious Diseases.....	59
3.4.1.	SARS (Severe Acute Respiratory Syndrome)....	59
3.4.2.	Avian Influenza.....	60
3.5.	Conclusion.....	62
Chapter 4	: ASEAN Security Community: Characteristics and Rationales	
4.1.	Introduction.....	64
4.2.	The ASC: Main Characteristic.....	64
4.3.	The ASC: Adaptation to the Changing Global Environment.....	69
4.3.1.	Democracy and Human Rights in the Post-Cold War era	70
4.3.2.	War on Terrorism.....	72
4.3.3.	Globalization.....	73
4.4.	The ASC: Responding Regional Dynamics.....	75
4.4.1.	Responding to ASEAN’s New Security Challenges	75
4.4.2.	Revitalizing ASEAN, Improving Its Credibility	80
4.4.3.	Creating a Security Roadmap.....	84
4.5.	The Indonesia Factor.....	86
4.5.1.	ASEAN’s Significance on Indonesia’s Foreign Policy.....	86
4.5.2.	Indonesia’s Motivations on ASC.....	92
4.5.2.1.	Reaffirmation of ASEAN’s Importance.....	92
4.5.2.2.	Creating Norms.....	93
4.5.2.3.	Expression of Indonesia’s Leading Position.....	98
4.5.2.4.	Restoring Indonesia’s Image.....	100
4.5.	Conclusion.....	101
Chapter 5	: The ASC’s Institutional Development: Defining Direction, Converging Impetus	
5.1.	Introduction.....	103
5.2.	Creating the ASEAN Security Community Plan of Action 2004	103
5.2.1.	Political Development.....	105

5.2.2. Shaping and Sharing of Norms.....	106
5.2.3. Conflict Prevention.....	107
5.2.4. Conflict Resolution.....	108
5.2.5. Post-conflict Peace Building.....	108
5.3. ASEAN Efforts against Trafficking in Persons.	109
5.4. ASEAN’s Dispute Settlement Mechanism (DSM).....	110
5.5. Developing an ASEAN Charter	111
5.6. Combating Terrorism and Trans National Crimes	113
5.6.1. Treaty of Mutual Legal Assistance in Criminal Matters.....	114
5.6.2. ASEAN Convention on Counter Terrorism.....	115
5.6.3. Cooperation on Combating Terrorism and Transnational Crimes.....	116
5.7. Reaffirming Democracy and Human Right.....	118
5.8. Handling Problems of Migrant Workers	119
5.9. Conclusion.....	121
Chapter 6 : Consolidating the ASC: No Pain, No Gain	
6.1. Introduction.....	124
6.2. The Problem of Common Value.....	125
6.3. The Decision-Making Process: Is the ASEAN Way Obsolete?.....	127
6.4. The Relegation of Sovereignty and Principles of Non- Interference	128
6.5. Conclusion.....	131
Conclusion	132
Bibliography	

LIST OF TABLE

Table 1	Economic Growth of Asian Countries (% Real GDP Growth Rates)	47
Table 2	Impact of the Crisis: Exchange Rates and GNP	49
Table 3	The SARS Scored Board	60

ABSTRACT

This work aims at exploring the background and rationales of ASEAN members' decisions to realize the ASEAN Security Community (ASC). So far there have been two mainstream approaches in explaining the development of ASC, namely the approach related to norms and the approach of security cooperation evolution. Unlike the two previous mainstream approaches, this study adopts a "multi-level" approach which argues that the rationales behind the development of the ASC be the outcome of the interplay between the global strategic environment, regional political dynamics, and individual ASEAN members' strategies.

The significant findings of the work are as follows: First, the content of the ASEAN Security Community has reflected ideas borrowed from the field of global politics, namely democracy and human rights, globalization, and the war on terrorism. Second, the ASC has been responding to regional demands by handling the so-called Non-Traditional Security (NTS) which surfaced after the financial crisis, recovering ASEAN credibility and relevance, and fulfilling the need for a regional security roadmap. Finally, the ASC is inseparable from Indonesia's initiative and motivation to apply a so-called "back to basics" foreign policy. The ASC and has been linked with Indonesia's effort to make its foreign policy coherent with domestic dynamics as part of "democratization," its intent to preserve the 'unity' of ASEAN, and its efforts to restore Jakarta's leading position in ASEAN and its international image.

Another essential conclusion of the study is that the interplay of these three levels has also constructed the unique characteristics of the ASC compared to other security communities since ASC embraces comprehensive security which covers both traditional and non-traditional security issues in its framework, puts aside the military element as a core factor as it was in the original security community idea, and places common values as fundamental goals rather than prerequisite elements. Also, The ASC is also considered ASEAN's most explicit security framework which shifts ASEAN's paradigm to a more direct road to security.

LIST OF ABBREVIATIONS

ACCTC	ASEAN Centre for Combating Trans-national Crime
ACDFIM	ASEAN Chief of Defense Informal Meeting
APACTC	ASEAN Plan of Action to Combat Trans-national Crimes
ADB	ASEAN Development Bank
AEC	ASEAN Economic Community
AFTA	ASEAN Free Trade Area
AGLOP	ASEAN Government Legal Officers Programme
ALAAMM	ASEAN Law Ministers Meeting
AMDA	Anglo-Malay Defense Agreement
AMM	ASEAN Ministerial Meeting
AMMTC	ASEAN Ministerial Meeting on Transnational Crime
APC	Asia Pacific Center
APEC	Asia Pacific Economic Cooperation
ASEAN	Association of Southeast Asia Nations
ASEAN-ISIS	ASEAN-Institute for Strategic and International Studies
ASEAN-PMC	ASEAN Post Ministerial Conference
ARF	ASEAN Regional Forum
ASA	Association for Southeast Asia
ASC	ASEAN Security Community
ASC	ASEAN Standing Committee
ASCC	ASEAN Socio-cultural Community
ASPAC	Asia Pacific Council
CBMs	Confidence Building Measures
CLMV	Cambodia, Laos, Myanmar, and Vietnam
CSCA	Conference on Security and Cooperation in Asia
CSCE	Conference on Security and Cooperation in Europe
CSIS	Center for Strategic and International Studies
DOC	Declaration of Conduct
DSM	Dispute Settlement Mechanism
EPG	Eminent Persons Group
EEZ	Exclusive Economic Zone
FDI	Foreign Direct Investment
FPDA	Five Power Defend Agreement
GAM	<i>Gerakan Aceh Merdeka</i> (Free Aceh Movement)
GDP	Gross Domestic Products
GNP	Gross National Products
HLTF	High Level Task Force

HPA	Hanoi Plan of Action
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IAEA	International Atomic Energy Agency
ICJ	International Court of Justice
IDSS	Institute of Defense and Strategic Studies
IMF	International Monetary Fund
ISA	Internal Security Act
ISEAS	Institute for South East Asia Studies
JI	<i>Jamaah Islamiyah</i>
JIM	Jakarta Informal Meeting
KTT	<i>Konfrensi Tingkat Tinggi</i> (Summit Meeting)
LOSC	Law of the Sea Convention
MAPHILINDO	Malaysia-the Philippines -Indonesia
MNLF	Moro National Liberation Front
MPR	<i>Majelis Permusyawaratan Rakyat</i> (People Consultative Assembly)
NTS	Non Traditional Security
NNWS	Non-Nuclear Weapon States
NWS	Nuclear Weapon States
NAM	Non-Aligned Movement
NEFOS	New Emerging Forces
NSC	National Security Council
NWFZs	Nuclear Weapon Free Zones
OIC	Organization of Islam Countries
PICC	Paris International Conference in Cambodia
PNG	Papua New Guinea
PKI	<i>Partai Komunis Indonesia</i> (Indonesia Communist Party)
PRC	People Republic of China
PTA	Preferential Trading Arrangement
PULO	<i>Patani</i> United Liberation Organization
SARS	Severe Acute Respiratory Syndrome
SEANWFZ	Southeast Asia Nuclear Weapons Free Zone
SEATO	Southeast Asia Treaty Organization
SEOM	Senior Economic Officials Meeting
SLOC	Sea Line of Communication
SOM	Senior Officials Meeting
SOMTC	Senior Officials Meeting on Transnational Crime
SPF	South Pacific Forum
SWFD	South West Pacific Dialogue

TAC	Treaty of Amity and Cooperation
TNI	<i>Tentara Nasional Indonesia</i> (Indonesian Military)
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme
UNTAC	United Nations Transitional Authority in Cambodia
US	United States
USSR	Uni Socialist Soviet Republic
VOA	Voice of America
VAP	Vientiane Action Programme
WGTP	Working Group on Transboundary Pollution
WHO	World Health Organization
WKR	<i>Wae Ka Raeh</i>
WTO	World Trade Organization
ZOPFAN	Zone of Peace Freedom and Neutrality

INTRODUCTION

The Aim and Major Questions

In 2003, the member countries of the Association of Southeast Asian Nations (ASEAN)¹ staged a considerable “experiment” of regional cooperation and made a historic step toward regional integration by signing a so-called the Declaration of ASEAN Concord II, well-known as the Bali Concord II. The Bali Concord II was the ASEAN leaders’ agreement to establish an ASEAN Community by 2020, now upgraded to 2015.²

The Bali Concord II comprise of three pillars, namely: ASEAN Economic Community (AEC),³ ASEAN Security Community (ASC),⁴ and ASEAN Socio-Cultural Community (ASCC).⁵ These pillars strengthen each other to support ASEAN as a regional community.

