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Regionalisation of Peace in Asia: Experiences and Prospects of ASEAN, ARF and UN Partnership

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Institute of Defence and Strategic Studies
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ABSTRACT

The end of the Cold War has renewed attention on regionalism and a reconsideration of the security role of regional security organizations in promoting international peace and security. However, the capacities of regional organizations differ, particularly when analysed within the general framework of peace operations. In Asia, for example, the nature and types of peace operations undertaken by regional organizations like ASEAN and the ARF have been remarkably different when compared with other regional organizations elsewhere. This paper examines the nature of peace operations in the Asia Pacific region and explores the possibilities for “partnership in peace” between the UN and ASEAN and the ARF. This paper argues that while peace operations in the region are mostly limited to conflict prevention, as exemplified by the types of mechanisms found in ASEAN and the ARF, these mechanisms have made modest yet valuable contribution towards regional stability. But in spite of this relative success, this paper also argues that the changing strategic environment requires a more pro-active engagement of ASEAN and the ARF which would involve reviewing and/or changing existing conflict prevention mechanisms to be more responsive to current challenges.

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1. Introduction

The structural changes brought about by the end of the Cold War has renewed attention on regionalism and a reconsideration of the security role of regional security organizations in promoting international peace and security. Several factors account for this new enthusiasm. Among them is the fact that in the post-Cold War era, regional relations have expanded and regional areas have become “substantially more important venue(s) of conflict and cooperation than in the past”. Juxtaposed with this is the increasing security role of the UN after being involved in major conflicts such as in the Gulf War, Cambodia, Mozambique and others. This has severely stretched the resources of the UN and has been made even more acute with the expansion of peacekeeping operations it has undertaken in recent years. Moreover, with member nations cutting back on financial contribution and support, the UN’s capacity to undertake additional responsibilities has become more complex while the will of its dominant members had often been weak. It is hardly surprising then that some countries have called for the UN to scale down its involvement in conflict situations and instead, rely on the so-called “coalitions of the willing”.

Given the limitations of UN peace operations, a task-sharing arrangement between the UN and regional organizations became imperative to advance regional, as well as, global order. This idea was forcefully argued by former Secretary-General of the UN Boutrous Boutrous Ghali, in his 1992 report – An Agenda for Peace: Preventive

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1 This is a revised version of the paper on Regionalisation of Peace in Asia, presented at the Workshop on “The UN, NATO and Other Regional Actors in the 21st Century: Partners in Peace”, held in Berlin, Germany. The Workshop was organized by the International Peace Academy (IPA) and the Stiftung Wissenschaft und Politik (SWP). The original version of this paper will be published as a book chapter in the forthcoming volume, The UN and Regional Actors: Partners in Peace, Michael Pugh and W. Pal S. Sidhu (eds) which is due in 2003.


However, the role assigned to regional organizations is not really new. Chapter VIII of the UN Charter had ascribed to “regional arrangements and agencies” the task of dealing with “matters in relation to the maintenance of international peace and security as are appropriate for regional action”. Given this function, regions and regional organizations were also supposedly to become “islands of peace” and “building blocks of [world] peace.”

The main objectives of this paper are twofold. First, the paper will analyse the nature of peace operations in Asia which are significantly different when compared with the types of peace operations of other regional organizations elsewhere. Second, it will examine the possibility of closer cooperation and partnership between the United Nations and regional arrangements in the resolution and management of regional conflicts. This paper argues that peace operations in Asia – which are mostly confined in the area of conflict prevention as exemplified by the types of institutional mechanisms found in the Association of Southeast Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF) – have made modest yet valuable contributions toward regional peace. In spite of this considerable success however, the paper also argues that the changing strategic environment requires a more pro-active engagement of regional organizations which involve reviewing and/or changing existing mechanisms to be more responsive to current challenges.

The paper is divided into five sections, including the introduction and conclusion found in Sections 1 and 5, respectively. Section 2 looks at the types of regional security arrangements in Asia – ASEAN and the ARF – and will examine their institutional capacities, types of norms and informal processes and the availability of resources in the management of conflict. Section 3 will analyze how these two organizations have fared in addressing security challenges in Asia. Also discussed in this section are the responses of ASEAN and ARF on the East Timor crisis. Finally, section 4 will examine the possibilities of an ASEAN-ARF partnership with the UN in its peace operations.

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Before proceeding further, it would be useful at the outset to review the relationship between regional organizations and the UN over the last decades and examine the dynamics of these relationships in the area of conflict resolution and management. This brief historical overview would provide an informed context in the analyses of the types of processes and mechanisms that both the ASEAN and the ARF have developed from the time they were established. Moreover, the background would be valuable in the analyses and assessments of regional mechanisms.

Regional Organisations and Regional Security

Since the task-sharing idea between UN and regional organizations was adopted, there had been doubts on the security role of regional organizations and their relationship vis a vis the UN. Indeed, while the basic idea of Chapter VIII in the UN Charter was to enable and empower regional organizations to settle local disputes before referring them to the United Nations, the record has been, at the very least – chequered, while at the worst – unimpressive. As one earlier study noted, forty-five years hence, the UN found “only limited use for regional organizations”.7 The failure of such relationship was attributed largely to superpower conflict. The realpolitik of the Cold War became the stumbling block to what could have been a potentially close relationship between regional organizations and the UN when the major “antagonists” – the United States and the former Soviet Union – excluded the UN Security Council from being involved in the regional conflicts in which they were respectively involved. Consequently, the geo-politics of the Cold War inhibited the realization of the ascribed role of regional organizations as the “first stop” base in local conflicts.

