The ASEAN Political Security Community: Challenges and Prospect

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It has almost been a rule, whenever ASEAN Leaders gather in the resort town of Bali, Indonesia, there will be a major development to the regional organisation to watch out for. This year, the 19th ASEAN Summit will be held in Bali again. The clues for the hype this year are well reflected in Indonesia’s Chairmanship theme for ASEAN this year “ASEAN Community in a Global Community of Nations”, which is the advancement of ASEAN community building process one step further towards not only successfully building a community of its own, but also a community with a deserved place and role in the global community of nations. This paper examines the evolution of the ASEAN community and the prospects and challenges involved, in particular with regard to the political security community pillar.

From a community, to a Community, towards a Global Community of Nations

Looking back at the ASEAN community building process, it could be noted that ASEAN has been progressively developing the idea of the community among its members. Although the Bali Concord II adopted in 2003 is often referred to as the milestone in ASEAN’s community building process, in fact the idea of a “prosperous and peaceful community of South-East Asian Nations” was embodied in the Bangkok Declaration (1967) as an ASEAN’s goal right from its inception. Given the deep division and suspicions that characterised relationship in South East Asia at the time, the founding nations of ASEAN had to overcome very major challenges, most notably the lack of confidence among one another in order to agree on a the common interests of working together towards a peaceful and prosperous region.

Nine years after the Bangkok Declaration, after the unification of Vietnam, the withdrawal of the US from the region, hence the transformation of the regional geo-political environment, ASEAN strengthened its resolve to create a community. However, ASEAN recognised the need to develop shared values and an identity among its members to serve as a firmer foundation for the community, rather then basing the community on just common interests. The Bali Concord I (1976) resolved that “Member states shall vigorously develop an awareness of regional identity and exert all efforts to create a strong ASEAN community”.

After ASEAN underwent a major transformation due to enlargement from 6 to 9

members with the admission of Vietnam in 1995, Laos and Myanmar in 1997, and Cambodia agreed to be admitted as the 10th member, a major new challenge arose for ASEAN: to integrate the newer members. ASEAN first needed to make sure that the common interests and values that ASEAN aspire for would be shared among all members, and to create a common vision for the whole new Association. Therefore, ASEAN further defined the community in the ASEAN Vision 2020 (1997) “as a concert of Southeast Asian nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies”.

The Bali Concord II (2003) was ASEAN’s next big step in formalising and institutionalising the ASEAN’s community vision into a concretely targeted Community by 2020, thanks to ASEAN’s recognition of the need for greater and faster regional integration in order to remained competitive and relevant in the fast changing regional landscape. The 3-pillar Community goal, which was subsequently accelerated to 2015 at the 12th ASEAN Summit in 2007, was a major advancement of the ASEAN community vision because it made community building the most important objective of ASEAN. With now less then 4 years left to the targeted goal, it was recently argued, rationally, that ASEAN needed to think about the Community’s further development beyond 2015. Indonesia’s vision of an ASEAN Community in a Global Community of Nations may be the next step in ASEAN Community development.

Community is, therefore, a very dynamic, evolving and constructive concept in ASEAN. As ASEAN members move along the Community building process, new vision will emerge, new goals will be added, new targets are set, new opportunities and challenges will arise. It is therefore necessary to analyse the challenges ASEAN now face, and likely to face in the future, in the path to build its Community.

**IMPLEMENTING THE ASEAN CHARTER**

The signing of the Charter is arguably the most important development so far in the Community building process, and its successful implementation is of critical importance to the success of the whole process. The Charter re-organises ASEAN in 3 major ways (i) it re-organises the ASEAN’s institutions to better fit its Community building objectives; (ii) it re-organises how ASEAN works internally (or the ASEAN’s way); (iii) and it re-organises how ASEAN works with the rest of the world (by creating an ASEAN’s legal entity).

- With regard to ASEAN’s institutions, the Charter re-structured the whole ASEAN machinery in accordance with the Community building objective; it increased the number of ASEAN summit to at least two meetings per year, one focusing on ASEAN’s own internal affairs, the other one on external relations; the Ministerial bodies were organised into three Community Councils corresponding to the three Community pillars; the ASEAN Secretariat was also re-structured into three pillars; a Committee of Permanent Representative to ASEAN in Jakarta was created to allow Member States to coordinate...
positions on a regular basis without having to conduct costly and time consuming meetings; an ASEAN Inter-Governmental Human Rights Commission was created to promote cooperation on human rights, and the ASEAN Foundation became the bridge between ASEAN and the grass roots in the process of community building. More new institutions are being planned, including formal linkages with the ASEAN Inter-parliament Assembly (AIPA), an Institute for Peace and Reconciliation etc.