Amongst the three pillars of the ASEAN Community, the ASEAN Security Community (ASC) has evoked both appeals and questions. While

¹ In this work, the terms of “ASEAN” and “the Association” are interchangeable. ASEAN member countries are: Indonesia, Malaysia, Thailand, Singapore, The Philippines, Brunei, Vietnam, Laos, Cambodia and Myanmar.

² One the outcomes of the 12th ASEAN Summit 2007 in Cebu was a decision to bring forward the realization of the ASEAN Community from 2020 to 2015. See the Cebu Declaration on the Acceleration of the Establishment of an ASEAN Community by 2015.

³ The AEC concept, which was first proposed at the ASEAN Summit in 2002 based on “ASEAN Vision 2020,” is to achieve the end-goal of economic integration, in order to create a stable, prosperous and highly competitive ASEAN economic region; it also highlighted a free flow of goods, services, investment and a freer flow of capital, equitable economic development; and reduced poverty and socio-economic disparities. See Bali Concord II, 2003; also, the AEC shall consist of elements of a single market and production base, turning the diversity that characterizes the region into opportunities for business complementation, see Denis Hew (ed) (2005), *Roadmap to ASEAN Economic Community*, ISEAS, Singapore, p. 1.

⁴ Simply, it is a security cooperation in the area of political development, shaping and sharing norms, conflict prevention, conflict resolution, and post conflict peace building. For the full document of ASC, see appendix. 1.

⁵ *ibid*; see also the core elements of ASCC on the Cebu Declaration towards “One Caring and Sharing Community” 2007: it reaffirms core elements of the ASEAN Socio-Cultural Community Plan of Action of the Vientiane Action Programme (VAP), which aims to build a community of caring and sharing societies to address issues of poverty, equity and human development; manage the social impact of economic integration by building a competitive human resource base and adequate systems of social protection; enhance environmental sustainability and sound environmental governance; and strengthen the foundations of regional social cohesion towards an ASEAN Community.

there has been much inquisitiveness regarding ASEAN's decision to formulate the security community and its ramifications on framing and handling ASEAN security, the analyses on this issue were limited. This work attempts to fill that gap by offering an account of ASEAN's decision to realize a security community.

This work analyzes the reasons behind the ASEAN members' decision to develop a security community. This work will not only try to clarify the rationale(s), but also throw light on ASEAN security dynamics, particularly in the period from the end of the 1997 financial crises to present. It also identifies ASEAN's security challenges and its responses. Finally, this work identifies institutional developments and illuminates current problems in consolidating the ASC.

The central questions of this work are as follows: why is ASEAN moving to a security community? How does ASEAN define their contemporary security, such that ASEAN needs to create a security community rather than revitalizing and consolidating the existing frameworks? What factors have stimulated the rise of ASEAN's contemporary security? What are the rationale(s) behind the acceptance of the ASC?

Second, what does the ASC mean for ASEAN security cooperation, particularly in meeting present challenges and contemporary security demands? What institutions have been developed, and need to be developed, to support the ASC? What problems could be identified in realizing the ASC? Moreover, finally, to what extent do such efforts of the ASC significantly influence, or fail to influence, the regional security order in Southeast Asia?

The Scope of Analysis

There have been previous studies explaining the road to an ASEAN Security Community. Such studies highlighted the importance of both 'norms' and 'evolution of security cooperation' as essential ingredients to ASC development. To mention one, Amitav Acharya introduced the

importance of “workable” norms as one of the independent variables to conducting a security community. In this stage, Acharya came to the conclusion that because of the workable and existing ASEAN norms,⁶ ASEAN has reached the stage of a “nascent security community.” Acharya’s work has been important in raising another discourse over the norms governing state behaviour (Poeu 2002; Kho 2004, Colin 2007).⁷ Another example is Ravoldo Severino’s work, which emphasized that the ASC has been a part of ASEAN’s evolving process of security cooperation from the very early period of ASEAN’s establishment. Since the idea of a ‘security community’ has been ASEAN’s fundamental objective from the beginning, as laid out in 1967, for Severino, the ASC is part of the previous ASEAN security cooperation effort. Simply, the ASC is the outcome of the continuity of ASEAN security cooperation.⁸

Admittedly, these previous approaches have provided a valuable starting point in considering the ASC. However, neither of them seems to have adequately provided a full understanding of the rationales behind the creation of the ASC since both approaches disregarded the dynamics of global, regional and individual states which eventually affect the acceptance of the ASC. As ASEAN’s security community is a political decision made by all members, not in a vacuum space, the analyses of ASEAN ‘norms’ and ‘the continuity of ASEAN security cooperation’ *per*

⁶ Acharya identifies norms as standards of behavior defined in terms of rights and obligations. ASEAN norms are derived from two sources: (i) the variety of official documents, the most important being the TAC; and (ii) the local social and political milieu. There two political documents endorsed: First, the Bali Concord: a program to strengthen political solidarity by promoting harmonization of views, coordinating positions and taking common action. Second, the Treaty of Amity and Cooperation (TAC); See Amitav Acharya (2001), *Constructing a Security Community in the Southeast Asia*, London and New York: Routledge, p 47-71. See also Amitav Acharya, ‘The Association of Southeast Asian Nations: ‘Security Community’ or ‘Defense Community’?’ *Pacific Affairs*, 64:2 (Summer 1991), pp.159-178.

⁷ Sorpong Peou, ‘Merit in Security Community Studies’, *International Relations of the Asia-Pacific*, Vol. 5, Number 2, 2005, pp. 267–274; Nicholas Khoo, Deconstructing the ASEAN Security Community: a Review Essay, *International Relations of the Asia Pacific*, Vol 4, 2004, pp. 35-46; Alan Collins, Forming a Security Community: Lesson from ASEAN, *International Relations of Asia Pacific*, Vol. 7, No. 2, 2007, pp. 203-226.

⁸ Ravoldo Severino, Toward an ASEAN Security Community, *Trend in Southeast Asia Series*, No. 8, 2004, p. 1-19.

se are not all-inclusive. It is not incorrect that norms and security cooperation exist; indeed, from very early on ASEAN has developed such norms and has had security cooperation; however, ASEAN members' decisions on the ASC cannot be understood solely as a linear process from them. Thus, the interactions of those three levels we have mentioned must be spotlighted as not only essential but also inseparable from the ASC's development.

In so doing, this work argues that ASEAN's determination to establish a so-called security community be the product of the interplay between the global strategic environment, regional political dynamics, and ASEAN's individual members' strategies. Thus, to gain a comprehensive 'picture' of the ASC, we employ a "multi-level" approach.

In arguing this, this work considers the ASC as a reflection of global dynamics, since the Southeast Asia region is politically subordinated to world politics. This work clarifies how the end of the Cold War stimulated 'the end of ideological rivalries' in Southeast Asia. Not only was there a shift in interstate relations from "ideological" to "pragmatic," but also, following the enlargement of ASEAN membership and the 'second wave' of democracy after the financial crises of 1997, democracy and human rights have become new "ideal" to be adopted. Furthermore, economic globalization and terrorism issues have also influenced the nature of contemporary ASEAN security and the development of the ASC. These problems have encouraged a widening of the definition of security from 'state-security' to a more comprehensive security which includes the agenda of protecting human rights, combating terrorism and maritime piracy, controlling immigrant worker flows and human trafficking, eradicating illegal logging and trade, and preserving the environment and health.