For many Third World countries, particularly in Asia, the perceived emasculation of the United Nations was a great source of frustration. Against the trend at that time, it was not surprising that there was almost disillusionment among many Third World states on the efficacy of regionalism as a means of resolving conflicts. Thus, Joseph Nye’s earlier attributions of regions as “islands of peace” became more like “pawns” of superpower rivalries.

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Nonetheless, in spite of this unimpressive record, the *raison d’etre* of regional organizations was revived. As mentioned in the introduction above, the end of the Cold War and the structural changes that followed, particularly the expansion of regional relations without the overlay of the bipolar politics, had seen the emergence of new conflicts both at the inter-state and intra-state level. Compounding the situation had also been the resurgence of all levels of conflict that were considered by some to be far more serious than before.

Apart from the factors outlined earlier, there were also other salient reasons that led to this new impetus for regional organizations to manage regional conflicts. Among these had been the renewed desire on the part of medium and small powers for greater control over their strategic environment. This desire for regional autonomy was a characteristic feature of several regional organizations in Asia and Africa, mirrored in their adopted slogans such as “Asian solutions to Asian problems”. This preference for regional solutions to regional problems were predicated on the fact that regional actors felt they were best suited to mediate in local conflicts, as they understood the dynamics of strife and cultures more intimately than outsiders. Moreover, since issues were related to local conflicts, the assumption was that these would most likely be given more attention in the regional fora than in the global one, since the latter had a much broader agenda.  

Finally, another significant factor stemmed from the effects of economic regionalism reflected in the emergence of regional economic groupings like the MERCOSUR in Latin America and the ASEAN Free Trade Area (AFTA), among others. These groups have had the effect of enhancing self-confidence among regional states and had encouraged them to emphasise more self-reliance, even in matters of security.

Thus, in spite of the ambiguous experiences of regional organizations in the past, there is not only the growing realization but also the appreciation that they can play a significant role in managing regional conflicts. More importantly, experiences have also shown that some regional organizations have in fact demonstrated reasonable success in preventing and managing conflict in their specific regions. In Asia, the experiences of

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ASEAN and to some extent, the ARF have been instructive in efforts at regionalizing peace.\(^9\) It is also useful at the outset to note that the concept of peace operations have expanded to include various mechanisms and strategies by regional actors and institutions within the broader framework of peace operations involving conflict prevention and peacemaking, peacekeeping and peace building.\(^10\)

2. Regionalisation of Peace in Asia: A History of Regional Reconciliation, Norm-Building and Inclusive Regionalism

Describing the Asian experience requires one to have a clear understanding of the nature of the regional security arrangements and approaches found in Asia. Many scholars and observers have had their own versions of the Asian approaches to security but they essentially agree on three major points:

I. In the case of ASEAN, its general approach to peace was one of finding appropriate and acceptable mechanisms for regional reconciliation in a milieu, which was once characterised by intra-mural disputes.

By creating ASEAN, the sub-regional states in Southeast Asia provided themselves with a stable structure of relations for managing and containing tensions between neighbouring states like Malaysia and Indonesia (that were embroiled in the Confrontation in 1963 over the formation of Malaysia) and Malaysia and the Philippines (which had laid claim to the Malaysian state of Sabah). These major conflicts were in fact the stumbling blocks to earlier efforts by these states to form a regional association and became the major reasons why the two earlier attempts to establish a regional organization – Association of Southeast Asia (ASA) in 1961 and MAPHILINDO in 1963 – failed.\(^11\) As reflected in the 35-year history of ASEAN, this process of regional reconciliation was extended beyond the boundaries of the original, non-communist states to include

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\(^9\)To the extent possible, the following discussions will look at the mechanisms of conflict management in both ASEAN and the ARF although the former may take up a larger part of the analyses by virtue of the fact that ASEAN has been around much longer than the ARF.


other states in the region regardless of their political orientation. Thus, ASEAN had, for all intents and purposes, become a diplomatic devise for regional reconciliation, which in turn underpins regional peace and security. Unwittingly, the ultimate objective was to build a security community founded on the assumption that no member states would ever go to war with each other.

II. The types of mechanisms for regional reconciliation found in ASEAN had been geared for conflict prevention. These mechanisms referred to broadly as the “ASEAN Way” of diplomacy and accommodation have been reinforced by the careful cultivation, socialisation and adherence to regional norms.

Unlike other regional organizations which have developed more structured and operational conflict-resolving mechanisms, ASEAN’s processes and approaches are starkly different. To understand the “unique” feature of these mechanisms, a distinction is drawn here between the processes of conflict resolution and conflict management. According to C.R. Mitchell, conflict resolution is the elimination and termination of conflict, involving the fundamental differences and grievances underlying the conflict. Conflict management on the other hand, involves the elimination of violence, a de-escalation of hostilities without really eliminating the root cause(s) of conflict, or preventing conflict from arising.12

There are several mechanisms that regional institutions can employ to prevent and manage conflicts. Muthiah Alagappa provides a very useful analytical framework that identifies the strategies of conflict management available to regional organizations. These strategies would usually depend on: (1) the nature of the conflict – whether domestic, inter-state and involving external actors; and (2) the stage for conflict management, that is, prevention, containment or termination. Moreover, the choice of which mechanisms to use – either the formal mechanisms (such as third-party mediation, arbitration, internationalization, peacekeeping and peacebuilding, etc) or informal mechanisms (like assurance building, norm-setting)

would also largely be dependent on the capabilities and resources available to these regional institutions.\(^\text{13}\)

In ASEAN’s case, and also the ARF to a large extent, the types of mechanisms they have used to manage conflict can be classified as being mostly informal and characteristically limited to norm-building. The following sub-section elaborates on this.