A big challenge for ASEAN is to make all the above changes work the way they are designed for, meaning that all mechanisms will be effectively functioning in a well coordinated manner, capable of delivering concrete outcome without stressing member countries further with additional meetings each year. As it is, the Charter also placed too much responsibility on the shoulder of the leaders, having the final say in any thing that ASEAN Member States could not agree on, or in any disputes which cannot be resolved by the disputes settlement mechanism. With this design, there is a risk that the leaders meeting will be distracted from strategic discussions and from important agendas, and instead get overwhelmed by disagreements and housekeeping issues. To avoid this scenario, each Community Council will have to resolve their own Community issues effectively without elevating un-resolved problems to the upper level.

- With regards to improving the “ASEAN way”, the most important challenge is to further cultivate the culture of compliance, and to efficiently implement the newly established, Charter level dispute settlement mechanism. Since there are several disputes settlement mechanisms in place – mechanism prescribed in some existing ASEAN agreements (e.g. the Treaty of Amity and Cooperation); mechanisms already setup such as the Protocol on Enhanced Disputes Settlement Mechanism on Economic agreements; and the new mechanisms setup in accordance with the Charter – there need to be clear guidelines as to which disputes is to be solved by which mechanism, and through which procedures. The cross cutting nature of many of ASEAN issues will further complicate this problem. For example, an issue involving migrant workers can be political if seen on human rights ground, economic if looked upon in terms of creating a single market with free movement of labour, especially skilled labour, and social – cultural if it involves welfare issues.

Another measure to improve compliance was to charge the Secretary General of ASEAN with monitoring the implementation of the decisions made in ASEAN. The Secretary-General will then make regular report on non-compliance to the ASEAN leaders. The challenge is what to do with the reports at the leaders level. Critics doubt the leaders would be able to enforce compliance given that decisions are still made by consensus. And although the Charter does open the opportunity for the leaders to make decision on a particular issue other then by consensus, it is not clear how the leaders would be able to do so since a consensus among them is still required to deviate from the standard making method of consensus. Critics call this “double consensus”.

- With regards to external relations, the Charter conferred “legal personality” to ASEAN, meaning ASEAN would and should be recognised as one legal entity, which is
entitled to act on its own in international affairs. As a result, ASEAN has for the first time been recognised by United Nations as the “legal” body at the regional level to help maintain regional peace and stability in accordance with Article VIII of the UN Charter. Therefore, on 15 February 2011 the United Nations Security Council left the issue of Thailand – Cambodia border clashes to be resolved by ASEAN. A critical challenge for ASEAN to become one legal entity is to at least speak with one voice, or to have common positions in its relations with the world outside. This has been a chronic problem for ASEAN and it is not clear how ASEAN would be able to over come in the near future, given that ASEAN members still have vastly different interests and opinions when it comes to external relations. Article 41 of the ASEAN Charter, however, does require ASEAN to “coordinate and endeavour to develop common positions and pursue joint actions”, on the basis of unity and solidarity 4. Another difficulty lie with member states on how much power to delegate to the “legal person” of ASEAN to act on behalf of the member states, who is eligible to exercise the power and through which procedures. The most vivid representation of ASEAN is the Secretary-General of ASEAN, therefore, it is logically assumed that the Secretary-General would be empowered to pro-actively speak and act on behalf of ASEAN. ASEAN member states, however, feared an overly – powerful Secretary-General of ASEAN might threaten their absolute sovereignty, a still very sensitive issue in ASEAN affairs.

The ASEAN Political Security Community Building Process

The ASEAN Political Security Community Blue Print adopted by the 14th ASEAN Summit in 2009 specified 3 key areas where the APSC is to be built on: (i) a rules based community with shared values and norms; (ii) a cohesive, peaceful and resilient region with shared responsibility for comprehensive security; (iii) a dynamic and outward looking region.