Apart from the aforementioned global scope, this work looks at the regional scope. The security community idea reflects ASEAN's demands for handling contemporary security issues in the region. Following the financial crisis, the "War on Terrorism," and the spread of infectious

diseases such as SARS (Severe Acute Respiratory Syndrome), HIV-AIDS, and Avian Flu in Southeast Asia, ASEAN security cannot be considered merely in terms of traditional security⁹ which is determined by military balance. Rather, so-called non-traditional security (NTS)¹⁰ issues have become significant both in quantity and variety. The idea of the ASC was sounded strongly after the Asian financial crisis devastated the economies of several members, notably Indonesia and Thailand. The ASC also came to the fore at a time when ASEAN countries realized that the newly emerging regional challenges not only weakened ASEAN's standing internationally but also eroded cooperation within the region. Thus, it is important to examine how the financial crisis, the “War on Terrorism,” and other NTS issues have created new security challenges for ASEAN and how they have motivated its leaders to establish the ASC.

Finally, this work looks at the interaction amongst individual members who influence ASEAN's movement towards the ASC, as it is known that the idea of a security community came from Indonesia, the “largest” member. It seems that Indonesia's impact on framing the security community cannot be disregarded. An investigation of the primary factors of Indonesia and other members' interactions regarding the ASC initiative will be significant in understanding the ‘real politics’ behind the birth of the ASC.

Chapter Organization

This work will be divided into six chapters as follows:

⁹ Traditionally, security has been defined in geo-political terms, encompassing aspects such as deterrence, power balancing and military strategy. Moreover, the state and its defense are at the core of strategic studies. In short, it is about the study of “threat, use and control of military forces”. See Ralf Emmers (2004), *Non Traditional Security in the Asia-Pacific: the Dynamic of Securitisation*, Eastern University Press, pp. 1-2.

¹⁰ Non Traditional Security is an alternative approach to security studies which puts a broad definition on security. It sees that security cannot be only about the military dimension. There are many dimensions of threats faced by states and other actors in international relations. These include ecological degradation, HIV/AIDS, drug trafficking, ethnic conflict, illegal migration and others. *ibid.*

Chapter one analyzes the development of ASEAN during the Cold War. It traces ASEAN objectives, looks at the background of regional security and highlights major issues that challenged the meaning of ASEAN.

Chapter two discusses ASEAN security issues in the post-Cold War era until 1997. It highlights the impact of the post-Cold War era on ASEAN security. We also identify ASEAN political and security cooperation in response to the changing international environment.

Chapter three focuses on 1997's financial crisis, the War on Terrorism in Southeast Asia, and infectious diseases and their aftermaths as factors which greatly influence the characteristics of ASEAN's contemporary security perception.

Chapter four elucidates the features of the ASC and identifies the rationales behind its establishment. This chapter discusses the interplay of global aspects, regional needs, and states' motivations which resonated to develop the idea of the ASC.

Chapter five analyses the institutional development of the ASEAN Security Community. It mostly covers outstanding issues from three ASEAN Summits: the 10th ASEAN Summit in Vientiane (2004), Lao PDR; the 11th ASEAN Summit in Kuala Lumpur (2005), Malaysia; and the 12th ASEAN Summit in Cebu (2007), the Philippines.

Chapter six identifies current problems and prospects of the ASC. It emphasizes the dilemmas faced by ASEAN in consolidating the ASC, especially about traditional ASEAN values.

Throughout this work, we would like to examine how the interplay of three layers -- namely, global strategic environment, regional dynamics, and individual states' motives -- have been mutually reinforced the making of the ASC. Furthermore, by adopting this 'alternative' perspective we argue that an examination of these three layers not only provides a more solid understanding of the rationales behind the creation of ASC but also spotlights the uniqueness of the ASC compared to other security communities and ASEAN's previous frameworks.

CHAPTER 1

ASEAN AND REGIONAL SECURITY

DURING THE COLD WAR

1.1. Introduction

This chapter identifies the characteristics of ASEAN during its first three decades of existence. This chapter consists of two main sections. The first underlines the background of ASEAN cooperation, underlining major issues that stimulated the establishment of ASEAN. The second points out matters that dominated the ASEAN political-security agenda during the Cold War period, highlighting political cooperation from 1967 to the beginning of the end of the Cold War.

1.2. The Birth of ASEAN and Its Reasons

ASEAN was not the first endeavor to create regional cooperation in Southeast Asia. The region has witnessed many of them. Among the early efforts were the Afro-Asian Conference hosted by Indonesia in Bandung in April 1955, the Southeast Asia Treaty Organization (SEATO) in 1965, and the Asia Pacific Council (ASPAC) in 1966. Other remarkable attempts at regional cooperation, and also important antecedents to ASEAN, seen in the 1960s were institutions such as the so-called MAPHILINDO - which stands for Malaysia- the Philippines-Indonesia - and the Association of Southeast Asia (ASA). The former was founded on 31 July 1961, and comprised Malaya, the Philippines, and Indonesia. The latter was established in 1963 and consisted of Malaya, Singapore, Sarawak, and Sabah. Both organizations failed to survive because of unresolved internal conflicts amongst members.

ASEAN was established on 8 August 1967 in Bangkok, Thailand, by the five original member countries, namely: Indonesia, Malaysia, Philippines, Singapore, and Thailand. In the occasion was marked with the

signing of the “Bangkok Declaration” by the five foreign ministers of the original member countries.¹

1.2.1. The Objectives

The main written objectives of ASEAN’s formation, according to the Bangkok Declaration, were mostly economic in nature.² Nevertheless, the *raison d’être* of ASEAN was mostly political and security cooperation. In this regards, economic cooperation was seen merely as a cover for political and security cooperation. Hence, ASEAN’s original objective was to pursue peace and stability in the region. Also, an unwritten objective was to contain the spread of communism.³ This fact indicates that, from very early on, politics and security were not far from ASEAN’s day to day business.

ASEAN was born at the height of the Cold War’s Indo-China conflict. Accordingly, ASEAN was created by member policymakers to respond to international and regional dynamics, particularly the conflict in Indo-China, known as the Vietnam War. A few months after ASEAN’s

¹ The five foreign ministers, considered the organization's Founding Fathers, were Adam Malik of Indonesia, Narciso R. Ramos of the Philippines, Tun Abdul Razak of Malaysia, S. Rajaratnam of Singapore, and Thanat Khoman of Thailand.

² According to the Bangkok Declaration 1967, there are seven aims and purposes of conducting ASEAN as follows: (1) to accelerate the economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-East Asian Nations; (2) to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship amongst countries of the region and adherence to the principles of the United Nations Charter; (3) to promote active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific and administrative fields; (4) to provide assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres; (5) to collaborate more effectively for the greater utilization of their agriculture and industries, the expansion of their trade, including the study of the problems of international commodity trade, the improvement of their transportation and communications facilities and the raising of the living standards of their peoples; (6) to promote South-East Asian studies; (7) to maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes, and explore all avenues for even closer cooperation amongst themselves. See *the Bangkok Declaration 1967*.

³ Dewi Fortuna Anwar, “ASEAN Experiences of Dialogue Partnership and Possibilities of ASEAN-SAARC Cooperation”, in Dewi Fortuna Anwar (2005), *Indonesia at Large: Collected Writing on ASEAN, Foreign Policy, Security and Democratization*, The Habibie Center, Jakarta, p. 26.

matters less. In the ASEAN process of decision-making, this non-vote system has long been applied to arrive at a consensus.

Finally, the ASEAN Way also refers to a system of non-binding plans rather than treaties or legalistic rules. The ASEAN members support a more informal approach to conflict resolution and seek long-term improvement of situations by promoting a sense of mutual trust. Those elements together have constituted the “ASEAN Way” which to some extent guides the strategic interaction of ASEAN members.

Another understanding of the ASEAN Way elaborated by Soesastro states that the “ASEAN Way” is a set of norms and procedures by which the Association would manage conflicts. It includes the principle of seeking concensus and harmony, sensitivness, non-confrontation and agreeability, politeness, quiet diplomacy, private and elitist diplomacy, and non-legalistic methods.⁴⁸ Also, the ASEAN Way and the TAC have encouraged ASEAN members to negotiate their problems as friends and not opponents.⁴⁹

1.4. Conclusion

This chapter underlined the major issues which stimulated the establishment of ASEAN, and the ways in which cooperation dominated the ASEAN political agenda during the Cold War period. The first decade after the birth of ASEAN featured the drive to end conflicts amongst regional members, to protect domestic affairs of members’ regimes from outside detractors and to respond to the impacts of the Cold War in Indo-China and the communist threat. ASEAN has helped its members to end conflicts amongst themselves, to minimize existing intra-ASEAN disputes, and to prevent misunderstanding and conflict from arising in the first place. It is significant because some ASEAN states were bitter enemies in not-too-distant past. Further, ASEAN has provided a more constructive

⁴⁸ See Hadi Soesastro (1995), *ASEAN in Changed Regional and Political Economy*, CSIS, Jakarta.