**ASEAN’s Mechanisms of Conflict Management: The ASEAN Way?**\(^\text{14}\)

Much has already been written about ASEAN’s informal processes and mechanisms of conflict management. This does not mean, however, that ASEAN has no formal mechanisms to speak of. In fact, the numerous institutionalized meetings that have and are taking place, such as the ASEAN Summits, the annual and ad hoc meetings of ASEAN Foreign Ministers (AMM), meetings among Economic ministers, and meetings of other ministers and Senior Officials (SOMs) which fall within the ambit of ASEAN’s political, economic and security cooperation can be considered as “formal” mechanisms since these provide the venues where and opportunities for bilateral and regional issues to be addressed. Note however that bilateral disputes are handled bilaterally through joint commissions and committees.

So far, the 1976 Treaty of Amity of Cooperation (TAC) has been the only attempt by ASEAN to provide a formal mechanism for conflict management and conflict resolution in the region. A salient feature of TAC was its establishment of a code of conduct among regional states according to explicitly prescribed, universally accepted principles and provisions for peaceful settlement of disputes. These basic principles are: (1) mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations, (2) the right of every state to lead its national existence free from external interference, subversion and coercion, (3) non-interference in the internal affairs of one another, (4)

\(^{13}\) For a more detailed discussion on the various types of conflict management mechanisms, see for example, Muthiah Alagappa, “Regional Institutions, The UN and International Security” in *The Third World Quarterly*, (Vol.18, No. 3, 1997), pp. 421-441.
settlement of differences or disputes by peaceful means, (5) renunciation of threat or use of force, and, (6) effective cooperation among members.

The other important feature of TAC was its provision for a High Council found in Articles 14 and 15 of the Treaty. The High Council is empowered to “recommend to the parties in dispute appropriate means of settlement such as good offices, mediation, inquiry or conciliation. If the disputing parties so agree, it may constitute into a committee of mediation, inquiry or conciliation.” However, since 1976 this High Council has not been constituted at all and to date, no member state has sought recourse to any of the provisions given. The only progress as far as the constitution of the High Council was concerned is that ASEAN has completed drafting the Rules of Procedures for the High Council – after more than 20 years.

In 1999, ASEAN established the ASEAN Troika which is an ad hoc body comprising the three ASEAN Foreign Ministers of the present, (immediate) past and future chairs of the ASEAN Standing Committee (ASC), which would rotate in accordance with the ASC’s chairmanship. The main purpose of the Troika was to enable ASEAN to address urgent and important political and security issues in a timely manner. However, the work of the Troika as stipulated must be compatible with the principles enshrined in the TAC, particularly the core principles of consensus and non-interference in domestic affairs of states. Since its inception, nothing much has been said nor reported about its progress.

Thus when one speaks of ASEAN’s conflict prevention mechanisms, these would refer mainly to its informal mechanisms – oftentimes referred to as the “ASEAN way”. The ASEAN way had been translated as the observance and practice of a set of principles and norms of interstate conduct and modes of cooperation and decision-making, which have evolved and have been widely practiced among ASEAN states. While there have been other ways of describing the ASEAN way, one ASEAN-ist has succinctly described it as a feature [anchored] on “the belief in the wisdom of minimal institutionalization and …on the belief

14 For a more detailed discussion on these informal mechanisms, see Mely C Anthony, “Mechanisms of Dispute Settlement: The ASEAN Experience”, Contemporary Southeast Asia (Vol. 20, No.1), April 1999, pp. 38-66.
that parties in a dispute are less likely to go to war as long as dialogue continues, as well as promoting reassurance that states would not be coerced into supporting a decision to which they have not consented.\textsuperscript{15}

III. These (ASEAN’s) mechanisms can therefore be categorised as low-key security approaches that promote trust and confidence-building through established habits of dialogue, observance of regional norms and the building of loose/informal institutions to support these process-oriented approaches to preventing regional conflicts.

The above characteristics essentially define ASEAN’s approach(es) to peace and security in the region. As a result, Asia’s brand of regionalism when compared with that of Europe is mostly founded on what scholars have referred to as “soft” institutionalization.\textsuperscript{16}

These were the same approaches that ASEAN embodied when it helped to establish the ARF in 1994. The creation of the ARF may be seen as ASEAN’s attempt to extend its processes of conflict avoidance writ large to the Asia Pacific region. Hence, the process of regional reconciliation that was earlier confined to ASEAN was expanded to become “inclusive regionalism” with the formation of the ARF.

The ARF can be regarded as part of the proverbial building blocks of regional peace. Currently, we have in the ARF a 23-member grouping comprising: the ASEAN 10 (Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam), ASEAN’s dialogue partners (Australia, Canada, China, the European Union, India, Japan, South Korea, New Zealand, Russia and the United States), plus Papua New Guinea and Mongolia, and since July 2000, North Korea. The ARF has become a grouping of


like-minded and non-like minded states straddling the vast expanse of the Asia
Pacific.

ARF’s conflict management role has been guided by its objectives of: (1) to
foster constructive dialogue and consultation on political and security issues of
common interest and concern, (2) to make significant contribution to efforts
towards confidence-building to and preventive diplomacy in the region, and (3) to
work towards the strengthening and enhancement of political security cooperation
within the region as means of ensuring peace and stability. How these objectives
are to be realized have been outlined within the context of a 3-staged approach in
conflict management as stated in the 1995 ARF Concept Paper,\(^1\) starting from:
Stage I – promotion of confidence-building measures (CBMs), Stage II –
development of preventive-diplomacy mechanisms, and Stage III – elaboration of
approaches to conflicts. This is elaborated in more detail below.