One often cited problem in monitoring ASEAN Community building progress is the lack of quantifiable targets, particularly in the Political Security pillar. To “Promote understanding and appreciation of political systems, culture and history of ASEAN Member States” as called for in article A1.1 of the Blue Print, the actions requirements are “Encourage the holding of at least two track-two events per year.” and “Intensify exchange of experience and training courses...” 5, all with no clear quantified targets.

On the other hand, a very notable qualitative progress was achieved with ASEAN breaking the boundary of its cooperation by developing cooperative activities, new norms and slowly new rules in difficult areas, some even considered untouchable before. The ASEAN inter-governmental commission on human rights is one of such achievement, considering that human rights issues were once seen as too sensitive to appear in any ASEAN’s formal discussions. ASEAN managed to advance its cooperation on maritime security,
Despite maritime boundaries disputes among its members. An ASEAN Maritime Forum was inaugurated in 2010 after years of consideration; an enhanced discussions on the South China Sea in ASEAN’s high level meeting; and an ASEAN Declaration on Search and Rescue of People and Vessels in distress at sea, reflecting rising confidence among member states to touch upon issues considered too sensitive before, a positive sign that some community sense is under formation.

In tackling the regional comprehensive security, ASEAN relies on internal as well as external cooperation. Internally, ASEAN is becoming more pro-active and more direct in addressing internal security problems. The creation of the ASEAN Defense Ministers Meeting mechanism is an effort to build confidence among the most important security sector which has long been considered sensitive even for dialogue, let alone cooperation. ASEAN has opened up dialogue among its security chief as well, with their first meeting held in Hanoi in 2010. The ASEAN Secretariat plays increasingly active roles in mobilising support and coordinate efforts to tackle non-traditional security issues like disaster relief, communicable diseases, etc. The ASEAN Secretariat, for example, played a central role in ASEAN response following the Nagis typhoon in Myanmar; as well as several other natural disasters in the region. ASEAN in 2011 was seen to play an active role as well in mediating conflict among its members, in particular the ongoing Thailand – Cambodia conflict, thanks to Indonesia, the current ASEAN’s chairman. Externally, ASEAN has been using the ASEAN Regional Forum as the leading mechanism to build confidence and improve the regional security environment. The ARF has adopted a Vision Statement in 2009 and in 2010 built a concrete Action Plan to realise the Vision; has agreed to explore some preventive diplomacy measures along with measures to build confidence in the region.

The critical challenge for ASEAN’s security has always been building regional confidence, among ASEAN’s own members and between ASEAN’s members and the regional and global partners they frequently engage with. Given the rapidly changing geopolitical and strategic environment in the region, enhancing confidence should be central to the Community building process. It is no secret that while confidence among ASEAN members has been greatly improved, ASEAN members still seriously lack confidence on certain issues, most notably territorial disputes. Thailand – Cambodia ongoing conflict is a case in point. ASEAN members must maintain frank and open dialogues on any issues that affect their changing security environment or interests, their threat perceptions and national strategies to deal with those threats. While this is easier said then done, encouraging results were observed in 2010 when ASEAN broke silence and discussed the South China Sea issue in an open and constructive manner.

ASEAN members will also need to overcome rising nationalism to think beyond national boundaries and balance out regional versus national interests. A “we feeling” must be developed both from the grass-root level up and from top down. Better cooperation and coordination between and within each Community pillars’ activities is needed to ensure higher operational efficiency, but for this to happen member states need to
successfully address cross-sectoral issues both at national and regional level.

**Managing ASEAN external relations**

The ASEAN Political Security Community Blue Print foresee a dynamic and outward looking ASEAN, which means the ASEAN Community would not be realised without the outside world recognising its relevance and lending support to it. Indeed, from its inception, external relations has always been an important pillar to ASEAN’s cooperation, and strategically ASEAN has always maneuvered at times of geo-political change and come up with solutions in order to stay relevant. ASEAN’s initiatives such as the Zone of Peace, Freedom and Neutrality was ASEAN’s reaction to the changing Sino-US relationship and its implications to the region; the ASEAN Regional Forum was ASEAN reaction to the US diverting its attention from the region amid the end of the cold war; the ASEAN+3 process was inaugurated on the wake of the regional financial crisis etc.