⁴⁹ Alan Collins (2000), *the Security Dilemmas of Southeast Asia*, ISEAS, Singapore.

environment and atmosphere which has been fostered by the growing interaction amongst countries and increased focus on domestic development. ASEAN also has contributed political self-confidence in responding to the Indo-China conflicts and the fears of communism.

However, in the process of ASEAN development, such activities and diplomatic products were dominated by efforts to respond to external political and security issues, such as ASEAN involvement in the Cambodian conflict. As a result, ASEAN has become a political alliance regarding the “collective position” that ASEAN members have taken and articulated in the international arena, and it has provided member states with the ability to assert their position as a subject, rather than an object, of regional politics. The Cambodian conflict also illustrated the effect of an “external common enemy” as an ingredient to cement ASEAN cohesiveness.

The only instruments created to fulfill ASEAN political and security demands at the time were the TAC and the ASEAN Way, which made ASEAN members more attuned and sensitive to each other’s interests. ASEAN gradually has fostered a feeling of family, togetherness and shared interest amongst a group of states that had little in common. ASEAN has afforded its members an instrument with which to create a sense of community in the region. ASEAN itself has become an important cementer of the relations amongst its members. ASEAN has encouraged members to negotiate their problems as friends, rather than opponents, and to pursue a policy of intramural accommodation rather than “competitive interference.”

In short, although security and political cooperation were essential in both ASEAN’s establishment and its development; most issues upheld by ASEAN in this period related to the Cold War in general and the Indo-China crisis in particular. Many frameworks were created reflecting the ideological conflict between the West and the East. Also, ASEAN mostly paid attention traditional issues in security.

CHAPTER 2

ASEAN IN THE POST-COLD WAR ERA: FROM SYMBOL TO SYSTEM?

2.1. Introduction

This chapter discusses ASEAN security issues from the end of the Cold War era until the year 1997, identifies the issues of post-Cold War ASEAN security, and emphasizes ASEAN responses. This chapter has four main sections as follows: the first examines the impacts of the end of Cold War on ASEAN security; the second discusses ASEAN membership enlargement, the third reviews ASEAN's post-Cold War security issues; and the final section identifies ASEAN's responses to the issues.

2.2. The End of the Cold War in Southeast Asia

At the global level, Gorbachev and George H.W. Bush declared the end of Cold War officially at a summit meeting in Malta on December 1989.⁵⁰ The end of the Cold War followed revolutions in Eastern Europe: Soviet reforms and their state of bankruptcy had allowed the USSR's "satellite" states in Eastern Europe to rise against their Communist governments. The peak of this revolution was the fall of the Berlin Wall and the collapse of the USSR.

The Cold War also ended in Southeast Asia. According to Acharya and Stubb, the end of the Cold War in Southeast Asia came in 1989, marked by the withdrawal of Vietnam from Cambodia on September of that year.⁵¹ The Vietnam withdrawal from Cambodia not only brought an

⁵⁰ "Cold War," *the Oxford Companion to Politics of the World*, (Oxford University Press, 2001), pp. 149-150.

⁵¹ Amitav Acharya and Richard Stubb, "the Perils of Prosperity?": Security and Economic Growth in the ASEAN Region, in M. Jane Davis (ed) (1996), *Security Issues in the Post-Cold War World*, Edward Elgar, Cheltenham, UK-Brookfield, United States, pp. 99-103.

end to the third Indo-China conflict but also meant that Vientiane was no longer the significant external threat for Southeast Asia, militarily and ideologically. However, the end of the communist threat and the subsequent incorporation of Vietnam into ASEAN changed the security concerns of the ASEAN countries, and as it will be discussed later, raised the intricate threat perception of ASEAN members, who began perceiving threats from “neighbors.”

The departure of Vietnam admittedly was a part of the ‘domino effect’ since it could not be separated from the decrease in Moscow’s support to Vientiane due to the USSR’s obvious economic difficulties, marked by the withdrawal of the USSR from its Vietnam bases in *Cam Ranh* and *Da Nang*. Further, the USSR withdrawal from Vietnam underlined that Washington’s containment policy in Southeast Asia had become irrelevant. The irrelevance of the containment policy increased the U.S. public’s demand for a so-called ‘peace dividend,’⁵² while the Philippine Senate denied a new base treaty to enable the U.S. military to stay longer in the Philippines. These developments led to Washington’s decision to make a full withdrawal from the Philippines’ Clark Air Base and Subic Bay Naval Base in 1992.⁵³ The decision not only terminated the U.S. presence in the Philippines after decades under the containment policy but also ended the U.S. “Based Force” strategy in the region.

⁵² The concept of a “peace dividend” can be defined as the economic benefit of a decrease in defense spending. It is used primarily in discussions relating to the guns versus butter theory. The term was frequently used at the end of the Cold War in the early 1990s, when many Western nations significantly cut military spending. While economies do undergo a recession after the end of a major conflict as the economy is forced to adjust and retool, a “peace dividend” refers to a potential long-term benefit as budgets for defense spending are assumed to be at least partially redirected to social programs and/or economic growth. The existence of a peace dividend in real economies is still debated, but some research points to its reality. For further explanation, see Sanjeev Gupta, Benedict Clements, Rina Bhattacharya, and Shamit Chakravarti, “The Elusive Peace Dividend”, *Finance and Development a quarterly magazine of the IMF*, December 2002, Volume 39, Number 4. <http://www.imf.org/external/pubs/ft/fandd/2002/12/gupta.htm> (Accessed 31 January 2007).

⁵³ William T. Tow, “Changing U.S. Force Levels and Regional Security”, in Colin McInnes and Mark G. Rollis (1994), *Post-Cold War Security Issues in the Asia-Pacific Region*, Frank Cass, Essex, England, pp. 10-13.

2.5.2. *The Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)*

One other diplomatic product of ASEAN is the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). Asian leaders signed this treaty on 15 December 1995, in Bangkok, Thailand. It was also signed by Laos, Cambodia and Myanmar, three Southeast Asian countries that at the time were still not formal members of ASEAN.

SEANWFZ was conjured up three decades ago. However, at the time there were views that it was unlikely to make any significant contribution to regional security because none of the states in the region were potential nuclear powers.⁹⁴ Now, with the level of economic and technological achievements in some countries in Southeast Asia, this same assessment would be difficult to reaffirm.

The SEANWFZ Treaty of 1995 was prompted by the Cold War and constitutes one response by the ASEAN states to political, economic and security challenges.⁹⁵ However, the initial process was The Kuala Lumpur Declaration of 1971, which marked the ASEAN countries' determination to secure the recognition of and respect for South East Asia as a Zone of Peace, Freedom, and Neutrality (ZOPFAN) free from interference by outside powers. In 1984 Indonesia first formally raised the SEANWFZ concept in the context of ZOPFAN - though it met with reservations on the part of others.

The SEANWFZ also prohibits each signatory country from developing, producing, or owning nuclear weapons within or outside of the SEANWFZ. It also prohibits the giving of permission to other countries to

⁹⁴ Muthiah Alagappa, Regional Arrangements and International Security in Southeast Asia: Going Beyond ZOPFAN, *Contemporary Southeast Asia*, Vol. 12, no. 4 (March 1991), pp. 269–305.

⁹⁵ Hans Blix, *the IAEA full scope Safeguards Agreements and compliance with them by Parties to the Nuclear Weapon-Free Zones*, <http://www.opanal.org/Articles/Aniv-30/blix.htm> (Accessed 31 January 2007).

develop nuclear stations or carry out nuclear weapon tests within the SEANWFZ.⁹⁶

Since the SEANWFZ has given Southeast Asia a legally binding instrument for promoting regional security by renouncing nuclear weapons and weapons-intended materials and preventing their proliferation in the region, the agreement is significant to maintaining peace and stability and clearing the region from the threats of nuclear activities. The Protocol further requires them to undertake not to threaten the use of nuclear weapons within the zone. Further, the Protocol is open for signature by China, France, Russia, the United Kingdom, and the United States.⁹⁷

According to Kusnanto Anggoro, a senior researcher at the Centre for Strategic and International Studies, Jakarta, SEANWFZ also can be defined as a 'security regime' expressing the collective desire and resolve of Southeast Asia states to exercise control over their common security.⁹⁸ The creation of SEANWFZ as a 'security regime' was seen as a reaction against the dominance and interference of the major powers in Southeast Asia.

