ASEAN AND LOW–LEVEL SECURITY COOPERATION

Mr. Johannes Lund

สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

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There is currently an extensive academic as well as political discussion concerning what has become known as human security issues. Human security issues focus on securing the individual against a wide range of security threats; political, economical, as well as social and cultural. However this widening of the political and academic security agenda is not without its problems. Most importantly this new focus lacks practical applicability. It is further limited by the questionable practicality of focusing solely on the individual in an environment characterized by various degrees of authoritarian governments whose concern might still be centred on political and state survival.

In this thesis the author offers an alternative security approach focusing on threat impact level and probability. The study goes through low-level security issues, i.e. those which have a slow impact but has a high probability of occurring. The threats are measured against the individual as well as the political elite.

In the thesis the author shows that these threats are primarily regional and are therefore best addressed within a regional context. He further shows that these pose a very real threat to a large number of individuals and that they have the potential of being politically destabilizing. He then moves on from that point and examines the foundations for cooperation within the ASEAN framework.

The study concludes by showing that the primary obstacle to co-operation lies in the structural constraints posed by the way project evaluation and implementation is organized within ASEAN, in conjunction with difficulties surrounding the consensus and non-interference norms of the “ASEAN way”.

The author proposes a strengthening of the ASEAN secretariat and the development of greater research capacity for regional security issues. He further argues that the follow up of the implementation must be taken away from the implementing bodies themselves, in this case the national secretariats, in favor of an adequately funded ASEAN body.

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ปัจจุบันนี้ ความมั่นคงปลอดภัยของมนุษย์ เป็นหัวข้อหนึ่งที่ได้รับความสนใจในแวดวงวิชาการและการเมือง ความมั่นคงปลอดภัยของมนุษย์มุ่งไปที่การรักษาความปลอดภัยของแต่ละบุคคลให้พ้นจากภัยคุกคามต่างๆ ทั้งในด้าน การเมือง เศรษฐกิจ สังคม และวัฒนธรรม อย่างไรก็ดี การวางแบบแผนเพื่อรักษาความมั่นคงปลอดภัยของมนุษย์นี้ก็ยังจะต้องประสบกับปัญหาบางประการ ที่สำคัญที่สุดก็คือการขาดซึ่งความสามารถในการนำมาประยุกต์ใช้ได้จริง เช่นการที่ ไม่สามารถที่จะให้แนวทางปฏิบัติในแนวนโยบายที่สำคัญได้ นอกจากนี้ ยังถูกจำกัดมากขึ้นไปอีกโดยการใช้งานได้จริงที่ยังเชื่อถือไม่ได้ กับการที่มุ่งไปที่บุคคลในสิ่งแวดล้อมหนึ่งเพียงอย่างเดียวซึ่งถูกหล่อหลอมโดยระดับที่แตกต่างกันของรัฐบาลที่กุมอำนาจอยู่ ซึ่งความสนใจอาจจะยังอยู่ที่การเมืองและความเป็นไปของรัฐก็ได้

ในวิทยานิพนธ์ฉบับนี้ ผู้เขียนต้องการที่จะเสนอ มุมมองของความมั่นคงปลอดภัยแบบทางเลือก โดยมุ่งไปที่ ระดับผลกระทบของภัยคุกคาม และความน่าจะเป็น การศึกษาดำเนินโดยมองจาก เรื่องความมั่นคงปลอดภัยในระดับล่าง เช่น เรื่องที่ใช้เวลานานกว่าจะส่งผลกระทบแต่มีความน่าจะเป็นสูงที่จะเกิดขึ้น ภัยคุกคามจะถูกตรวจวัดทั้งภัยคุกคามต่อบุคคล และภัยคุกคามต่อ บุคคลสำคัญทางการเมือง

ในวิทยานิพนธ์ฉบับนี้ ผู้เขียนต้องการที่จะแสดงให้เห็นว่า ภัยคุกคามเหล่านี้ อยู่ในระดับภูมิภาคมาแต่แรกเริ่ม และด้วยเหตุนี้จึงควรที่จะจัดให้อยู่ในบริบทของภูมิภาค นอกจากนี้ยังแสดงให้เห็นว่าภัยคุกคามเหล่านี้ทำให้เกิดภัยคุกคามอันใหญ่หลวงต่อบุคคลเป็นจำนวนมากและมีศักยภาพที่จะสั่นคลอนความมั่นคงทางการเมืองได้ จากจุดนี้ผู้เขียนได้วิเคราะห์ รากฐานของความร่วมมือภายในกรอบของอาเซียน

การศึกษานี้สรุปโดยการแสดงให้เห็นว่า อุปสรรคแรกเริ่มของความร่วมมือตั้งอยู่บนอุปสรรคในระดับโครงสร้างที่เกิดขึ้นโดยวิธีการที่ประเมินผลและการดำเนินการถูกจัดแจงภายในอาเซียนร่วมกับความยากลำบากต่างๆเกี่ยวกับ การตกลงร่วมกัน และวิถี การไม่ก้าวก่ายเรื่องภายใน ตามแบบฉบับของ “วิถีอาเซียน”

ผู้เขียนเสนอการเสริมสร้างความเข้มแข็งของกลุ่มผู้นำอาเซียน และ การพัฒนาความสามารถในการวิจัยในเรื่องความมั่นคงของภูมิภาค นอกจากนี้ยังเสนอว่า การติดตามผลการดำเนินงานควรที่จะแยกออกจากตัวการดำเนินงาน ในกรณีนี้ คือ ผู้นำประเทศ ในแง่ของเงินที่มอบสนับสนุนอาเซียนอย่างเพียงพอ

หลักสูตร ……..…… ลายมือชื่อนิสิต ……..

สาขาวิชา……เอเชียตะวันออกเฉียงใต้ศึกษา…. ลายมือชื่ออาจารย์ที่ปรึกษา ……

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สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

CONTENTS

Page

ABSTRACT (ENGLISH)……IV

ABSTRACT (THAI)……..V

ACKNOWLEDGEMENTS……..VI

CONTENTS…….VII

ABBREVIATIONS…….VIII

CHAPTER 1: Introduction…..……...……..……...1

CHAPTER 2: Low level security areas–Defining security and problems surrounding the practical applicability of human security……...……..4

CHAPTER 3: Low level security areas–Opportunities and benefits...……...…14

CHAPTER 4: Low level security areas–Agreements, declarations and current projects…….31

CHAPTER 5: Low level security areas–Institutional constraints……..…….52

CHAPTER 6: Low level security areas–Summary and overall conclusion……..…..73

REFERENCES……..……..76

BIBLIOGRAPHY……...81

BIOGRAGHY……..……...84

สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

ABBREVIATIONS

ACCM	ASEAN Conference on Civil Service Matters
AEM	ASEAN economic ministers meeting
AFMM	ASEAN Finance Ministers Meeting
AFTA	ASEAN Free Trade Area
AFTOA	ASEAN Task Force on AIDS
AIA	ASEAN Investment Area
AMM	ASEAN Ministerial Meetings of Foreign ministers
AMME	ASEAN Ministerial Meeting on the Environment
AMMTC	ASEAN Ministerial Meeting on Transnational Crime
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ASEAN-ISIS	ASEAN-Institutes of Strategic and International Studies
ASEANPOL	ASEAN Chiefs of National Police
ASOD	ASEAN Senior Officials on Drugs Matters
ASOEN	ASEAN Senior Officials on the Environment
CCI	ASEAN Chamber of Commerce and Industry
CLMV	Cambodia, Laos Myanmar and Vietnam
COCI	ASEAN Committee on Culture and Information
COSD	ASEAN Committee on Social Development
HPA	Hanoi Plan of Action
SARS	Severe Acute Respiratory Syndrome
SOMHD	Senior Officials Meeting on Health Development
SOM	ASEAN Senior officials meeting
SOME	Senior Economic Officials Meeting
WHO	World Health Organization
PAC	ASEAN Project Appraisal Committee

สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

CHAPTER 1

Introduction

Rationale, Significance and objective

There is currently an extensive academic as well as political discussion concerning what has become known as human security issues. Human security issues focuses on securing the individual against a wide range of security threats; political, economical, as well as social and cultural. However this widening of the political and academic security agenda is not without its problems. Most importantly this new focus lacks practical applicability, i.e. it does not give significant guidance on policy priorities. It is further limited by questionable practicality of focusing solely on the individual in an environment characterized by various degrees of authoritarian governments whose concern might still be centred on political and state survival.