Amid the current wave of changing regional environment due to the rise of China and India, the return and re-engagement of the US with the region, ASEAN has been actively trying to stay relevant and remain a driving force in the regional architecture through series of initiatives, most notably the creation of the ASEAN Defense Ministers Meeting Plus and the expansion of the East Asia Summit to include key military and economic powers, including Russia and the United States. The challenge is not only for ASEAN to be able to “drive” much larger and powerful “passengers”, but more importantly to drive the processes in the way that ensure ASEAN’s vital interests, i.e. to preserve ASEAN’s priorities and agendas, which at the moment is to successfully build the ASEAN Community by 2015. With the US and Russia admitted to the East Asia Summit, ASEAN will have a tougher job of spearheading the 5 year old process to preserve the agreed 5 priority areas for cooperation, while accommodating to some extend its new and important members’ interests of making the EAS a strategic security forum. ASEAN will need to find a logistic and substantive formula for the EAS to make the process attractive enough to maintain the US and Russia continued interests, but at the same time not being too dependent on them to keep the process going.

On a longer run, to stay relevant in the regional architecture, ASEAN will need to deliver not just a neutral ground for the major powers to interact, but also effective instruments and sometimes innovative ideas to address very specific problems facing the region. ASEAN’s instruments such as the Treaty of Amity and cooperation (TAC), the South East Asia Nuclear Free Zone (SEANFWZ), and the Declaration of Conduct of the parties in the South China Sea (DOC) etc. must be made to work. The TAC has been increasingly accepted by non-regional countries as ASEAN’s ground rules they must obey to interact with the region. However, ASEAN itself has yet to make the rules work within the ASEAN’s compound, making the TAC still aspirational and symbolic rather then having actual effect in regulating relationship between countries in the region. The SEANFWZ’s prospect of engaging the Nuclear Weapon
States also looks dim for the time being, since ASEAN continue to insist that all the 5 NWS must be admitted to the treaty at once, while ASEAN still have unresolved differences with these states on several articles of the treaty. The DOC is another critical instrument to keep peace and stability in the region, and the instrument was referred to regularly by ASEAN and China while dealing with the situations in the South China Sea. However, the DOC’s implementation suffer from different interpretation of its some what vague provisions, for example what “exercise maximum self restrain” means in very specific scenarios, while a set of guidelines to implement the DOC has yet to be finalised.

**Reaching out to the Community of Nations**

Indonesia aspiration to take ASEAN Community building to the next level beyond 2015 has its logic. In fact, ASEAN has made its voice heard and contributed to the international and global community in many different ways. ASEAN has often been cited as an example of successful cooperation among developing countries. ASEAN has made remarkable gains in meeting the UN’s millennium goals. ASEAN has much to share with the global community on issues like poverty reduction, or managing the social-economies through financial crisis. Most recently, ASEAN has strengthened its partnership with the United Nations, was invited to participated at the G20 Summits, spoken its common positions on global issues such as climate change etc. ASEAN maintains regular cooperative contact with various other regional organisations, such as the European Union (EU); Gulf Cooperation Council (GCC); South Asia Association for Regional Cooperation (SAARC); the Economic Cooperation Organisation (ECO); the Organisation of America States (OAS); the MERCOSUR etc. By reaching out, ASEAN has strengthened its position as a viable regional player in the international community while at the same time consolidated its own community. The main challenge for ASEAN in this endeavour is to speak with one voice on ranges of issues which touch upon very different interests among its members; and how to reach out enough to prove its relevance and protect its interests while not losing sights of its own Community building priorities and not divert too much of its limited resources to less critical and immediate objectives.

**Conclusion**

ASEAN Community building, including its Political and Security pillar, is a continuously learning process for ASEAN. ASEAN depth and scope of integration within the organisation as well as with the international community has gradually evolved and will continue to evolve, much depending on ASEAN’s own effort but also depend on the regional environment that ASEAN is bound to. The current changing regional environment presents a major opportunity for ASEAN to enhance its relevance and role in the regional architecture, thus mobilising support for its Community building effort. However, the new environment also poses many critical challenges to the organisation. ASEAN must therefore find a balanced approach to its external relations and internal community
building process that best serve its interests. That is why when the ASEAN Leaders meet again in Bali this year, Indonesia should set the goal of strengthening and accelerating the ASEAN’s Community building process at least as important as setting a new milestone for ASEAN future development.

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