Interestingly, even though SEANWFZ has less political value for some observers since none of the ASEAN members possess nuclear weapons, SEANWFZ does not directly translate into an end to nuclear

⁹⁶ According to the Treaty: States Parties are obliged not to develop, manufacture or otherwise acquire, possess or have control over nuclear weapons; station nuclear weapons; or test or use nuclear weapons anywhere inside or outside the treaty zone; not to seek or receive any assistance in this; not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any state; not to provide source or special fissionable materials or equipment to any non-nuclear weapon state (NNWS), or any nuclear weapon state (NWS) unless subject to safeguards agreements with the IAEA to prevent in the territory of States Parties the stationing of any nuclear explosive device; to prevent the testing of any nuclear explosive device; not to dump radioactive wastes and other radioactive matter at sea anywhere within the zone, and to prevent the dumping of radioactive wastes and other radioactive matter by anyone in the territorial sea of the States Parties. See *the treaty of Non-Proliferation of Nuclear Weapons*, <http://www.un.org/events/npt2005/npttreaty.html> (Accessed 31 January 2007).

⁹⁷ See, *Southeast Asia Nuclear-Weapon-Free Zone Treaty*, Treaty Of Bangkok 1995.

⁹⁸ Kusnanto Anggoro, "Kawasan Bebas Senjata Nuklir Asia Tenggara: Relevansi, Peluang dan Kendala Implementasi" (the Southeast Asia Nuclear Weapon Free Zone: Relevance, Opportunity and Implementation Problems), in Bantarto Bandoro (ed) (1996), *ibid*, pp. 133-37.

weapons, and others nuclear powers have never officially recognized the treaty;⁹⁹ SEANWFZ was a statement of reassurance of ASEAN's peaceful intentions. Also, SEANWFZ represented ASEAN members' efforts to bind themselves not to acquire nuclear weapons, which constitutes mutual reassurance not to be a threat to one another and an expression of independence in managing the region's external relations. This SEANWFZ a signal to neighbouring states, and with Nuclear Weapon States in particular, of their readiness to engage constructively in relations.

The existence of SEANWFZ as a security regime established by ASEAN has increased to three the number of similar international regimes which currently provide for Nuclear Weapon-Free Zones (NWFZs) in inhabited areas.¹⁰⁰

2.6. Conclusion

For Southeast Asia, the end of the Cold War brought an end to regional conflicts related to the Cold War. The withdrawal of Vietnam from Cambodia, and ASEAN's expanded membership encompassing states whose ideologies were previously different were considered the most significant post-Cold War phenomena in the region.

On the other hand, the end of the Cold War to some extent has neither created common security perceptions for ASEAN members nor removed indigenous conflicts. Instead, 'local' conflicts, which so far were covered by the Cold War or 'swept under the carpet,' have re-emerged. Moreover, the U.S. decision to withdraw from the Philippines to some extent meant the beginning of new regional security uncertainty.

⁹⁹ Jörn Dosch (2007), *the Changing Dynamics of Southeast Asian Politics*, Lynne Rienner Publisher, p. 198.

¹⁰⁰ They are as follows: the Treaty for the Prohibition on Nuclear Weapons in Latin America and the Caribbean (the Tlatelolco Treaty); the South Pacific Nuclear Free Zone Treaty (the Rarotonga Treaty); and the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty). In addition, there is a bilateral arrangement establishing a nuclear-weapon-free commitment between Argentina and Brazil.

In responding to regional uncertainty, ASEAN expressed a more independent initiative to respond to post-Cold War issues than ever before. One of ASEAN's responses in the post-Cold War era was the formation of ARF and SEAWNFZ. As the first multilateral security forum to manage the post-Cold War security environment, the former reflected a more active and independent role for ASEAN in promoting security in the Asia Pacific. The latter was a signal to neighboring countries of their willingness to engage constructively and an expression of independence in managing regional international relations, particularly in its relations with the great powers.

In the end, it is essential to highlight that most of ASEAN's activities and security frameworks in this period seemed to mostly draw attention to state security due to the changing of structural balance of power rather than intra-ASEAN realities comprising potential and actual conflicts. In fact, the ARF and SEWNFZ have shifted ASEAN from a 'symbol' to an existing system for fulfilling ASEAN's political and security demands to respond to post-Cold War security issues.

CHAPTER 3

ASEAN IN CRISIS:

A CALL FOR A NEW DEFINITION OF SECURITY

3.1. Introduction

In the two previous chapters, we have discussed ASEAN security issues from the pre-ASEAN era to the early 1997s, highlighted mostly traditional security issues, and emphasized ASEAN responses to the issues in the frame of the Cold War and Post-Cold War eras. This chapter focuses on the crises of ASEAN members from 1997's financial crisis to 2003 and their implications for demands for a new definition of security.

This chapter consists of three main sections. The first examines the Asian financial crisis which hit Southeast Asia on mid-July 1997. The second discusses the response of ASEAN members to the War on Terrorism in Southeast Asia, particularly to the U.S. Anti-Terrorist Coalition. The third discusses ASEAN's response to the spread of infectious diseases. Finally, this chapter emphasizes ASEAN demands for a new concept of regional security.

3.2. The Asian Financial Crisis: Causes and Impacts

ASEAN's major economies (Indonesia, Malaysia, Thailand, Singapore and the Philippines) were struck by the financial crisis in 1997. The crisis not only wiped out almost all the Southeast Asian economic achievements by shrinking economies, currencies, stock markets, and purchasing power but also caused political problems domestically and regionally. It has influenced, to various degrees, domestic political changes

in some ASEAN countries, particularly Indonesia, Malaysia and Thailand; and to some extent it has also lessened ASEAN cohesiveness.

By the beginning of 1997, Southeast Asia's major economies were growing strongly at a rate of 5% or more. Countries in the region attracted almost half of the total capital inflow to developing countries and maintained high-interest rates attractive to foreign investors.¹⁰¹ Hence, their economics prospect looked rosy at the time. In 1993, the World Bank even reported of an 'East Asia miracle.' The miracle was including several Southeast Asia economies amongst others in Northeast Asia (Japan, Hong Kong, the Republic of Korea, and Taiwan) that have achieved high growth with equity due to a combination of fundamentally sound development policies, tailored interventions, and an unusually rapid accumulation of physical and human capital.¹⁰² The report also underscored that the Asian miracle had become apparent through a remarkable record of high and sustained economic growth. To note, from 1965 to 1990 the 23 economies of East Asia grew faster than all other regions of the world. According to Table 1, Southeast Asia's major economies grew approximately 5% to 9.5% in 1995; and even a year before the crisis their growth was amazing, ranging from about 6% to 9%.

However, the fortunes of these major regional economies transformed drastically in mid-1997. The regional economic accomplishments were devastated by the Asian financial crisis which began in Thailand, spreading first to other Southeast Asian countries and then to Northeast Asian economies. It started on 2 July 1997 when Thailand changed its exchange rates policy from a fixed to a floating regime. On 11 July 1997, the Philippines followed suit; next was Indonesia, whose currency dropped dramatically, followed by Malaysia, and for the rest of

¹⁰¹ H.W. Arndt and Hall Hill (eds) (1999), *Southeast Asia Economic Crisis: Origin, Lesson, and the Way Forward*, ISEAS, Singapore, p. 1.

¹⁰² *World Bank Policy Research Bulletin*, "the Making of the East Asia Miracle", Volume 4, Number 4, August -October 1993.

officials fear it is only a matter of time before that number escalates into the millions. The UN's expert on Avian Flu, Dr. Nabarro underlined that the number of human deaths could be surprising: "Let's say the range of deaths could be anything between five and 150 million."¹⁴³

According to a report of the Southeast Asian regional office of the World Health Organization (WHO), Bird flu (avian influenza) is caused by a virus. It is present in droppings, respiration, secretions, and blood of infected birds. Human beings get accidentally infected.¹⁴⁴ Chickens have been the primary carriers and victims of the flu. The volatile influenza virus thrives in a mix of birds, animals, and humans living in proximity to a high numbers, whatever and wherever the arrangement.¹⁴⁵

The combination of animals (including humans), birds, and an endemic flu virus, and the potential for a people's health disaster has officials increasingly concerned. Among humans, the H5N1 strain has affected only those in close contact with infected birds. However, scientists fear the virus will eventually mutate into a more dangerous form, able to spread rapidly through human populations. Though transmission of the H5N5 bird flu virus to humans has thus far nearly "always proceeded from birds to humans", however, data shows that at least one case in Thailand there is suspected transmission of coming from the human body to human body.¹⁴⁶

In response to the rise of a new kind of threat, members of the ASEAN called for a maximum coordinated regional effort against the dangerous form of bird flu that has been moving across Asia in the past two years. Government ministers in Southeast Asia have endorsed a United

¹⁴³ See Mart Stewart and Ly Lan, *Avian Flu Takes Wing in Southeast Asia*, Seattlepi, 11 February 2005, available at: <http://seattlepi.nwsourc.com/opinion/211554_avian11.html>.