In this thesis I offer an alternative security approach focusing on threat impact level and probability rather than anything else. I focus my study on low-level security issues, i.e. those that have a slow impact but have a high probability of occurring. The threats are measured against both the individual and the political elite. These threats do in some cases, but not all, overlap with the conventional human security agenda.

In the thesis I show that these threats are primarily regional and are therefore best addressed within a regional context. I further show that they pose a very real threat to a large number of individuals and that they have the potential of being politically destabilizing.

I then move on from that point and examine the foundations for cooperation within the ASEAN framework. I evaluate the regional consensus and foundations for cooperation by examining agreements, declarations and projects already initiated as well as examining possible institutional constraints.

This thesis aims to be a contribution to the academic field of human security and its agenda for an individual-centred security perspective. But it also aims to be "politically applicable" and hopefully instrumental in formulating a realistic and comprehensive security agenda for ASEAN in the coming decade.

Methodology

The study is based on documentary research of published works relevant to each area. Updated materials concerning these areas are easily available and I draw largely on secondary sources. The U.S. war on terror and the recent SARS and Avian Flu outbreaks have lead to a great increase in the number of articles relating to Southeast Asian security. Human security has also been gaining greater attention over the past years and the material surrounding these issues is becoming vast. Primary source material is mainly policy documents. A documentary approach is relevant in this area since, to my best knowledge, there is no one study that has taken a comprehensive approach, incorporating national interests, political agendas and institutional constraints with an applicable security approach on these low level security issues.

Structure

In the first chapter I will discuss the notion of security in general and low level security in particular. I will highlight the inadequacies of a comprehensive security approach in addressing what has been called human security problems. I will then argue that this is not a reason to sideline these issues as mere developmental problems but rather adopt a different security approach.

Following that I will in chapter two begin by analyzing each field and point to common interests within the region and possible external interests that might hinder such cooperation. I wish to point to underlying issues which makes cooperation desirable within a regional, as oppose to a national or bilateral framework, irrespectively whether projects are currently underway or not. I conclude that in most of these areas the national interests of the ASEAN members co-inside and that project implementation may be very cost-effective in relation to their potential threat. I further argue against

those that claim that the expansion of the new membership to include Cambodia, Myanmar, Laos and Vietnam are detrimental to the organization. Instead I show that with respect to low level security co-operation the organization is in fact much better for having them inside rather than outside of ASEAN.

In the third chapter I look at agreements and declarations and some of the major projects underway in the low-level security areas. I show that there is a relative consensus in the areas concerned and that elaborate plans of action have already been drawn up. However I conclude that very little in terms of implementation has been achieved in the areas of my concern. Therefore I conclude that it is not primarily an issue of ASEAN decision structure at the (high) political level but rather in the implementation structure.

So in the fourth Chapter I look at possible institutional constraints that might hinder cooperative measures from being implemented. I show that there are a number of institutional inefficiencies that prevent the organization from developing optimal regional agendas. I argue for a strengthening of the ASEAN secretariat and the development of greater research capacity for regional security issues. I further argue that the follow up of the implementation must be taken away from the implementing bodies themselves, in this case the national secretariats, in favor of an adequately funded ASEAN body.

In the fifth and final chapter I summarize and conclude with a brief endnote surrounding the future of the organization.

สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

CHAPTER 2

Low level security areas – Defining security and problems surrounding the practical applicability of human security

For any discussion about security to be relevant it is essential that one clarifies and defines what one actually means about the notion. The literature surrounding security studies is vast and different theoretical perspectives reflect the author's opinion on what matters more.

With respect to Southeast Asia, and the world at large, the prevailing perspective up to the late 1980's - early 1990's was the realist approach of incorporating the balance of power along side a more liberal approach of institutionalism. Balance of power theory focuses on the state's survival in an anarchic environment. Only through power projection capabilities, threats and alliances, can a balance and therefore security be achieved. An inner logic of this approach becomes the so called "security dilemma", where one actor's security becomes the others insecurity.

The second approach is that of liberal institutionalism ideas of which have influenced organizations such as the EU, that through co-operation in institutions, the security dilemma can be mitigated. There is no theoretical consensus on how this is achieved, but it is argued that through interaction a greater trust is developed between the actors which in the long run lead to closer co-operation and a further *intertwining* of their interests. This leads to a virtuous circle of engagement and co-operation until their interests largely coincide or at least are highly interdependent.

The UN could be seen as a reflection of institutionalism, where by preserving a rule based system of state interaction the consequences of the anarchic environment can be limited.

Both these approaches assume that the interstate system is anarchic and they are primarily concerned with securing the state against other state actors, and maintaining, if possible, an international order, or in some cases mitigating structural threats deriving from the security dilemma, for example a destructive arms-race. The security for the individual in this case follows from securing either the international order or the state itself.

After the cold war voices pointing at the inadequacies of this state-centric approach gained a greater following. Academics and others argued that many times there is a conflict of interests between the security of states (and the ruling elite controlling the state) and the individuals within states. They argue that we should not be securing states but people. The perspective should then not be on the state system but rather, the level should be global and the agent to secure should be the individual. Unlike the realist perspectives, this perspective highlights the differences in the internal workings of states. A democratically accountable state is more likely to be concerned with the well being of their citizens, or at least a majority of them, since it has a direct impact on their mandate. Dictatorial regimes do this as well but not to the same extent.

The conflict in Kosovo is an illuminating example of this difference in "what should be secured". The Serbian government claimed to be securing the Serbian *state* (or Serbian "nation" as it were). The NATO intervention was legitimized as securing the *individual* Kosovo-Albanians within the state, and subsequently criticized for threatening the *international order* by threatening the principle of non-intervention.[1]

This primary focus on security for the individual also implies a wider perception of the term 'threat that should be addressed by the state'. Issues such as global warming, floods and natural disasters, and disease then all come into the spectrum. The terms 'Human security' and 'Comprehensive security' both reflect this view.

However the start of the discussion of a wider security agenda in academia, brought with it much controversy. Two main areas were widely debated. Firstly, the supposedly

[1] Sam Daws, and Shashi Tharoor, "Humanitarian intervention: getting past the reefs ", *World Policy Journal*, (Summer 2001 Vol. 18: 2), pp. 21-30.

anarchic nature of the international system was challenged. Some scholars argued along constructivist lines that "anarchy is what states make of it", i.e. a threat from another actor is essentially just a social construction, i.e. a perceived series of threats in the mind of the other.[2] They pointed to the self-fulfilling logic of balance of power theory. If you assume your opponent (state, individual etc.) being a power maximizing entity, you are likely to approach it as such and act likewise, which in turn will lead your opponent to think likewise. All of a sudden the actors are caught up in a web of perceived threats, intentions and worst case scenarios. The solution then becomes to alter the mind-set of individuals, and more importantly, governing elites, towards fostering a positive circle of co-operation, trust and security for individuals.

The second line of discussion concerned the value of the wider security agenda from the academia's perspective. What exactly is the academic's role in studying *security*. What does it mean when an issue becomes a *security issue*? If it is to be security from anything that can harm an individual's well being then the questions begs: where do we stop? At an individual's economic, social and cultural well being?[3]

Secondly, how do we, as academics create a functioning model to aid in understanding, and ultimately preventing these threats, (which some argue is the ultimate goal). The answer that many critical scholars gave was simple, we can't. Some further argued that we have now over a number of years built various theoretical models which may help us understand and predict *certain* threats, but not all. Let us then use these *conventional threats* as security threats and only incorporate new areas in this academic security spectrum if they can reasonably be addressed using these models.[4]

Barry Buzan is probably the scholar that has gone to the greatest lengths on the line of trying to incorporate constructivist as well as realist notions into a theory that can

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[2] A famous article quoted in Maja Zehfuss, *Constructivism in international relations: the politics of reality, Cambridge:* Cambridge University Press, 2002.