From 1994 and at each subsequent ARF meeting, the ARF has broadened
and enhanced political and security dialogue as reflected in the wide array of topics
and issues discussed concerning Asia-Pacific security. It has, for example,
facilitated discussion of sensitive issues on Myanmar, problems on the Korean
Peninsula and the South China Sea. It had also included matters related to the
proliferation of weapons of mass destruction and the implications of ballistic
missile defense systems, as well as called for the ratification of the Comprehensive
Test Ban Treaty (CTBT) and for the support of the Nuclear Non-Proliferation
Treaty. Furthermore, the ARF has and continues to address transnational security
issues – especially issues of piracy, illegal migration including trafficking of
human persons particularly women and children and illicit trafficking of drugs and
small arms.

To push its CBM agenda forward, the ARF has had a crowded programme
of inter-sessional meetings on CBMs, Search and Rescue Coordination
Cooperation, Peacekeeping Operations and Disaster Relief. These had developed
into practical and cooperative measures which include, among others: (1) annual

\(^1\) The ASEAN Regional Forum: A Concept Paper (Bandar Seri Begawan, 1 August 1995).
defence policy statements and increased publication of Defence White Papers that
serve to reinforce transparency and openness in a region where it is not the
traditional culture of state policy. (2) military exchanges, including staff college
training, (3) growing involvement and participation of defense and military
officials in the work and activities of the ARF.

Through its annual ministerial meetings, the Senior Officials Meetings
(SOMs), the inter-sessional activities and the numerous Track I and Track II
meetings, the ARF has created a series of formal and informal networks across the
Asia Pacific region. These networks in turn have formed a significant “social
capital” – a stock of trust, familiarity, ease and comfort – which could become a
crucial asset at critical periods of conflict prevention and management.

On its Stage II work of preventive diplomacy, the ARF has made some
progress on developing the ARF “Concept and Principles of Preventive
Diplomacy” although discussions on the divergent issues regarding preventive
diplomacy (PD) issues are still continuing.18 At its 8th Meeting in Hanoi, the ARF
also established the ARF Register of Experts/Eminent Persons to be used by the
ARF members on a voluntary basis in conflict situations.19 It has also explored the
principles and procedures of enhancing the role of the ARF Chairman in providing
good offices and co-ordination in between ARF meetings.20 Moreover, the ARF
has begun publishing the Annual Security Outlook (ASO).

The four developments in areas mentioned above were actually the
proposals agreed upon earlier at the 6th ARF Meeting in July 1999 as a means to
move the ARF agenda beyond CBMs to PD and to address the issue of overlap
between the two stages.21 As a compromise, the final agreement was for the ARF
to work on the two stages in tandem as long as the focus remains on the first
stage.22 Thus, the progress on these four areas has set the stage for pushing the PD
agenda forward.

18 Chairman’s Statement, Eighth Meeting of the ASEAN Regional Forum, Hanoi, 25 July 2001.
19 Chairman’s Statement, Seventh Meeting of the ASEAN Regional Forum, Bangkok, 24 July 2000.
20 Ibid.
21 Ibid.
22 Chairman’s Statement, Fourth Meeting of the ASEAN Regional Forum, Kuala Lumpur, 27 July 1997.
The ARF has been described as a *sui generis* organization with no established precedent to follow. Its emphasis on process-oriented approaches to security have more or less defined its *raison d’ etre*. Thus, eight years since its establishment, the ARF has been seen to prefer to move incrementally, on the shared understanding by members that it “should not move too fast for those who want to go slow or not too slow for those who want to go fast.”

Since the regional approaches to conflict prevention are process-oriented, there are no alliance arrangements among the Asian states, unlike in Europe. In fact, the Asian security lexicon does not include collective and common security. Instead, comprehensive and cooperative security dominates the discourse both in ASEAN and the ARF. ASEAN has emphasised the comprehensive nature of security in promoting political and economic cooperation in the region. Within the context of the ARF, the objective of cooperative security was seen “as replacing the Cold War security structure (characterised by bilateral military) with a multilateral process and framework…geared towards reassurance rather than deterrence”. More importantly, cooperative security has been translated to be all about the principle of inclusiveness, promotion of habits of dialogue and multilateral cooperation among state and non-state actors.

It may be useful to add at this point that these informal approaches also characterised the other types of regional institutions that emerged before and after the ARF such as the Asia Pacific Economic Cooperation (APEC) in 1989, the Asia-Europe Meeting (ASEM) in 1995 and the ASEAN + 3 (APT) in 1997.

In brief what the preceding discussion has shown is the need to have a better understanding of the security culture of both ASEAN and the ARF before one can proceed to assess their performance and prospects. As one scholar rightly argued:

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23 Ibid.
…structural factors play only a limited role in determining the extent and nature of both multilateral activity and multilateralism in a given regional security complex. It is the cognitive features of the environment – the attitudes of the players toward each other, the rules and norms governing international interaction, the scope and nature of the security dilemmas that the actors perpetuate among themselves – that effectively determine the particular form of regional order that results.25

After examining the security culture and conflict management mechanisms of both ASEAN and the ARF, we now turn to an assessment of how these two organizations have fared in addressing regional challenges.

3. ASEAN’s and ARF’s Conflict Management Scorecard

The real question is the extent that ASEAN and the ARF have been effective in maintaining peace and security in the region? The scorecard of these institutions presents a mixed picture and largely depends on the kinds of benchmark used to assess their effectiveness.

As far as ASEAN is concerned, most analysts would agree that it has played a critical role in decreasing the probability of war between its members. The ASEAN way has helped build confidence, increased trust and has even created a nascent sense of identity or ASEAN solidarity among its members. Even in current circumstances, one could argue that the ASEAN way has helped in the delicate yet successful management of the recent episodic crises between Singapore and Indonesia and the deft handling of the ebbs and flows of bilateral tensions between Malaysia and Singapore. ASEAN’s “soft” approaches in managing bilateral conflicts have so far helped to defuse these crises and prevent them from escalating.