¹⁴⁴ <http://www.searo.who.int/EN/section10/section1027.htm> (Accessed 31 January 2007).

¹⁴⁵ See Mart Stewart and Ly Lan, *ibid.*

¹⁴⁶ Avian flu takes wing in Southeast Asia - seattlepi.com, <http://www.seattlepi.com/local/opinion/article/Avian-flu-takes-wing-in-Southeast> (Accessed 31 January 2007).

Nations plan to combat the spread of the Avian flu becomes a global health crisis.¹⁴⁷

3.5. Conclusion

This chapter shows that regional security issues have gone beyond the traditional interpretation of security. The financial crisis, the war on terrorism, and infectious diseases have required ASEAN security to solely include traditional security or state security issues, such as military conflicts, separatist movements, and the like but also aspects outside of traditional security.

The financial crisis provided a powerful example of how economics could be a catalyst for social turmoil, triggering political instability, decreasing human security by threatening the cohesiveness of ASEAN members, and stimulating of the increase of so-called NTS.

From the beginning, terrorism has been a problematic issue for ASEAN states individually and collectively, since internal factors are the main considerations for members in deciding the content of responses and the degree of engagement in the US' Anti-Terrorist Coalition. However, ASEAN's success in handling their diversity over the anti-terrorism policy not only has strengthened cooperation but also has shifted the terrorism issue from a 'problem' to an 'incentive' for cooperation amongst ASEAN members. Terrorism has become ASEAN's common threat and enemy. It has also softened the external pressure to intra-regional relations so that ASEAN can more comfortably exercise their intra-regional cooperation. Later on, this collaboration empowered ASEAN multilateral, regional cooperation under the 2003 Bali Concord II.

¹⁴⁷ Voice of America (VOA) News: Southeast Asia to Coordinate Fight against Avian Flu, Washington, D.C. 30 September 2005 <http://www.voanews.com/english/archive/2005-09/2005-09-30-voa63.cfm?CFID=137490000&CFTOKEN=54776336> (Accessed 31 January 2007).

Infectious diseases have been a looming threat, which triggered another crisis in the region. This crisis has highlighted the need for ASEAN to include these matters as part of ASEAN's non-traditional security issues.

ASEAN has a fundamental need to re-examine its ideas about security to create non-traditional concepts of security and to pay heed to a more encompassing view that escapes from the narrow state-centric and military-minded traditional concept of security. ASEAN also needs both a multi-dimensional concept of security and a more comprehensive security concept comprising those aspects of NTS.

Accordingly, ASEAN needs to review its principles of non-interference and state sovereignty on the formula of 'enhanced interaction,'¹⁴⁸ which allows some (measurable) involvement in those domestic affairs of member states assuming regional ramifications and expanding political and security cooperation to face those new security challenges. Also, the crises in ASEAN offer the lesson that many of these problems are beyond the ability of ASEAN's individual states to handle. How ASEAN responds to current ASEAN security issues in practical terms will determine ASEAN's future as a regional organization.

¹⁴⁸ According to Ali Alatas, "enhanced interaction" means that the countries of ASEAN agree that "when there is a problem that resides in one country but has effects on the other countries, and when there are transnational problems, then all members should convene and discuss these problems". See, Ali Alatas, "*ASEAN plus Three*": *Equals Peace Plus Prosperity*, ISEAS paper No. 2, January 2001, delivered on 5 January 2001 at the 2001 Regional Outlook Forum organized by ISEAS, Singapore, p. 7.

CHAPTER 4

ASEAN SECURITY COMMUNITY:

CHARACTERISTICS AND RATIONALES

4.1. Introduction

In the previous sections, we discussed how since 1997, Southeast Asia witnessed the rise of demands for both a new definition of security and sufficient efforts to respond to the changing security challenges. In line with those demands, this chapter seeks to analyze the factors compelling ASEAN to create an ASEAN Security Community (ASC) as an instrument to fulfil such demands and to go beyond.

The chapter elaborates four main themes. First, it discusses the key features of the ASC. Second, it examines how the global strategic environment causes regional security to be more comprehensive: the ASC is an adaptation to global norms, namely democracy and human rights, the war on terrorism, and globalization. Third, it examines the ASC as an answer to regional needs for responses to new security challenges, endeavors to revitalize ASEAN credibility, and efforts to conduct a security road-map to face the immediate changes. The last section elucidates the individual members' reasons, especially Indonesia's, for sponsoring the ASC. Therefore, this chapter underscores that satisfying the three tiers of demands has led ASEAN to create the ASC.

4.2. The ASC: Main Characteristics

As was discussed in the introduction, on 7 October 2003, ASEAN member countries came to a decision to enforce the ASC, one of the three pillars of the Bali Concord II, to achieve an ASEAN Community by 2015. The ASC embodies ASEAN's aspirations to bring peace, stability, democracy and prosperity in the region so ASEAN Member Countries can

live at peace with one another and with the world at large in a just, democratic and harmonious environment.

Unlike the Bangkok Declaration 1967, which attached security matters to the development of common interests in the economic, social, cultural,¹⁴⁹ and not a security path, the ASC clearly offers a roadmap to reach a security community. This road named the ASEAN Security Community Plan of Action 2004, also known as part of the Vientiane Action Programme (VAP).¹⁵⁰ In the context of ASEAN cooperation, the ASC not only represents a new pattern in achieving regional security, but also it indicates a somewhat shifting ‘paradigm’ in approaching security, from a ‘non-political path to security’¹⁵¹ to a more direct path to security. Moreover, in the Security Community Plan of Action 2004, ASEAN made a clear call to realize a security community by a certain time.

Regarding the shifting ‘paradigm’ in approaching security, the ASC is considered as the most unequivocal security framework amongst ASEAN members in existence. Compared to previous ASEAN security frameworks, such as the Bangkok Declaration of 1967, which kept away from stating security issues explicitly in its cooperation agenda, as well as avoiding stipulating the word ‘security’ in the declaration, the ASC mentions political and security cooperation explicitly and underscores security matters clearly.¹⁵²

The ASC’s idea, at its most basic, is in line with the general concept of a security community in what Deutsch (1978) identified as a consciousness of the existence of a basic, unambiguous and long-term

¹⁴⁹ These aspects are stipulated clearly in the Bangkok Declaration 1967.

¹⁵⁰ See ASC Plan of Action 2004.

¹⁵¹ According to Sukma, the change of the strategic environment, and its attendant implications for regional security and domestic priorities, make it imperative for ASEAN to also acknowledge the importance of a “security road towards peace.” ASEAN can no longer pretend that “peace, stability, and prosperity” can only be achieved through economic cooperation. See Rizal Sukma (2003).

¹⁵² See article 1 of ASC of Bali Concord II: “The ASEAN Security Community is envisaged to bring ASEAN’s political and security cooperation to a higher plane to ensure that countries in the region live at peace with one another and with the world at large in a just, democratic and harmonious environment.”

entity.²⁵¹ Minister Wirajuda has often said that democracy --together with the picture as a moderate Muslim country-- is "an asset for our foreign policy."²⁵² In this sense, Wirajuda's conception of democracy and human rights protection as core elements of the ASC could be interpreted as an effort to diversify diplomatic capital, as well as uphold Indonesia's standing.

4.6. Conclusion

As a security community, the ASC's goal has been very clear: to denounce war as a mechanism for resolving any regional security problems. In this respect, the ASC's principle goal is similar to all other security community frameworks in the world.

However, what is distinctive about the ASC is that since its existence is inseparable from political and security dynamics, globally, regionally, and bilaterally amongst ASEAN's individual states, the characteristics and the content of the ASC mirror those dynamics.

The features of the ASC are somewhat unique, since the ASC commits to comprehensive security, but de-emphasizes the 'military' aspect as a central instrument. Moreover, with regards to the various backgrounds of its members, politically, economically, and even regarding strategic motives, the ASC functions as a 'locomotive' pulling all members to embrace 'shared values,' as it encourages all members to identify democracy and human rights as their goals. In short, as a security community, the ASC has been adapted to ASEAN's specific context.