[3] For a discussion around these issues with respect to ASEAN See Mark Anthony Caballero in *The quest for Human security: The next Phase of ASEAN?*, Pranee Thiparat (Ed.), (Bangkok:ISIS Thailand, 2001), pp. 22-36.

[4] B. Frankel Ed., *Realism: restatements and renewal*, (London: Frank Cass, 1997).

pinpoint a "real" security threat.[5] He attempts to essentially balance or differentiate between when a threat is purely in the mind of the actor and when it is a "real threat", based on material "facts". He stresses that an issue does not simply become a security threat when a political leader calls it one (as they often do), but rather when such a threat also has some material underpinnings. But he further argues that there is a reciprocal relationship between the two, in that political statements have "real" consequences for individual's perceptions as well as the political action that follows. This process he refers to as an issue becoming *securitized*. He then points to different political situations when he argues this occurs. In his opinion, this occurs when extraordinary measures in a particular field are taken outside the normal working framework of the state, and this is regarded as widely acceptable.

Although Buzan's attempt is directed at the correct core problem, I believe that it is unsatisfactory. I liken it to Thomas of Aquinas attempt in the thirteenth century to create a unifying theory between two incompatible approaches, that of divine creation and modern science. I believe that we have to do what we did with this dilemma, simply acknowledge that spending energy on synchronizing the two is wasted and will yield little, rather we must accept that they address and give guidance in somewhat different areas.

In this sense I will do precisely that. In stead of formulating a comprehensive new model (or simply following an old established one) I will merely take the two approaches and their different strengths and weaknesses into consideration. The goal I argue should ultimately be the securing of the individual and in doing so we must widen the security agenda, but governing elites and ultimately states will be the actors to do so. And they must do this within a system of states. We need a security approach that gives the ability to satisfy all - both the individuals' desire for protection and the elites' desire to maintain political power. But it must also, and most importantly, aid in policy prioritizing for both groups, aimed at an optimal solution for both parties.

[5] Barry Buzan, *Security: a new framework for analysis*, (Boulder, Colo.: Lynne Rienner Pub, 1998).

The Author's Security approach and its particular relevance to Southeast Asia

ASEAN security has historically been focused on internal stability aimed at securing the national government. This is sometimes referred to as nation building, in other cases suppression of minorities or political opposition. Nevertheless, security has been formulated from the governing elites' interests in protecting their own rule, from internal or externally backed influences.[6]

With the end of the cold war focus shifted from the "high end" of the security spectrum to the "low end". From low probability-sudden impact issues, such as military invasion, to emphasize the low end, high probability-slow impact issues, such as economic, environmental and political threats. Academics and politicians in Asia, as they did elsewhere, pointed out the limitations of solving these low-level threats on a unilateral basis. It was viewed that many of the threats must be approached collectively.[7] It was also a time when the international norms concerning intervention and human rights began to change as the interventions in Kosovo, East Timor and later Iraq and Afghanistan clearly show.

Southeast Asian security concerns, and those of ASEAN, have been shaped in this international context, from emphasis on U.S. or Soviet support, to a more self-reliant position.[8] The nations of Southeast Asia have equally been trying to redefine their security situation and work within cooperative frameworks like APEC and the ASEAN regional forum as well as trying to develop bilateral ties. In this situation of national security reassessment as well as changing international norms; it is especially interesting to look at what foundations there are for ASEAN security cooperation.

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[6] For further elaboration on early security in Southeast Asia see Clive Christie, *A modern history of Southeast Asia: decolonization, nationalism and separatism*, (London ; New York ; Singapore: Tauris Academic Studies ; Institute of Southeast Asian Studies, 1996).

[7] For discussion of broader security concept within a realist framework see Barry Buzan, *Security: a new framework for analysis***,** (Colo: Lynne Rienner Pub, 1998).

[8] J. Cotton and J. Ravenhill (eds), *Seeking Asian Engagement*, Melbourne: Oxford University Press, 1997, pp. 64-66.

As stated earlier I argue that the ultimate goal should be the securing of the individual. This is also my political purpose in this thesis. Its aim is a modified regional agenda for the benefit and security of the people of Southeast Asia. But I am primarily writing this thesis based on political realities and I aim to put forward practical arguments for a certain set of priorities.

It might seem contradictory, but in this thesis I will still look very closely at *national* security concerns from the governing elites' perspective. What I highlight is not necessarily what is objectively better for the country's citizens, but rather in what areas there is a foundation for regional co-operation given the current political situation. For example I may hold a political opinion that freedom of organization and speech is more important than political stability and government survival, however this can not be said to hold true for many of Southeast Asia's governing elites. That is a value judgment from my part. However in an analysis of state to state cooperation it is the governing elite's preferences and values that are most relevant.

What areas should be *securitized?*

My primary focus is on threat level. One can classify threats in many ways, structure or actor based threats or regional, national, individual threats as outlined earlier. High level threats are those which have extreme short term consequences but have a low probability of occurring, for example nuclear war or large scale military invasion are two examples. A characteristic is that they are rapid, have a huge impact and that they don't happen very often. I will be focusing on what I call low-level threats. In the low end however we have similarly something that happens slowly over a longer time-scale and their impact is also more gradual, but their effects might well affect many individuals in a devastating way. However what they have in common is that they have a very high probability of occurring over time, but chances are that they are likely to have a low impact at any given time. Another characteristic is that they tend to be trans-national and fluid.

The traditional security agenda of elites has up until now been concerned with high level threats. They have similarly been given a higher priority, status and budget, often because they threaten to undermine the government itself.

However I argue that this is a fallacy in today's Southeast Asia. Today the low end spectrum is as much, if not more of a threat to the political elites of ASEAN. Disease, most recently SARS, Avian flu and in the long run HIV, transnational crime and drug production, terrorism, environmental degradation, migration and refugees all threaten to undermine the ASEAN governments, be they democratic or authoritarian.

These areas have traditionally been viewed in the realm of development, not security, until the wider human security agenda started being addressed. But as outlined earlier this human security agenda is lacking in practical applicability, i.e. aiding in policy priority.[9] But the question emerges again. Why does it matter whether it is part of a security agenda or a development agenda?[10]

The reason is because of priority and time perspective. Security is about attempting to perceive a likely threat and already have certain counter measures at hand. It is the development of an insurance policy, a "what if". Economic development is about furthering well being. These developmental agendas may be weighted and traded against one another. The insurance is there so that this can be done in a smooth and un-interrupted fashion.

If we refer to Buzan's idea about *securitizing* issues, I believe it can be argued that by lifting these issues into a security agenda we take away threats to them that may arise

[9] The term is close to the term operationality used by Anthony Caballero, M, in Pranee Thiparat (ed.) *The quest for Human security: The next Phase of ASEAN?*, (Bangkok: ISIS Thailand, 2001), ch.2. However he uses the term in relation to the two approaches Human Security and comprehensive security in their political operarionality.

[10] Sissela Bok expresses a concern about the difficulty in differentiating between "comprehensive development" and "comprehensive security", but does in this authors opinion fail to give reasons why this should be done in the first place. Sissela Bok, "Cultural Diversity and Shared Moral Values", in Tatsuro Matsume and Lincoln Chen (eds.), *Common security in Asia – New concepts of Human security*, (Tokyo: Tokai University Press, 1995), pp. 19-44.

from everyday political gambling. No politician would dream of conducting a campaign based on a three year zero defense budget and giving people better child care, in the hope that no one invades during his or her mandate period. However many high risk political leaders (and there are a few in the region) could not be discounted from trading away environmental protection in favor of short term gains.

This is precisely why the low end of the security spectrum needs to be *securitized* and lifted outside the developmental agenda. Because it can have devastating effects on individuals as well as governments.

Why ASEAN?