This is not to say however that there are no more conflicts or tensions within ASEAN. The fact is there are. It would require more than a paper to discuss comprehensively the dynamics of the many conflicts and issues faced by ASEAN today. Suffice it to say, however, that it has been the view of most ASEAN political leaders,

bureaucrats, observers and even academics in and outside the region that as a conflict management approach, the ASEAN way has served the grouping well in the past and will hopefully continue to do so in the future.

However, some critics of ASEAN take the extreme view that the ASEAN way is actually empty rhetoric – an oxymoron, and an excuse for really doing nothing. For example, at the height of the Asian financial crisis of 1997-1998, ASEAN was dismissed as being irrelevant and incapable of responding to urgent economic and political crises that confronted the region at that time. ASEAN could not do much to mitigate the effects of the air pollution (haze) problem that originated from Indonesia due to its careless “slash and burn” practices that consequently ballooned into an environmental hazard enveloping many countries in the region. Moreover, ASEAN’s response to the financial crisis was widely perceived as generally inadequate in spite of the various initiatives and concrete measures it had undertaken. Moreover, while ASEAN has been relatively successful in managing inter-state conflicts, its experience in intra-state conflict has been chequered. The difficulties that ASEAN faced at the height of the East Timor conflict exposed the shortcomings of an organization whose mandate was limited to managing inter-state disputes. These difficulties were compounded by the fact that the East Timor crisis happened when most ASEAN states were still reeling from the devastating impact of the Asian financial crisis. (This will be discussed separately in the next sub-section.)

The results are even more inconclusive with regard to the ARF. But so far, even its fiercest critics would agree that as a multilateral forum for discussion of security, the ARF has had moderate success in confidence building in the region. Member states have recognised the importance of the ARF as a vehicle for airing their own security perceptions. Some analysts in fact credit the socialisation through the ARF for engendering a more positive attitude among states that were initially suspicious towards multilateralism.

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26 See for example, Jeannie Henderson, Reassessing ASEAN, Adelphi Paper 323 (London: Oxford University press for IISS, 1999).
On the other hand, other critics dismiss the ARF as nothing more than a talk-shop. Its inability to respond to the crisis in East Timor has been seen as a litmus test of its inadequacy as a regional institution to act in times of crisis or to prevent crises from happening.

One could go on challenging facts to either defend both the ASEAN and the ARF or point to several issues that could have been done to make both organizations better equipped to handle crises. However, what this discussion has brought out is the very fact that both organisations do not have the capacity nor the institutional wherewithal – not to mention the explicit mandate – to respond to crisis needing concerted action, particularly if this requires some form of military intervention. The East Timor experience presents the extent that ASEAN can go to “intervene” in what is considered as an intra-state conflict involving a member state.

ASEAN and ARF and the Crisis in East Timor: A Test Case of Regional Mechanisms

Even before the events in East Timor reached crisis proportions in 1999, the existing regional mechanisms dealing with regional political and security matters that are found in both ASEAN and the ARF have been under a lot of criticisms for their ineffectiveness in addressing the various crises confronting the region.

As mentioned earlier, critics within and outside the ASEAN circles, had argued that the ASEAN way that had served the grouping well in the past was no longer adequate and was in fact becoming a serious obstacle when responding to certain conflicts. The principle of non-interference in particular had been singled out as needing re-assessments under a much-changed external environment. The call to re-think this principle within ASEAN became more pronounced when former Malaysian Deputy Prime Minister and Finance Minister Anwar Ibrahim mooted the idea of “constructive involvement” in 1997 in reaction to the events in Cambodia that year.28 During that period, Cambodia’s formal entry into ASEAN was delayed due to the domestic conflict brought about by the ousting of Prince Ranarriddh as Cambodia’s first prime minister by Hun Sen who was then the second prime minister. The events threw the country once again into turmoil and

28 Anwar Ibrahim’s interview with Time Magazine in 1997.
undermined the Paris Peace Agreement of 1992 which defined the framework for peace and stability in Cambodia.

This idea was followed by the broad proposal from then Thai Foreign Minister Surin Pitsuwan in 1998 to consider some flexibility in the practice of non-intervention, thus the emergence of the term – “flexible engagement.” However, the formal debate on the notion of flexible engagement stopped at the ASEAN Ministerial Meeting in July 1998 when ASEAN announced that it would instead practice “enhanced interaction”. This new lexicon apparently meant that ASEAN could have more open exchanges of issues, which have cross-border effects like the air pollution (haze) problem that was plaguing ASEAN at that time, but still respecting the principle of non-interference. In spite of the regional consensus to practice “enhanced interaction”, the tragic events in East Timor in 1999 found ASEAN – and even the ARF – under severe criticisms for their inability to stem the violence and gross violations of human rights that followed.

As noted in many accounts, Indonesia’s decision to allow East Timor to have a referendum on its future status triggered violence which erupted in large parts of the province and which grew steadily worse. During this period, the UN Mission in East Timor (UNAMET) was established to help prepare East Timor for the referendum. UNAMET comprised 241 international staff, 420 UN volunteers, up to 280 civilian police, and some 4,000 local staff. Within ASEAN, the Philippines contributed to UNAMET by sending civilian police, staff members and electoral volunteers.

In spite of the presence of UNAMET, violence escalated and spread throughout East Timor leading to the declaration of martial law on 7 September. By then, East Timor had lost many human lives and suffered massive property destruction. Thousands of terrified people were also forcibly displaced to West Timor. The report of the International Commission of Inquiry on East Timor, released by the UN Office of the High Commissioner for Human Rights, and the Indonesian government’s report on the Inquiry into Human Rights Abuses, drew similar conclusions that the atrocities were

committed by the local militia, and that the Indonesian Armed Forces (TNI) were in complicity.  