Furthermore, the content of the ASEAN Security Community has reflected ideas captured from global politics, namely democracy, human rights, the war on terrorism, and globalization. Further, the ASC has been a response to regional demands to handle NTS, recovering ASEAN credibility and relevance and also fulfilling the need for a security roadmap.

²⁵¹ Author's Interview, Jakarta, 1 December 2006.

²⁵² Rizal Sukma, "Myanmar and Democracy in Our Foreign Policy", *the Jakarta Post*, 22 January 2007.

Most importantly, the idea of the ASC can not be separated from Jakarta's initiative and motivation to apply a so-called "back to basics" foreign policy. This policy is to make foreign policy coherent with domestic dynamics as part of "democratization," to preserve the unanimity of ASEAN and to restore its leading position and international image. In short, the discussion throws light on the fact that the ASC is a consequence of multi-level 'games' and purposes.

CHAPTER 5

THE ASC'S INSTITUTIONAL DEVELOPMENTS: DEFINING DIRECTION, CONVERGING IMPETUS

5.1. Introduction

As consequences of the ASEAN leaders' agreement on the Bali Concord II, ASEAN inevitably sought to improve its institutions. This chapter discusses institutional development related to the ASC. The discussion mostly covers issues from three ASEAN Summits: the 10th ASEAN Summit in Vientiane (2004), Lao PDR, the 11th ASEAN Summit in Kuala Lumpur (2005), Malaysia, and the 12th ASEAN Summit in Cebu (2007), the Philippines. The issues are divided into seven sections as follows: the ASC Plan of Action 2004,²⁵³ ASEAN efforts against human trafficking, strengthening the dispute settlement mechanism, developing an ASEAN Charter, combating terrorism, reaffirming democracy and human rights values, and handling problems of migrant workers.

5.2. Creating the ASEAN Security Community Plan of Action 2004

The ASEAN summit meeting held in Vientiane, Laos, on November 2004 was the beginning of a process to draft the ASC Plan of Action. Accordingly, the implementation of the specific provisions of the ASC Plan of Action must be completed by 2010.²⁵⁴

One of the basic parts of ASC Plan of Action is recognition of the principle of comprehensive security, in which security is equated with

²⁵³ The full document of *the ASC Plan of Action 2004*. <http://www.aseansec.org/16827.htm>. (Accessed 31 January 2007).

²⁵⁴ K. Kesavapany & Denis Hew, Revisiting Blueprint for ASEAN Community, *The Straits Times*, 12 January 2007.

equity, and stability, according to the regulations and policies of each respective ASEAN Member.”²⁸²

Second, the declaration underscored the obligations of receiving states to protect the fundamental human rights, welfare, and human dignity of migrant workers intensively.²⁸³

Third, sender states have obligations to uphold procedures related to the promotion and protection of migrant workers. They also need to set up policies and procedures to facilitate the whole process including recruitment, preparation for deployment, protection of the migrant workers when abroad, and the process of repatriation and reintegration to the countries of origin. Also, sender states need to encourage legal practices regarding “malpractices recruitment” and implement instruments to eliminate illegal recruitment and invalid contracts, as well as conduct agency recruitment accreditation and punish those who violate them.

Finally, ASEAN committed to promote decent, humane, productive, dignified and remunerative employment for migrant workers. ASEAN also committed to implement human resource development (HRD) programs; took solid efforts in preventing smuggling and trafficking in persons; encouraged data-sharing on matters related to migrant workers; enhanced policies and programs to promote capacity building through sharing of information and best practices. More important, ASEAN agree to address opportunities and challenges encountered by ASEAN member countries in relations to protect and to promote of migrant workers’ rights and welfare.

²⁸² As stated on the Declaration: “Nothing in the present Declaration shall be interpreted as implying the regularization of the situation of migrant workers who are undocumented”, full document see *ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Worker 2007*.

²⁸³ This is particularly to ensure employment protection, payment of wages, and adequate access to decent work and so on. Also it creates obligations to open access to resources and remedies through information, training and education, justice, and social welfare services; to offer adequate access to the legal and judicial system for migrant workers who may be victims of “discrimination, abuse, exploitation, violence”; and to assist the exercise of consular functions of states of origin when a migrant worker has problems related the law. *ibid.*

Encouraging international organizations and dialogue partners to respect the principles of the Declaration was also part of ASEAN commitment.

This declaration was the first collective ASEAN effort to cover migrant issues. It is also seen as an achievement in discussing issues which often raise sensitivities in members' relations. However, there have been many criticisms as so far there is no time frame set, a lack of a monitoring system and a complaints procedure. Also, the so called adjudicating body with penalising powers that is accessible to the migrant workers and their families is also in questions.

As the declaration only covers migrants from ASEAN sending countries and specifically those who are documented, that declaration would not even cover migrant workers from non-ASEAN countries and also neglects the rights of the roughly two to five million undocumented migrants in Malaysia. Officially, the number of documented migrants in Malaysia is about 1.8 million, and as such the millions of undocumented migrants – some of whom are refugees, from Burma, Aceh, Southern Thailand or the Southern Philippines – are not covered concerning rights in this Declaration.

5.9. Conclusion

This chapter underlined ASEAN's evolving efforts related to the ASC's institutional development following the Bali Concord II agreement.

One primary path toward the ASC's institutional development was the ASC Plan of Action of 2004. This road provides valuable guidance for ASEAN members on creating a security community, elaboration of ASEAN's aspirations to achieve peace, stability, and prosperity, and an important ASEAN achievement in approaching security cooperation in a more direct way.

Its other significant accomplishment is revitalizing ASEAN's Dispute Settlement Mechanism (DSM). This mechanism in the past was not convincing enough to attract members to utilize it. Therefore, this new

DSM is essential to invigorating its credibility in settling disputes amongst members.

The section on reaffirming democracy and human rights in the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter signed on 12 December 2005, shows that ASEAN is adapting itself to new challenges. The acknowledgment of democracy and human rights as part of ASEAN's goals, theoretically, will also affect the domestic political systems of several ASEAN members, change the characteristics of ASEAN, and have implications to the relevance of both the ASEAN Way and the principle of non-interference.

The Declaration on the Protection and Promotion of the Rights of Migrant Workers was an important step to addressing a possible problem that has aggravated inter-state tensions, especially among major sending countries, Indonesia, and the Philippines, and major receiving countries, Malaysia and Singapore.

In combating terrorism and transnational crimes, ASEAN cooperation has also been more robust. Regarding diplomatic achievements, there was the Treaty of Mutual Legal Assistance in Criminal Matters in 2004 and the ASEAN Convention on Counter-Terrorism in 2007. ASEAN also has enhanced cooperation and coordination among the ASEAN Chiefs of Police (ASEANAPOL), increased extra-regional cooperation in countering terrorism with its dialogue partners, conducted the regular ASEAN Chief of Defence Informal Meeting (ACDFIM), and concluded seven Joint Declarations on Cooperation to Combat International Terrorism.

The decision to develop an ASEAN Charter obviously was a breakthrough for ASEAN. It could also be seen as a concrete way to develop ASEAN and achieve its goals, as well as essentially a new ASEAN approach to becoming a more "modern" organization. The High-Level Task Force will commence drafting the charter for approval in time for the 13th ASEAN Summit in Singapore on November 2007. It will be very beneficial if the outcome of the High-Level Task Force transforms a group

whose characteristic has been informal consensus into a legal entity with binding rules.

Understandably, considering the number of agreements and the intensity of the discussions, one can easily feel optimistic that today ASEAN is not far from achieving a security community. However, it is important to note that one basic essential for achieving a security community is an instrument which can impose a set of morally and legally binding rules and procedures. Without this element, most of these ASC-related achievements may be seen merely as products of “talking shop” or “AFTA” (Agree First, Talks After). Also, as we will discuss in the next chapter, these agreements are not always easily translated into concrete policy implementation.

CHAPTER 6

CONSOLIDATING THE ASC:

NO PAIN, NO GAIN

“This is a document that will establish an ASEAN Community. That will make it possible for our children and their children to live in a state of enduring peace, stability and shared prosperity.” (Megawati Soekarno).²⁸⁴

6.1. Introduction

The above remarks, delivered by President Megawati at the Bali Summit in 2003, expressed praise and optimism about the future of ASEAN since the Bali Concord II had provided the fundamental building blocks to establish a ‘giant’ project for the so-called ASEAN community by 2020. Similar optimism was echoed in the 12th ASEAN Summit held in 2007 in Cebu, whereby there was a decision to move forward the realization of the ASEAN Community from 2020 to 2015. In short, the ASEAN Community has become the new “passion” of ASEAN cooperation and activities.