Much of the literature before the Asian financial crisis and to some degree also after 1997 was carefully positive to ASEAN and the then recent enlargement process. Although many problem areas were identified, yet with external pressure as well as loss of ideological boundaries, it was ultimately seen as a natural step towards consolidating a regional grouping previously divided by the cold war.[11]

Many recent academic articles on the other hand have been quite negative on the future prospects of the organization. Especially since the negative political implications of including Myanmar has become obvious. It appears that hopes (from ASEAN-6) of a normalization of Myanmar have been proved wrong by Myanmar's continued desire for legitimization without change. As the EU and the U.S. single out Myanmar, it has also undermined the organization's ability to act as regional grouping. Myanmar is now a liability rather than an asset. Authors and editors are now pointing to other areas, mainly economic, where the groupings common future interests can be questioned.[12]

[11] Sekiguchi Sueo and Noda Makoto (eds.), *Road to Asean-10, Japanese Perspectives on Economic Integration*, (New York: Brookings Institution Press, 2000). See also Michael Vatikiotis, "Seeds of division, *Eastern Economic Review*, (v. 159, Oct. 17 1996), pp. 16-17. and Bertil Lintner, "Tangible benefits: Laos savours the advantages of joining Asean", *Far Eastern Economic Review*, v. 160 (Jan. 23 1997) pp. 24-25 and Carlyle Thayer and Ramses Amer (eds.*), Vietnamese Foreign Policy in Transition* (New York, NY: St. Martin's Press, 1999).

[12] For example David Kruger, "Ready to Join the Bandwagon, Sort of", *Far Eastern Economic Review*, (v.165 no.23, June 13 2002), p. 16-18 and Frank-Jèurgen Richter and Pamela Mar, "Prospects for

However in my thesis I argue that in the new areas of low level issues the region is firstly much better for having the new countries within the organization, than having them outside. Secondly the institutional decision making constraints that apply to other co-operative areas do not apply to the low-level security issues.

I agree with many scholars that prospects look bleak in the short term perspective and in respect of many large scale projects [13], but I argue that if we adopt a more long term perspective in the new areas of "low level security", such as public health and disease prevention, transnational crime, terrorism, environmental degradation, migration and refugees and drug prevention, then there are causes for optimism and we should perhaps not get too pessimistic about the organization and the value of the enlargement process. The new countries may in some cases be the source of much of these human security problems but I argue that the problems themselves are in their nature regional and can not be solved without them. In this respect having them inside the organization gives the region a much better chance of tackling these future problems than it would have been having them outside.

Security dilemmas and national interests

If we look at these threats they are in their very nature transnational, sometimes regional and in some cases global. Unlike military and economic co-operation, however, there are likely to be no, or at least very few, security dilemmas involved in addressing these issues. Efforts in environmental protection will not undermine the other states ability to do likewise; neither will the initiating country's efforts be in vain.

Furthermore, considering the cost-benefit ratio of security, both for elites and individuals, I would argue that compared to traditional areas, such as military invasion,

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an Asian NAFTA", *Far Eastern Economic Review*, (v.165 no.15, Apr. 18 2002), Zhai Kun, "Investment: Yes; Free Trade Agreement: No", *Beijing Review*, (v. 45 no 49, Dec. 5 2002), pp. 9-10

[13] Bleak outlook on AFTA see Helen E Nesadurai, "Attempting developmental regionalism through AFTA: the domestic sources of regional governance", *Third World Quarterly*, v.24 no.2 (Apr. 2003) pp. 235-53.

action programs in these areas are cheap. One need only compare regional defense spending on high level threats with low level threats to realize this. It varies from country to country but for example the total cost of all programs with haze prevention is less than one single country's ground defense acquisitions in a year.[14]

However, that said, many point out that even if there might be a common interest within the region, it will matter little if it contradicts the interest of the large regional powers.[15] This can be said to hold true in areas of trade and military cooperation, but I argue, that in most of these low-level security areas, there is a limited interest from outside powers which could undermine domestic efforts. The only exception here is perhaps within some aspects of drug eradication and possibly environmental preservation. (See later in chapters 2.) There is on the other hand a great possibility that they see that it contributes to their own interests, and with a clear political will and an effective institutional framework they may be more inclined to contribute.

Conclusion – CHAPTER 2

I am not primarily trying to enter the academic debate on the best comprehensive security approach. But I rather point out that, no matter what approach and theoretical background one has, if analyzed in this fashion, one can realistically broaden the security agenda in ASEAN without making it merely a political "menu". This analytical framework has capacity for practical applicability i.e. a foundation for prioritizing issues, given limited resources. In this context I will, in these following three chapters, argue for a reorientation, and in some cases strengthening, of the security efforts in these fields.

[14] For Haze see ASEAN annual report 1998-02. For national defence spending see library of congress annual report on Thailand http://lcweb2.loc.gov/frd/cs/thtoc.html.

[15] Justine Rosenthal, "Southeast Asia: Archipelago of Afghanistans?", *Orbis*, (v.47 no.3, Summer 2003), pp. 479-93. and Karim Raslan, "A View From Southeast Asia", Foreign Policy,(no.137, July/Aug. 2003). pp. 38-39.

CHAPTER 3

Low level security areas – opportunities and benefits

Public health and disease prevention

Political impact of epidemics

The recent outbreak of SARS and Avian Flu removed any illusions that a country can live in isolation. The impact of the disease in number of deaths was in real terms small. However in a world of instant global communication, the psychological impact was world reaching and devastating. All countries of Southeast Asia, especially those that depended on tourism, had to rewrite their economic growth figures downward.[1] SARS and the *avian flu* did not only have an economic impact but they also had a significant political impact. Governments were now hard pressed to show force and competence, and also willingness to cooperate. One of the first criticisms in relation to SARS that was to emerge from the WHO was the Chinese officials' initial downplaying of the extent of the outbreak, facilitating the wide spread of the disease in the most important early stage. Issues of freedom of press and government responsibility were not just being cited by the international community and neighboring countries, but also domestically. In my view, regional Chinese officials had to be sacrificed to divert political attention away from Beijing, and a massive, largely nationalistic, campaign had to be initiated to avert a political crisis.

The avian flu also opened up the discussion of openness. The close relationship between commercial interests, governments and their subsequent response resulted in heavy criticism for the government gambling with human life against maintaining export growth figures.[2]

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[1] Karim Raslan, "A View From Southeast Asia", *Foreign Policy*, (no.137, July/Aug. 2003), p. 38.

[2] Pasuk Phongpaichit, *Thaksin: The business of politics in Thailand*, Bangkok (Silkworm Books, 2004), pp. 232-233.

With respect to ASEAN, I argue that there are three factors that are of key importance to disease control. Firstly, many of the ASEAN countries have governing structures that rely to some extent on media control, and there is a culture of information control much like that of China. Secondly, the new members' public health systems are underdeveloped compared to the older members, and have limited capacity to detect and prevent an outbreak. Thirdly, the region has large moving border populations and its related border trade which means large scale border crossings on a daily basis. These three factors make a lack of cooperative measures very dangerous with respect to disease control.

Here ASEAN have the opportunity to build confidence in creating a joint capability and reporting system for epidemics. With the incorporation of such issues within ASEAN, disease prevention will have an institutional framework. It is paramount that these mechanisms are created beforehand and that the new countries receive early help in case of an outbreak. Furthermore ASEAN's policy of unofficial consultation means that efforts can be taken without a government necessarily opening up for internal criticism of incompetence and suppressing information, an assurance for countries such as Myanmar, Laos, Cambodia and Vietnam who in particular may have such sensitivities. Guidelines on how to report on these issues could even be drawn up beforehand.

AIDS and economic security

With respect to less contagious diseases such as AIDS, the issue of migration, refugee- and border population makes unilateral approaches less effective.[3] However it does not make them less of a threat. Here we have a high probability but slower impact. Countries of central and sub-Saharan Africa are now seeing the devastating financial and humanitarian effect of long term inaction and denial.

Like I argue with all these low-level threats, different countries policies affect the other, whether they want to or not. For example Myanmar's long denial of an HIV population

[3] A very recent Example of Burmese port workers in Thailand is an illuminating. "Free Aids drugs and condoms - Burma agrees to promote safe sex", *Bangkok post* 29th of September 2003.

has undermined Thailand's long running and effective program of prevention and information.[4] However having these high risk countries within ASEAN again creates an institutional framework to deal with the threat. Again it is better having the new poorer members within the organization than outside. External actors already have, and will no doubt continue to, support any disease prevention measure, on a bilateral as well as multilateral level via the WHO.