Many governments, either individually or collectively through the UN, urged Indonesia to enforce law and order in East Timor. Australia took the initiative to offer a large number of its troops for a UN peacekeeping force before any international action could begin to stop the violence in East Timor. Even then, it was not until Indonesia consented to an international peacekeeping force in East Timor that a UN Peacekeeping Mission was organized. Thus, on 15 September 1999, the UN Security Council adopted Resolution 1264 creating the International Force for East Timor (INTERFET) under Chapter VII of the UN Charter. Australia headed the multinational force and within ASEAN, the Philippines, Singapore, Malaysia and Thailand contributed forces. Most of the ASEAN team volunteers were composed of support personnel, and medical, engineering and security task forces. The intervention of INTERFET allowed the United Nations to begin large-scale humanitarian relief operations in the country. Apart from providing basic relief goods, INTERFET repaired damaged infrastructure, ran medical clinics and, most importantly, restored security to a war-torn territory.

By 25 October, the Security Council passed Resolution 1272 to authorize Secretary General Kofi Annan to set up the UN Transitional Authority in East Timor (UNTAET) in order to “exercise all legislative and executive authority including the administration of justice” in East Timor until formal independence. UNTAET’s mandate was: to provide security and to maintain law and order throughout the territory of East Timor; to establish an effect administration; to assist in the development of civil and social services; to ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance; to support capacity-building for self-government; and to assist in the establishment of conditions for sustainable development. UNTAET formally replaced INTERFET in February 2000 and a Filipino, Lt. Gen. Jaime de los Santos, became the

31 Cited in Carolina G. Hernandez, “The East Timor Crisis: Regional Mechanisms on Trial and Implications for Regional Political and Security Cooperation”, paper delivered at ARF Profession Development Programme (Bandar Seri Begawan, 23-28 April 2000).
Force Commander of the UN peacekeeping force, replacing the former head, Major-General Peter Cosgrove of Australia.

The crisis in East Timor offers salient insights into the existing regional mechanisms of conflict management in Asia. Most stark was the fact that ASEAN and ARF’s mechanisms were inadequate to respond to the kind of humanitarian disaster that was unfolding in their midst. Both organizations clearly did not have the institutional capacity to undertake conventional peacekeeping operations. It is noteworthy that at the height of the violence in East Timor, members of ASEAN were reported to have hedged on the issue of discussing the possibility of international action before securing Indonesia’s consent.

ASEAN’s lack of leadership in East Timor was in sharp contrast to the pro-active role it had assumed in the search for a comprehensive political settlement of the Cambodian conflict from 1979-1991. From the start of the Cambodian problem, ASEAN was at the forefront in efforts to resolve the conflict. Throughout the crisis, whatever ASEAN lacked in terms of political authority to influence the behaviour of the warring factions and the major power dynamics, was made up for through its intense lobbying in the United Nations, and in facilitating dialogues between the warring Cambodian parties which culminated in the famous Jakarta Informal Meetings (JIM I and JIM II). While it could be argued that ASEAN’s swift reaction was predicated on its protest against Vietnam’s occupation of Cambodia which violated the international norms of respect for a country’s sovereignty and the right of self-determination (principles also found in ASEAN’s own TAC) – as against the internal dimension of the East Timor conflict, the latter also presented a strong case of gross violation of international norms.

ASEAN officials have responded to the criticisms by declaring that only the UN had the legitimacy and the capabilities to undertake a peacekeeping operation and to mobilize the massive resources necessary to respond to the East Timor crisis. What ASEAN had done instead was to “undertake consultations, arrived at consensus and let the individual members decide on what specific contributions to make to the UN effort.”

34 “Sovereignty, Intervention and the ASEAN Way”, Address by ASEAN Secretary General Rodolfo Severino at the ASEAN Scholars’ Roundtable (Singapore, 3 July 2000).
However, in explaining the constraints faced by ASEAN, it is important to note that while ASEAN may have failed to respond to the crisis as a group, this has not stopped its member states from actively contributing to UN peacekeeping forces. Nor has it stopped them from participating in the humanitarian assistance organized under various UN relief operations. These facts are more often than not ignored in the analyses of ASEAN’s role in East Timor.

More significantly, it is important to note that Indonesia finally consented to some form of humanitarian intervention when it got the assurance that ASEAN members would be involved in the peacekeeping operations. At the height of the conflict when consultations within ASEAN were taking place, Indonesia had apparently intimated to ASEAN officials that it was willing to accept humanitarian intervention for as long as ASEAN has a role in it. Indonesia had wanted the assurance that Australian forces would not be given a dominant role in peacekeeping operations.35

Thus one must take note that since the establishment of the UNTAET in 2000, an ASEAN officer has held the position of Force Commander of its military component. Moreover, data from the UN peacekeeping office reveals that since UNTAET, ASEAN’s response has proved to be more robust and substantial than many outside the region had expected.36 This is in spite of the initial reluctance to get involved and resource constraints faced by countries in the region. Hence, ASEAN’s involvement was a significant boost to UN peace operations. As argued by a former ASEAN official, without ASEAN the crisis in East Timor could have been worse.37

The East Timor experience presents the extent that ASEAN can go to “intervene” in what is considered an intra-state conflict involving its member state. Indeed, when compared to European organizations like NATO, neither ASEAN nor the ARF has the peacekeeping forces that can be rapidly deployed. This does not mean however that nothing can be done to enhance cooperation between and among the regional actors in the

37 Surin Pitsuwan, op.cit.
partnership for peace. I shall now turn to explore the possibilities for task-sharing arrangements between the UN and the regional actors in Asia.