The above illustration indicates that an ASEAN community seems not unattainable. However, inventing a regional community, particularly a security community, is either a tough or a very complex endeavor. Even though there has been movement in a clear direction towards a security community, as we see in the ASC Plan of Action 2004, using the term “community” for security cooperation indeed requires enormous willpower from all ASEAN members to translate such rhetoric into implementation.

²⁸⁴ Megawati’s speech at the Bali Summit 2003, quoted from Jörn Dosch (2007), *the Changing Dynamics of Southeast Asian Politics*, Lynne Rienner Publisher, p. 197.

This chapter identifies ASEAN's greatest challenges in consolidating the ASC. First, it spotlights the problem of common values, which are an integral requirement to moving forward into a "community." Second, it discusses the need for a re-evaluation of ASEAN's 'decision-making process,' as ASEAN still utilizes consensus-based and non-binding methods. Finally, it clarifies problems related to the relegation of sovereignty and issues of non-interference, which affect to the means of ASEAN Secretariat capacity building and other ASEAN security resolutions.

6.2. The Problem of Common Values

The term "community" refers to at least two characteristics. First, a community is "more than an instrumental relationship"; it is a social one which necessitates "trust, friendship, complementary and responsiveness."²⁸⁵ Second, a community is not defined by merely cultural similarities or common physical attributes alone. A community reflects other aspects, namely: 'mutual responsiveness, confidence, and esteem.'²⁸⁶ In short, a community needs to have substance beyond a mere physical entity.

Accordingly, there is one fundamental element that should be upheld in all endeavors towards a security community, namely 'common values.' Common values are required for the creation of a 'regional community,' whereas there is no such need in the other forms of regional cooperation, which mostly require only a common interest regardless of each country's values. Indeed, in establishing a regional community, every member state has to share common values in every possible way.

As we discussed in previous chapters, common values make up the essential foundation to allow members to 'communicate' in the same

²⁸⁵ Ernst Hass, quoted from Amitav Acharya, 'What Is a Community?' in ISEAS Report, *Towards Realizing an ASEAN Community: a Brief Report on the ASEAN Community Roundtable*, ISEAS, Singapore, 2004, pp. 227-8.

²⁸⁶ Donald J. Puchala, quoted from *ibid.*

of the “interdependence” of state relations. Such an interpretation would enable ASEAN to discuss issues in more constructive and comfortable way. The concept, coined by the former Indonesian Foreign Minister Dr. Ali Alatas, of “enhanced interaction” to discuss problem which “reside in one country but has effects on the other countries”²⁹² seems worthy of consideration by ASEAN countries. This proposal is an initial process to find a “comfort level” to deal with other sensitive issues which enter the area of sovereignty.

6.5. Conclusion

In an increasingly globalized world with the spread of new security challenges, it has been crucial for ASEAN to develop political and security cooperation into a security community. Undoubtedly, these efforts could preserve the Association as a imperative agency which positively contributes to peace and stability regionally and globally. Also, a successful ASC would obviously lay the foundation for ASEAN regionalism to move towards an ASEAN Community.

While realizing that a security community is not unattainable, ASEAN needs to establish common values as the foundation to manage the “huge” diversity amongst members. ASEAN also needs to improve its decision-making process, both regarding process and binding, and find a solution to the problem of sovereignty. Furthermore, it is important to enhance the ASEAN Secretariat’s capacity to a level in which satisfying to all members without worry of significantly reducing their sovereignty. Indeed, so long as there is no very clear and assertive path to improving these issues, it seems that the ASC’s consolidation might take a long time.

²⁹² See, Ali Alatas, “ASEAN plus Three”: Equals Peace plus Prosperity, *ISEAS paper No. 2*, January 2001, p. 7.

CONCLUSION

This concluding chapter summarizes the major findings of this work.

To begin with, unlike previous studies on the ASC, which emphasized only one aspect of its creation such as ‘norms’ or ‘evolution of security cooperation,’ this study provided an alternative perspective in explaining ASC development since it adopted a ‘multi-level approach.’ As the study points out, the ASC is a convergence of dynamics in three areas: global strategic environment, regional dynamics and the Indonesia factor. Therefore, it cannot be understood by focusing on only ‘norms’ and policies. This study attempts to provide an alternative perspective for understanding the ASEAN security community in general and identifying its rationales in particular.

Beyond the region, the study proves that the ASEAN Security Community framework is inseparable from the dynamics of global politics. The content of the ASEAN Security Community has mirrored ideas borrowed from the field of world politics, namely, democracy, human rights, the war on terrorism, and globalization. Democracy and human rights have inspired ASEAN in creating common values as well as the goals observed in the political development section of the ASC Plan of Action. Furthermore, the terrorism issue has penetrated ASEAN’s concept of security in a way that stimulated ASEAN to upgrade it from the level of ‘trans-national crime’ to “security concerns,” which means that terrorism has been “securitized.” Also, as globalization has been a double-edged sword for ASEAN – diminishing ASEAN capability on the one hand, and coloring security issues transnationally on the other – globalization has enriched ASEAN’s awareness of the necessity to respond to its “dark-side.” Indeed, although we must acknowledge that global politics does not reduce ASEAN's autonomy significantly in framing and defining what it needs or does not need in security matters; the mainstream issues of world politics

have inevitably influenced both ASEAN's security concepts and its agendas.

Regionally, the ASC has responded to regional demands in handling so-called NTS matters that surfaced after the financial crisis. The ASC also represents ASEAN's endeavour to enhance its credibility and relevance to fulfil ASEAN demands in dealing with new security concerns. ASC is also a shifting of the ASEAN "paradigm" of security issues to a more straightforward one; it is also the only ASEAN security roadmap to realize ASEAN's idea that all ASEAN countries live at peace.

Most importantly, the ASC is a part of Indonesia's initiative and motivation to apply a so-called "back to basics" foreign policy. The ASC has also link with Indonesia's effort to make its foreign policy coherent with domestic dynamics as part of "democratization," Indonesia's will to preserve the unity of ASEAN, and Indonesia's efforts to restore Jakarta's leading position and its international image.

From the above illustration, we can see that the interplay of global environment and regional dynamics was most influential in ASEAN's definition of contemporary security, which requires a certain framework. Since ASEAN's contemporary security challenges are beyond the coverage of its previous frameworks such as ZOPFAN, SEANWFZ, and even ARF, it is easy to understand why ASEAN needs to create a new framework, an ASC, rather than revitalizing and consolidating the existing ones. Indonesia has catalyzed the process of establishing this new framework, as the general ideas of ASC are in line with Jakarta's motivation to play a more active role in ASEAN as a part of its "back to basics" foreign policy, and also as Indonesia was a chair of the standing committee.

The interplay of these three levels has also bestowed unique characteristics to the ASC as compared to other security communities since the ASC embraces comprehensive security which covers both traditional and non-traditional security issues in its framework. The distinctiveness of the ASC is also seen in its military aspect and emphasis on common values. As for the former, the ASC removes the military element as a core factor

such as it was in the original security community idea. Regarding common values, the ASC names democracy, transparency, the rule of law, and respect for human rights as fundamental values. Considering the diverse backgrounds of its members, particularly regarding political systems, realistically ASEAN should consider these common values as goals rather than prerequisite elements.

This study also found that to consolidate a security community; ASEAN needs to reconcile its members to the idea of elevating ASEAN's decision-making from non-binding consensus to a more advanced process. ASEAN also needs to find a compromise on the issues of non-interference and the relegation of sovereignty. The latter requires capacity building within the ASEAN Secretariat.

It is important for ASEAN to develop the capacity of its secretariat as a leading institution to manage the agendas of the ASEAN Community. Accordingly, ASEAN needs to find a "comfort level" in dealing with the relegation of sovereignty. ASEAN needs to define a degree "supra-national" authority for the Secretariat which is tolerable for all members. Indeed, since relegation of sovereignty is inevitable in building an ASEAN "community," discussion on this issue need to be intensified.

In the end, although the framework of the ASC still faces many challenges, the ASEAN Security Community has provided a clear direction of where and how far regional security cooperation may be arranged. The ASC also improves ASEAN's previous security cooperation structures which were dominated by issues of traditional security related to the Cold War and the post-Cold War. Therefore, the ASC has been a breakthrough for ASEAN, both in promoting regional peace and security and in facing the current regional security challenges.

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