Transnational crime and drug prevention

When it comes to crime prevention generally, one could argue that it might not be of particular magnitude in terms of threat to the individual, nor a very substantial threat to the state. But the issue of drug production and its eradication has long been, to use Barry Buzan's term, "securitized" in that it calls for extraordinary measures from the state.[5] Like in other parts of the world an income gap that runs along geographical borders creates a foundation for criminal activity such as human trafficking, prostitution, smuggling and drug production

Drugs will remain a security threat to the states of the region for their capacity to serve as a potential revenue source for rebel groups and criminal activity. The high commodity price in conjunction with underdevelopment makes this particularly relevant to the ASEAN region which encompasses the golden triangle. There are many examples of states, especially in South America, where weak governments, poverty and capacity for drug production have undermined the sovereignty of the state and hampered political and economic development to the detriment of many of its citizens.

Other sources of income, although generally smaller may further undermine the state such as arms smuggling and the much highlighted human trafficking. Again the CLMV countries (Cambodia, Laos Myanmar and Vietnam) are key actors in any crime or drug prevention scheme. In this case it could be argued that the state of Myanmar is already

[4] Chris Beyrer, *War in the Blood: Sex, Politics and AIDS in Southeast Asia*, (London: Zed Books, 1998).

[5] Barry Buzan, *Security: a new framework for analysis*, (Boulder, Colo.: Lynne Rienner Pub, 1998).

undermining efforts or at least in the drug production issue is intertwined with any political solution.

The problem of criminality is of special relevance to ASEAN regional cooperation because of, firstly, the difficulty in controlling borders in the region. Secondly, poverty in the new member countries creates a huge income divide in a region committed to closer economic integration and a possible ease in visa restrictions.[6] The third and most important reason is the domestic political situation in Myanmar, particularly the WA drug army, and the degree of sincerity in the ruling junta's anti-drug measures.[7]

If the third point is not addressed it will be very difficult to effectively address the first two because in its current condition it poses a security dilemma. Crop substitution and border control can only be achieved through cooperation and coordination. Again domestic affairs today stand in the way of effectively addressing these issues within ASEAN. However, even if we assume that the political situation in Myanmar can be addressed in the near future, and there is some form of coherent government in a united, or be it federal Myanmar, issues of drug production, even if they are not sponsored by governments or rebel groups, will still be an issue because of the area's poverty and the fact that these governments are likely to remain weak. In any such crime prevention scheme regional cooperation will be a necessity. More specifically there would be need for a legal framework to coordinate police cooperation, information sharing, and joint operations, over flight rights etc.[8] ASEAN can be a platform for such cooperation, rather than doing them on a bilateral basis. The U.S. "war on drugs" may be a stumbling block if they choose to pursue anti-drug measures unilaterally, or persuade individual countries to go along. Unilateral approaches like Thailand's very recent draconian

[6] Thailand's premier Thaksin Shinawatra has expressed desire to create an ASEAN visa free zone modelled after Schengen. *Bangkok Post*, 19th July 2004. But even if that is very far into the future it will ultimately have to follow as a natural consequence of closer economic interaction within the region.

[7] Paul Erik, "Regionalisation, democracy and conflict", *Journal of Contemporary Asia*, (Vol. 29 No. 3, 1999) pp. 285-308.

[8] For more extensive look on cooperative issues see Dini Djalal, "Asia's Intelligence Gap", *Foreign Policy*, (no.135, Mar/Apr. 2003), pp. 84-5.

crackdown on drugs may undermine future regional efforts especially if there is a disagreement on the timeframe, approach and scale of drug suppression effort.

Terrorism

Defining terrorism for analytical purposes

Although currently high up on the political agenda of today's superpower, one has no choice but to view terrorism as a low level threat in that it does not threaten the existence of the state itself. The 9/11 attacks did not undermine the U.S. state. (Only for very weak states does terrorism as such pose a high level threat.)[9] With regards to Southeast Asia it has a high probability, especially if you look in the recent past.

This is a security area which is somewhat difficult to conceptualize. A common definition of terrorism is a political entity, group or state, "deliberately targeting civilians, to generate a response which in turn serves a political purpose."[10] By using such a definition, one circumvents the old notion of "one man's terrorist is the other man's freedom-fighter". This focuses on the methods and targets, not actors.

However if we are to analyze it in the context of today's geopolitical situation and the US led "war on terror" such a definition does not help in a political analysis. As stated earlier in my definition of security, I focus on elite state actors and their *perceived* security concerns. Hence what is important for my analysis is how the state uses and can use the notion of "terrorism" for political action and cooperation. Here we find that the concept is used to legitimize state actions against very different type of threats and groups. It is used as a political "bargaining tool" as well, where for instance China

[9] Bruce Hoffman, Bruce, *Change and Continuity in Terrorism*, Washington: Rand publications, 2001, pp.106.

[10] For more extensive discussion see David Martin Jones and Mike Lawrence Smith, "From Konfrontasi to Disintegrasi: ASEAN and the Rise of Islamism in Southeast Asia", *Studies in Conflict and Terrorism*, (v. 25 no.6, Nov./Dec. 2002) pp. 343-56. also Henry Han, *Terrorism & political violence: limits & possibilities of legal control*, (New York: Oceana Publications, 1993).

accepts U.S. actions as long as they are conceptualized in a way that is instrumental to them. (for example seeing rebels in Xinjiang as "Muslim" terrorists etc.)[11]

Controlling the discourse surrounding terrorism

U.S. and Britain maintain anti-terrorism very high on the agenda and Muslim fundamentalist groups are evidently active in Southeast Asia; the Bali and Marriott hotel bombings, and Singapore's unraveling of two JI cells to name a few.[12] So it is a perceived threat equally relevant to both parties. The core problem for all is that Anglo-American activism and cooperation tends to foster anti-American sentiment domestically.

From the ASEAN (and Beijing) perspective, anti-terrorism organized by a state against a particular group coincides very well with Southeast Asian domestic concerns, especially the new member states. However on the other side, humanitarian intervention highlights and undermines their position of authoritarian rule. Here ASEAN and China have a similar approach. If each country can define terrorism, and it is never linked to government actions, then there is no problem.

The normative change in both the invasion of Afghanistan and Iraq,(during falling public support for intervention) of the Bush and Blair administrations from targeting a direct threat, to that of intervention aimed at regime change, did not go down well with ASEAN leaders. Ever since the Iraq invasion was legitimized in terms of regime change and in humanitarian terms, as opposed to fighting terrorism, many Southeast Asian nations as well as China opposed U.S. moves. Particularly Malaysia's Mahatir Muhammed expressed strong reservations both to the Invasion of Afghanistan as well as

[11] U.S. relations with Southeast Asia post September 11, from a rather chilly relation with Southeast Asia, in particular Malaysia's Mahathir bin Mohamad, to strong praise for government support in the war on terror. Pervious human rights concerns and current concerns from NGO over restrictive new anti-terrorism legislation has been downplayed or ignored. Gershman observes such "trade offs" with Malaysia, Singapore, Indonesia and the Philippines. See John Gershman,"Is Southeast Asia the Second Front?"**,** *Foreign Affairs,* (Jul/Aug 2002. Vol. 81, Iss. 4.)

[12] Ibid. On discussion of the actual extent.

Iraq.[13] Thailand and the Philippines however supported the U.S., though they have always made their distinction between humanitarian intervention and preemptive action clear.[14]

Military aid, popular sentiments and geopolitical concerns

But on the other hand, from a strict ASEAN perspective, cooperation within a framework of anti-terrorism will enable them to receive U.S. military aid without necessarily confronting the other regional power, China, nor upsetting domestic political concerns of losing sovereignty and pandering to the U.S - especially with regards to the Philippines which has a very weak position in trying to power balance against China and fight the MILF, but at the same time not fuel domestic criticism of being a lapdog to the U.S. [15]

The same goes for Indonesia which has also lost much of its military cooperation and aid since the 1999 killings in East Timor. The U.S. congress, as well as Australia, is unwilling to reinitiate any military cooperation unless it is in a framework which does not undermine them domestically. Anti-terrorism could be one such issue. However domestic concerns do not allow for a overtly warm relationship with either of them (Australia's intervention in Timor in 2002 put a sharp halt in their bilateral relations, notions that Australia took East Timor for reasons of oil are still a common popular sentiment in Indonesia).