4. Exploring Opportunities for Meaningful Partnership: ASEAN, the ARF and the United Nations

Many analysts and scholars have argued for a more pro-active ASEAN and ARF in order to have meaningful partnership with the UN. Thus, the issues highlighted below are not necessarily new. Nonetheless, it merits reiterating some of what I consider to be practical issues for the purpose of this essay.

These are divided into two themes. One is on enhancing cooperation between the UN and ASEAN and the ARF by building on their institutional strengths. The other is on enhancing cooperation by improving the institutional capabilities of the ASEAN and ARF, as well as by learning from the experiences of other organisations.

I. Enhancing Cooperation by Building on Institutional Strengths

It must be recognised that in spite of limited institutional resources, ASEAN and the ARF have, over the years, built up a solid capital of goodwill and peaceful inter-state relations in the region both at the bilateral and multilateral levels. On the institutional level, both ASEAN and the ARF have also generated a number of other institutions – albeit loose and informally structured. These reservoirs of extensive networks extend from the Track I to Track II and even Track III levels. These networks are reinforced by regularised habits of dialogue which are found in the huge number of meetings that take place in and out of the region. These do not even include the extensive political, economic and security cooperation that are taking place within the framework ASEAN and ARF. These are the institutional strengths of ASEAN and ARF and can be valuable assets that a universal institution like the UN can tap in the efforts toward world peace. How and what are the ways to do this?

- Strengthening intra-ASEAN and intra-ARF cooperation

It is important to highlight the need to strengthen interstate cooperation within ASEAN and the ARF before any inter-agency
cooperation can take place. Within ASEAN, the inter-governmental cooperation on security issues such as transnational crime and terrorism has been improving. In the aftermath of the September 11 terrorist attack, there is an ASEAN accord/agreement among the ASEAN states of Indonesia, Malaysia, the Philippines and Cambodia to step up cooperation in fighting transnational problems (which include, among others, illegal trafficking of drugs, trafficking of small arms and illegal migration) and sharing of intelligence operations in fighting terrorism. ASEAN has also signed an anti-terrorism accord with the United States. Within the ARF framework, cooperation has also been stepped up in this regard. An inter-sessional group to study terrorism has been established.

Building formal linkages with the United Nations

With the numerous dialogue mechanisms that are already in place, it is ironic that ASEAN is the only major regional organization without observer status at the UN. In fact, Secretary General Kofi Annan at the ASEAN-UN Summit in Bangkok in February 2000 lamented the fact that both ASEAN and UN “have found little to say to each other on peace and security at the time when new forms of security challenges are presenting themselves”.38 As far as the ARF is concerned, it has already initiated contacts with the United Nations. But more can be done by both ASEAN and the ARF. ASEAN and the ARF could, for example, institutionalise regular meetings or courtesy calls on the Secretary-General. In turn, the Secretary-General and members of his staff may be invited to participate in the annual ASEAN/ARF Ministerial Meeting and to the extent practicable, to the important series of Inter-sessional meetings (ISM) on peacekeeping operations, CBMs, disaster relief and search and rescue meetings.

There is much to be gained by exchanging information and sharing of experiences between the UN, ASEAN and ARF in the areas of conflict prevention, peacemaking and
peacebuilding. More specifically, both ASEAN and the ARF could benefit from the training that the UN offers in early warning and preventive measures.

With regard to peacekeeping and peacebuilding, experience has shown that ASEAN and ARF countries have the potential to contribute more to UN operations, regardless of some obvious limitations. Although ASEAN and the ARF have a long way to go before adopting something similar to NATO-type mechanisms, individual member countries have been volunteering troops to UN peacekeeping operations and this should be encouraged.

ASEAN and the ARF could also offer to undertake some preventive action tasks such as conducting fact-finding missions and some kind of early warning indicators. This task suits the ARF, which has just established the ARF Register of Experts/Eminent Persons (EEPs) and is currently discussing the enhanced role of the ARF Chairman. The EEPs for example could provide “rapid reaction advice” and conduct in-depth studies on regional security issues. The Brahimi Report on UN Peace Operations\(^{39}\) has emphasized the contribution of regional expertise, thus ARF’s Register of EEPs persons and even those from Track II and non-governmental organizations should be made available to the UN. Since ASEAN and the ARF already have a pool of experts who can offer valuable contribution to the work on confidence-building and preventive diplomacy, this can strengthen the UN’s early warning and conflict prevention capacities.

\[\textbf{Forging working relationships between regional organizations and other regional organizations}\]

ASEAN has links with UN agencies and related bodies such as the ESCAP and the UNDP, while the ASEAN Regional Forum has already made formal contacts with the Organization of American States (OAS) and the Organisation of Security Cooperation in Europe (OSCE). However, the aim must go beyond building contacts. Opportunities must also be sought in finding common areas to work

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\(^{38}\)“Strengthening ASEAN-United Nations Partnership”, Remarks by Secretary-General of the United Nations at the ASEAN-UN Summit (Bangkok, 12 February 2000).

together, particularly in conflict prevention and preventive diplomacy. ASEAN and the ARF could look at the best practices found in the experience of OSCE and vice-versa. While cognizant of the differences in regional context, certain experiences and practices found in the OSCE and other regional organizations could be very useful guides in the region’s efforts at preventing, managing and resolving conflicts. Moreover, experience sharing in best practices can provide important indicators in tracking the stages of a conflict and the tools to use and when. (This is discussed in more detail below). Thus, a specific recommendation could be that within the ASEAN and the ARF, there should be “units” or “desks” created to liaise and develop joint training and practices with partner organizations like the OSCE.