The more these countries openly rely on U.S. support the more it will undermine their own position as lapdogs to an imperialist, which for ex-colonial countries easily stirs political emotions. But if they all together deny U.S. interests they will lose out on much needed training, military aid as well as a U.S. presence to balance China.[16] I argue

[13] Ibid.

[14] Ibid.

[15] Leszek Buszynski., "Realism, Institutionalism, and Philippine Security", *Asian Survey*, (vol.42 no.3, May/June 2002), pp. 483-501.

[16] Michael Vatikiotis, "ASEAN and China-United in Adversity", *Far Eastern Economic Review*, (vol. 166 no.18 May 8 2003), pp. 14-17.

that the middle ground could lie in ASEAN as a key forum and initiator of anti-terrorism measures in the name of regional stability.

On this issue the new CLMV countries and the old ASEAN-6's interest coincide. The Philippines have continued problems with the MILF. Indonesia's regional problems with West Papua and Ache seem to have blown over, but might erupt anytime in the future and cannot realistically be declared "solved". Thailand's southern problem had until recently been off any political agenda but has now again emerged. Vietnam needs allies to counter a perceived threat of influence from China. Burma does not wish to highlight domestic concerns even further but relies on military power to maintain stability. They have no interest what so ever in internationalizing internal issues. In this respect it could be argued that all the ASEAN countries have reasons for keeping the notions of terrorism safely under national or at least regional control.

From a western perspective the problem is that the distinction between international terrorist organizations and internal insurgencies will inevitably be clear as mud. The U.S. and its Western European allies however have an interest in keeping them separated. However it is in the Southeast Asian countries governments' interest that this relationship remains muddied. The best way of achieving this is to regionalize the issue to a grouping sympathetic to a normative stand of quiet diplomacy and non-intervention in domestic affairs.

But as I point out, all ASEAN countries together with China are best served by conceptualizing a notion of terrorism as "any non-state group taking violent action against the government". The U.S. and definitely the EU countries would at least in the long term clash with such a view since it undermines their legitimacy domestically, and opens them up to criticism both from the left and isolationist right.

So in sum, terrorism is best kept under regional framework, closely linked to transnational crime prevention. The benefit of an ASEAN framework in this respect is obvious for the governing elites.

With respect to the threat that it poses to the inhabitants of the region, it may be less clear cut. However with respect to outright terror bombings with an international agenda, aimed at primarily westerners, it can have a severe effect on all those working in the tourist sector. Many of the regions countries do not only currently rely on it, but tourist promotion is in itself a growth strategy. This is especially true for the new members.

Environmental degradation

The ASEAN countries have all in recent years had extraordinary rates of economic growth. The rate and scale of economic development, industrialization and urbanization at least among the older ASEAN members is unprecedented, as are the related mobilization of natural resources, energy and closely linked to this, pollution.

Rapid economic growth holds both the promise of steadily rising incomes and the threat of a rapidly deteriorating environment in terms of pollution and loss of natural areas. The World Bank and other institutions view the long term favorably, assuming that rising per capita incomes will lead to environmental protection.[17] However many scholars are skeptical and argue that the issue is somewhat more complex than that.[18]

Close proximity and interconnected ecosystems throughout Southeast Asia will increase the urgency of addressing the effects of these changes. I argue that effective solutions will require a common perspective among ASEAN countries as well as with countries outside the region. I identify a few problem areas which all concern the interrelationship between economic security and growth and environmental protection and resources.[19]

[17] World Bank, Development Report, Washington, D.C., 1992. and C. Brandon and R. Ramankutty, Toward an Environmental Strategy for Asia, World Bank Discussion Paper #224, (The World Bank, Washington, D.C, 1993).

[18] Agras, Suri, and D. Chapman, "Environment and Trade: A Review of the Literature," draft manuscript, Department of Agricultural Resource, and Managerial Economics, (Cornell University, Ithaca, N.Y., June 1994.)

[19] The Mekong River Commission (MRC) and its predecessors has already shown that even a small regional body can make valuable benefits, in collecting data as foundations for decision-making as

Water management in the Mekong

The Mekong River flows through six nations of mainland Southeast Asia. For nearly half its length, the Mekong flows through China's Yunnan Province. The Mekong then enters the 'Golden Triangle' region, where it forms the boundary between Myanmar and Laos, then the boundary between Laos and Thailand, before flowing eastward into Laos. After turning to the south within Laos, the Mekong again forms the boundary between Laos and Thailand, and then flows into Cambodia. At the Cambodian capital of Phnom Penh, the Tonle Sap River connects the Mekong with Cambodia's Tonle Sap Lake (Great Lake). Below Phnom Penh, the Mekong splits into two rivers; the mainstream Mekong is the eastern branch, and the western branch is the Bassac River. Both rivers then flow into the Mekong delta of Vietnam before emptying into the South China Sea.

Roughly 73 million people live in the Mekong River basin. This figure is projected to increase to approximately 120 million by 2025 [20]. Roughly 84% of basin inhabitants live in the lower basin nations of Cambodia, Laos, Thailand and Vietnam.[21] The basin is primarily rural and income levels are low, especially in Cambodia and Laos, where yearly per capita income in rural areas is US$200 to US$400[22]. Only two capital cities lie in the basin, Phnom Penh, Cambodia and Vientiane, Laos. Roughly 85% of basin inhabitants make their living directly from the natural resources through commercial and subsistence fishing, irrigated rice production and agriculture.[23] Fish are especially

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well as early warning systems for floorings for the benefit of the region. Jeffrey W Jacobs, The Mekong River Commission: Transboundary water resources planning and regional security, *The Geographical Journal*. (Dec 2002. Vol. 168.)

[20] J. Kristensen, Food security and development in the lower Mekong river basin: a challenge for the Mekong River Commission. Paper delivered at the Asia and Pacific Forum on Poverty: Reforming Policies and Institutions for Poverty Reduction Manila 5-9 February 2001 and J. Kristensen, "Making best use of the Mekong poses a huge challenge" *Bangkok Post* 21 May 2001 (http://www.mrcmekong.org/media/press2001/pressO004.htm) Accessed 15 March 2002

[21] ibid.

[22] Mekong River Commission 2002 Annual report 2001 Mekong River Commission, Phnom Penh

[23] Ibid.

important in the Mekong, as they comprise the main source of animal protein for the inhabitants of the basin.

This interconnectedness between national borders together with its value both as source of fishing, agriculture, and possible resource for electricity, makes it a vital area of cooperation. Especially since disturbances in livelihood of so many of the states inhabitants may have political repercussions and lead to social unrest especially in the CLVM countries but also considerable spillover effect to its mainland neighbors.

Since China has already completed a first major dam project along the river it will serve ASEAN well to negotiate as a group and thereby increase their bargaining power with China regarding further explorations.

Ecotourism versus resource exploitation

Since the ecological system is integrated within Southeast Asia it can not be viewed simply as a national resource. Degradation as well as pollution in one area affects surrounding areas. Habitat protection across borders will need to be established if one wishes to maintain biodiversity. One can not argue in favor of biodiversity as a consumption good for developing a greater Mekong “ecological tourism heaven” and at the same time, heavily exploit the environment. Here ASEAN could be the framework in which to discuss such common concerns. The forest fires of Indonesia are also a good example of how logging and agricultural interests in one country, even outside mainland Southeast Asia, affect the whole region.[24]

สถาบันวิทยบริการ
จุฬาลงกรณ์มหาวิทยาลัย

[24] Extensive forest and grass fires, leading to smoke pollution as well as a host of losses and costs, some less immediately visible and more lasting, have become regular events in Southeast Asia. With particular atmospheric conditions, this pollution has persisted for long periods, and has become known, somewhat euphemistically, as "haze." Previous episodes of the haze have occurred in 1982-83, 1987, 1991, and 1994, but that of 1997-98 was more extreme, costly, and in some localities, life-threatening. For a comprehensive account of this issue see James Cotton, ‘The "haze" over Southeast Asia: Challenging the ASEAN mode of regional engagement’, *Pacific affairs*, Vol. 3. No.2 2001, pp. 36-37.

Who gains, who pays and who is responsible?

Pollution growth is greatly exceeding the GDP growth, in other words, there is a lot more pollution for every increases in the rate of development.[25] However I argue that this is only true from a macro economic or social perspective, but not from a financial (or private cost) perspective. There have not yet been calls from ASEAN or any of the individual member countries that the cost to society, or even the region as a whole, needs to be formulated and addressed. It has until now been left to separate interest groups within society. Many people in governing positions also resist taking society's perspective because, on a financial basis, they are themselves involved in regional exploitation.[26] Keeping it as "someone else's problem" is in this context convenient.

The core problem is that of accountability and the differences in private and public perspectives, the key problem being that most ASEAN governments do not fulfill their role as guardians of the common good adequately. However it might also be argued that they are in fact simply valuing exploitation before biodiversity and that this is an expression of the common good. However how do we know this in corrupt and/or non-democratic countries?

Ecological disasters and disaster relief

If there was an ecological disaster, for example relating to the Mekong river or large scale forest fires, it would be paramount that relief operations could be carried out in an organized and timely fashion, especially if one wished to avoid large scale political repercussions. Similar to the failure to address disease outbreaks of SARS and Avian Flu, fear together with mismanagement and corruption will have serious consequences. It is similarly in the early stages that action and coordination of help is needed so institutions and programs need to be initiated beforehand, not during a crisis. Since the new members do not have much in the way of resources, it would be desirable for aid

[25] Philip Hurst, *Rain forest politics: ecological destruction in South-East Asia*, (London and New Jersey: Zed Books, 1990).

[26] Ibid.

plans to be created in advance and a regional capacity created to share the associated costs.

Free trade, competition and environmental standards

A fourth problem is that implementing environmental standards to some degree undermines competitive advantages in that it increases production cost. It does not matter if the ASEAN countries are themselves competitors in areas of export because they all have to compete on the world market. ASEAN as a region is also competing with China for external foreign direct investment, as well as selling markets for their manufacture.[27] Most scholars in the field of environmental economics agree that environmental protection does significantly increase production cost.[28] Hence the only approach is a multilateral one, if one wishes to avoid a “race towards the bottom.”

Some may also argue that there is a danger of the environment being used by governments as a way to restrict free trade. There might be a perceived danger of governments saying, "*You catch your fish in the wrong way*" and therefore, whether the accusation is true or not, using it as an excuse to close down free trade. However I argue that at this stage it has been mostly a concern from the ASEAN countries vis-à-vis the EU and US, not between the countries of the region. Be that as it may, ASEAN could be

[27] Mya Than and Carol Gates (eds). *ASEAN enlargement-impacts and implications*, Singapore:ISEAS, 2001. ch.6.

[28] Ex. Chapman discusses environmental practices and costs in silverware manufacture and in copper production and manufacture. The conclusion is that overall worker safety and pollution control costs are 15-25 percent of total manufacturing costs in those two pollution-intensive industries. 90 percent of the capital cost of a new power generation facility using coal or nuclear power is related either to safety or to environmental protection See D. Chapman, "Costs of Environmental Regulation, 1969-1981, Coal and Nuclear Generation," table 13-6, p. 267, in Energy Resources and Energy Corporations, by D. Chapman. (Cornell University Press, Ithaca, N.Y., 1983). also D. Chapman, "Environmental Standards and International Trade in Automobiles and Copper: The Case for a Social Tariff," *Natural Resources Journal*, (Summer 1991), 440-462.

a forum in which they can set a regional standard to maximize benefit of free trade and still agree on some environmental standards.

Issues of budget and development

The new countries of ASEAN are considerably poorer than their neighbors. It may then very well be argued that it may be more efficient from a cost-benefit perspective to regionalize certain spending programs on environmental protection, especially if they aim at a similar goal, say bio diversity protection or haze prevention. Such a cost-benefit analysis could then be left to an ASEAN institution provided they are given the appropriate resources and mandate.

External factors and environmental protection

Here one could argue that although there is a strong green movement in Western Europe there is an equally big influence from multinational companies based mostly in Japan and Europe. They have no interest in increasing labor or production cost with environmental standards. Furthermore, it should not be taken for granted that the consumers in the west wish to pay the price for increased environmental protection. On this issue ASEAN may see interference no matter which way it chooses to go.

So to sum up at this point, I argue that these environmental security issues are serious threats, best resolved multilaterally. They are low level threats in that their impact accumulates over time but has the potential to undermine the state and severely disrupt the lives of millions in the region. It is of particular relevance to the poorer countries with little or no resources to counter the effects of any disaster.

Most importantly there has to be an agreement on relative values. First what are the assets that the region wants to protect and develop? How does ASEAN value ecotourism on one hand and development on the other?

In this discussion the CLMV are key actors. Since they are in an earlier stage of development, and theoretically have an option to develop in a more costly, but also

more environmental friendly way. If so, then they will need assistance and compensation for initiating such a path. If they continue to develop at high risk, it must be brought to the attention of the region that they are doing so.

Migration and refugees

Both rapid refugee flows and slow migration can have severe social as well as economic repercussions.[29] The CLMV countries are less stable, poorer, and have weaker governments than the older ASEAN members. Hence refugee problems for older members will at least in the medium term derive from these countries. The problem lies in political instability and underdevelopment. Domestic political solutions have at least up to today been difficult to address within the framework of ASEAN, although the recent pressures on Myanmar from ASEAN may have opened up this field. The logic being that if pressure can be laid to bear on one member for creating economic difficulties for the other members, could not other issues such as refugees be addressed if they affect the other members in a similar fashion? The natural answer would be that we might see such a future development. However putting that on one side, the structural economic differences will remain for some time to come, and will have to be addressed in a comprehensive manner. A legal framework for these individuals must be created so there can be a systematic way of dealing with them. Some form of coordination of policy with the UNHCR is also desirable. ASEAN is again a natural framework.

Furthermore, with the formation of AFTA and increased trade and possible easing of visa restrictions, legal co-operation must be a natural consequence of this closer economic integration.

[29] The Cambodian conflict generated 400 000 refugees for Thailand, or more slow like the economic refugees from Myanmar today.

Conclusion – CHAPTER 3

What I hope to have shown is that in all the areas I have addressed, there are serious regional threats that can easily be ignored but they may have severe political and economical repercussions.

I also hope to have shown that there are a distinct set regional interests to protect, and that external interests may aid any cooperative effort or at least show little resistance towards such initiatives.

Furthermore I have argued that there are serious advantages of having the new CLMV countries within the organization, both in terms of pressure and assistance. Since effects in one area will affect others, it is simply not a matter of choice. Cooperation is and will be a necessity.

One could argue that I should have limited myself to focus on a smaller number of issues. But I argue that if anything I should have expanded into other areas. I argue that it is fundamental to any regional security analysis to take the interconnectedness into account. I hope that it is now obvious to the reader with regards to these low level threats. For example how water mismanagement in one country may have economic repercussions in a second, which may lead to domestic political unrest which in turn results in migration flows which in turn causes economic harm to a third country. With respect to low level threats it is simply not realistic to separate them, because they are in their nature fluent and transborder issues. So in order to understand possible institutional developments as a response to emerging problems, one has to take a broad area approach, in order to assess their potential effectiveness. At the same time it is vital that one looks at the geopolitical context to see if it is feasible that these institutions will hold together.

I also hope to have shown that current issues very high up on the U.S. and some regional countries' agendas are indeed less of a threat than they are being credited as. Terrorism and drug prevention it could be argued are much less threatening to the state and its citizens than say water miss management and disease prevention. This is also

true for the governing elites in terms of political repercussions and regional stability. It would therefore be wise for the members of ASEAN to sit down and establish a more realistic security agenda for the 21st century than having it dictated by external interests.

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CHAPTER 4

Low level security areas – Agreements, declarations and current projects

Introduction

The first two chapters merely established the benefits of working together in these so called low-level security areas. I concluded that there were considerable benefits shifting focus from the high level security-areas to the low-level spectrum. Furthermore that the inclusion of the new CLMV countries should in this context be seen as largely positive development.

This third chapter is oriented towards establishing which agreements, declarations and projects are currently in place, and analyzing them by their scope and depth. I will show that although the agreements themselves are comprehensive, the implementation of these agreements has a tendency to be prolonged and much less wide. I conclude that in only a few instances has continuous political will, rather than external pressure, resulted in effective implementation.