II. Enhancing Cooperation by Improving the Institutional Capabilities of ASEAN and the ARF

In crafting strategies to improve the institutional capabilities of ASEAN and ARF, it is tempting to aim high and yet difficult to seek a balance between what is desirable and possible, between the desired ends and available means. Within this context, both ASEAN and the ARF could act on the suggestions that have been offered. I shall highlight some of the most important ones:

¶ Building linkages with Track II institutions

Within ASEAN, the ASEAN-Institutes of Strategic and International Studies (ASEAN-ISIS) have been one of the pioneering track-II bodies that have made its mark in Southeast Asia by the kind of work it has done in supporting political and security cooperation in the region. Through their workshops/conferences, academic researches and policy outputs, and their own networking activities, ASEAN-ISIS has built up valuable expertise, and had in fact been responsible in pushing for a more enhanced Post Ministerial Meeting within ASEAN which germinated into the idea of establishing a multilateral security forum, now known as the ARF.
In the broader region, the Council for Security and Cooperation in the Asia Pacific Region (CSCAP), in which ASEAN-ISIS is a core group member, has made some significant contributions in providing an informal mechanism by which political and security dialogue can be discussed by scholars, officials and others in their private capacities. CSCAP has produced important policy inputs. One of its latest policy outputs is a review of the progress and prospects of the ARF. Under the initiative of CSCAP’s Singapore National Committee, a working paper on “The ARF into the 21st Century” examined ways to move the ARF forward, particularly towards pushing the preventive diplomacy agenda.

As Track 2 institutions, they are known to push the envelope forward by examining issues, which governments may perceive as sensitive. The collaboration and linkages between Track 2 institutions and by ASEAN and the ARF are therefore important in conflict prevention in the region.

Engaging civil society (Track III)

If track-II bodies are the epistemic communities that we can count on, the participation of track III or members of the civil society in peace operations is crucial. Civil society groups can complement the efforts of the UN and regional organizations through their own work in peace-building activities such as civic education programmes, training, research and human rights advocacy. More importantly, they are well placed to serve as conduits between local actors and the UN and ASEAN and ARF in conflict prevention. There should therefore be a need for a vertical dialogue between the UN and ASEAN/ARF with people’s organizations and NGOs as track III.

In the region, there has not been much contact between local actors and ASEAN nor the ARF. Unlike in EU which provides for a structured representation of civil society in its various activities, and even in Southern Africa’s SADC which provides for an NGO division in its Secretariat, there
is none in ASEAN nor in the ARF. However, there is some progress between Track II engaging with Track III in ASEAN. Through the initiative of ASEAN-ISIS, the ASEAN People’s Assembly (APA) was started in 2000, the first time ever when representatives from a wide array of civil society groups in the region were brought together to dialogue with Track II. The second APA was held in September 2002.

Pushing the preventive diplomacy agenda

It is in this area where progress should now take place if ASEAN and the ARF want to remain relevant in a rapidly changing regional environment. It is also in this area where the experience of the OSCE can be most instructive for ASEAN and particularly the ARF. Both organizations could learn from the OSCE’s experience in the following areas:

1. Providing for appropriate institutional resources to coordinate activities, gather information and possess analytical capabilities to process information and data. ASEAN has the minimum of institutional structures while the ARF virtually has none.

2. Developing fact-finding and good offices missions to promote conflict prevention and crisis management. ASEAN has introduced the ASEAN Troika to enable ASEAN to address emerging regional political and security issues that could lead to crisis situations. But, the Troika is only constituted as an ad hoc body and is impeded by the stipulation that it should refrain from addressing issues that constitute the internal affairs of ASEAN member countries. The ARF has yet to make progress on even the role of the ARF Chair.

3. Formulating a set of norms beyond the established regional set of norms to ensure the security of minority populations while discouraging secessionist aspirations.
These issues are now being studied extensively in the region. The Institute of Defence and Strategic Studies (IDSS) of the Nanyang Technological University, Singapore, for example, has just published monograph on, “A New Agenda for the ASEAN Regional Forum”. The monograph examined comprehensive options to push the ARF agenda forward, particularly on the work on preventive diplomacy. In fact, some of the recommendations by IDSS included adopting certain preventive diplomacy mechanisms, which are found in the OSCE. These included, among others: the establishment of an ARF Secretariat; setting up of a Risk Reduction Centre (RRC), and promoting enhance defence participation at ARF meetings (so far ARF meetings have been attended mostly by the Foreign Ministers of ARF member states). These recommendations have already been officially forwarded to ARF for their consideration.

Work on preventive diplomacy in the region has been bogged down by controversy and suspicion by some countries that this could lead to interference in internal affairs. Nonetheless, there has been an appreciation that progress must take place and a change in political mindset should also happen, otherwise there will only be heightened uncertainty in the region and both ASEAN and the ARF risk losing their relevance.

5. Conclusion

In conclusion, while one could not discount the contributions that ASEAN and the ARF have made in working for peace and stability in the region, the impetus to do more cannot be understated. The current practice of adopting informal, “soft” approaches at the expense of early conflict prevention can be counter-productive. Since there seems to be a disjunct between regional preferences and the emerging changes in global norms, ASEAN and the ARF’s approaches of regional reconciliation, norm-building and inclusive regionalism must now give way to some form on intrusive regionalism for meaningful peace processes to take place.

The UN Secretary-General in his Millenium Report has put a lot of emphasis on the key concept of prevention in the maintenance of international peace and security.\textsuperscript{41} This is where ASEAN and ARF can complement best. Therefore, the preparedness and willingness of ASEAN and the ARF to work with the UN offer prospects for cooperative, task-sharing arrangements among these international institutions. As each institution sets about its respective task of securing and maintaining stability, the major challenge is to bridge the efforts by the UN, ASEAN and the ARF and link these so-called “islands of peace” to create collaborative work toward world peace and security.

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