Structure and Material

Unlike the previous chapter, the main body of information is derived from primary source material, i.e. the ASEAN secretariat's own published documents and agreements. The structure is for practical reasons largely the same as for the previous chapter with the exception of moving terrorism and narcotics trafficking under the same heading as transnational crime. I will go through each area and describe the major agreements from 1980 up to today and current ongoing projects. This will be followed by a brief comment on each area, ending with some concluding remarks.

Disease prevention and health promotion

Agreements and plans of action

The first regional health agreement was the “Declaration of the ASEAN Health Ministers on Collaboration on Health” in Manila 1980.

The agreed principles focused mainly on strengthening health prevention on a purely national level. The goal was so to speak “inward looking” in that the very first point stated that the over reaching goal should be to “Ensure that collaboration contributes directly or indirectly towards national and regional self-reliance and self determination”. Very few practical points were outlined and no plan of action was ever formulated on how health cooperation was to be achieved.

It was 20 years later that a main agreement was reached within the ASEAN vision 2020 framework, in the “Declaration of the 5th ASEAN Health Ministers Meeting on Healthy ASEAN 2020” which was agreed upon in 2000.

This document agrees on a framework for cooperation which outlines that

> 1. ASEAN cooperation in health development must be guided by well-defined and focused strategic policies which *emphasize the regional perspective and value-added element (my it.)*in all undertakings, while keeping in mind the specific development requirements of Member Countries; and
> 2. The organizational machinery for pursuing ASEAN cooperation in health development must be strengthened to achieve better coordination and integration across related development sectors.[1]

It further outlines a set of strategic goals aimed at promoting greater emphasis on health promotion and disease prevention as well as intensifying human resources development and promoting multi-sectored integration of health concerns.

[1] Declaration of the 5th ASEAN Health Ministers Meeting on Healthy ASEAN 2020, p.1.

The plan of action outlines efforts to speed up or in some cases initiate the implementation of a number of programs, among them:

1. ASEAN Medium-Term Plan of Collaboration on Health and Nutrition (1998-2002);

2.ASEAN Work Program on Community-Based Care Programs for the Elderly;

3. ASEAN Plan of Action for Strengthening Disease Surveillance;

4. ASEAN Medium-Term Work Program on Tuberculosis Control;

5. ASEAN Medium-Term Work Program to Operationalise the ASEAN Regional Program on HIV/AIDS Prevention and Control; and

6. ASEAN Technical Cooperation in Pharmaceuticals, Phase V (1997-2001).

7. To strengthen collaboration on health research and development with a focus on pharmaceuticals, including traditional medicines and biomedical products, including vaccines;

8. Formulate an ASEAN Food Safety Policy and an ASEAN Framework on Food Safety;[2]

This was agreed upon in 2000. In my opinion, had the ASEAN's plan of action for Strengthening Disease Surveillance been implemented (point 3 of the PLA), it would have very much limited the economic cost of the SARS and Avian flu outbreaks. It would have saved crucial time in the early stage where much effort needed to be directed towards the setting up of ad-hoc groups to deal with problem. It would have helped the co-operation with the WHO as well as eased much of the fear surrounding the "un-preparedness" of the Asian region.[3]

SARS and Avian Flu

[2] Ibid, p4.

[3] The Impact of SARS on Asian Economy and ASEAN's Leaders' Response, Address by H.E. Ong Keng (Association of Southeast Asian Nations) Beijing, 13 May 2003.

So the later Declaration at the 7th ASEAN Health ministers meeting was topically called "Health without Frontiers" and held in 2004, re-emphasize the general outline of the Healthy ASEAN 2020. However it put a stronger emphasizing on the security aspect of health cooperation. It highlights that a secure ASEAN Community "can be realized only when our peoples enjoy optimum health, are protected from the spread of diseases, and are ensured of timely and adequate protection against communicable diseases, including those of a zoological nature such as avian influenza".[4]

This could be seen as a reflection of the fundamental shift in ASEAN co-operation in this area that occurred after the SARS outbreak.[5]

Since 2003 various symposiums, workshops and meetings have been conducted, as well as concrete bodies aimed at preventing future outbreaks created. For example, a workshop on the strengthening of laboratory capacity for infectious disease surveillance and another symposium addressing the labor and employment challenge of SARS. A China-ASEAN Symposium on Economic and Social Impact of SARS was held and there was also a two day International Symposium on SARS Prevention in Hanoi. All these were held in 2003.

Most notably, "The Meeting on Development of Action Plan (2004-2005)"under the ASEAN+3 framework, aimed at strengthening the capacity for epidemiological surveillance. Among other things a disease surveillance web site was set up, to both ensure public awareness and facilitate medical co-operation.[6] Phase I of the work plan of the ASEAN+3 explored the possible use of a regional agreement to institutionalize the regional monitoring, reporting and response to outbreaks of diseases, by standardizing procedures, protocols and institutional arrangements.

[4] Declaration at the 7th ASEAN Health ministers meeting, point 18, p 2.

[5] A similar policy shift and more importantly accelerated implementation occurred in the field of terrorism/ and law enforcement after September 11.Another shift occurred with environmental issues and the Haze problems of 1997.

[6] www.asean-disease-surveillance.net

HIV/AIDS

Another area of health which has been the focus of considerable effort in implementation is HIV/AIDS prevention.

The HIV/AIDS threat was first addressed as a regional concern at the 4th ASEAN Summit held in 1992 when member countries agreed to make a coordinated effort to stop the spread of HIV/AIDS. Thailand was particularly active in highlighting this problem.

As a result an HIV/AIDS taskforce was established and a regional program to combat HIV/AIDS was developed, the so called ASEAN Task Force on AIDS (ATFOA) which first met in 1993. A Work Program was later developed with UNAIDS assistance to implement the ASEAN Regional Program. The later 7th ASEAN Summit in 2001 adopted a declaration and affirmed their support for another regional HIV/AIDS four-year (2002-2005) action plan to combat the disease.

With regards to HIV/AIDS there is now a consensus within ASEAN that the region has a large group of particularly vulnerable people, such as fishermen, sailors, truck-drivers, and contract laborers that because of their mobility and more importantly the lack of access to information about HIV/AIDS, making this into a regional problem.

There is also a consensus on the cost sharing aspect of HIV prevention and that there must be a higher burden for the older members in this regard.[7]

Another declaration was made by the ASEAN Regional HIV/AIDS Workshop of Islamic Religious Leaders in 2000.

They emphasized that the biggest population in the region is Muslim, but most Islamic community members in most ASEAN Members Countries are not yet fully involved in

[7] 7th ASEAN Summit Declaration on HIV/AIDS, Brunei Darussalam, 5 November 2001.

HIV/AIDS campaign in their respective communities.[8] They agreed on the need to incorporate HIV/AIDS campaigning into Muslim communities and agreed on an educational framework, that for example point out that knowingly transmitting HIV is against Islamic law, as well as the importance in ensuring human rights of those suffering under the disease, including the right to marry and so on.
The 7th ASEAN Summit Declaration on HIV/AIDS of 2001 also point out the desire of the member countries to intensify and strengthen multicultural collaboration of non-governmental organizations, the business sector, media, community based organizations, religious leaders, families, citizens as well as people infected and effected by HIV/AIDS, in all the phases of the national programs, planning as well as implementation and evaluation.

Another area of concern is the access of affordable drugs and the integration of HIV into the national development agendas.

Implementation of SARS, Avian Flu and HIV prevention and monitoring

The implementation is largely executed on a national level, and preformed by state agencies and NGO's. UNAIDS is currently funding many programs in the region.
With respect to SARS an ad-hoc ministerial-level Joint Task Force has also been set up in order to follow-up, decide and monitor the implementation of the decisions made the ASEAN + 3 Health Ministers Special Meeting on SARS.
Also an expert regional committee on disease surveillance has been set up which also works closely with the WHO.

The "Regional Action Plan on Healthy ASEAN Lifestyles" adopted in 2001 is implemented by the Senior Officials Meeting on Health Development (SOMHD). It is the regional body that is currently coordinating a number of programs, among them

– Education and life-skills training for youth
– Condom promotion and STD management

[8] Declaration of the Second HIV/AIDS ASEAN Regional Workshop of Islamic Religious Leaders 28-31 July 2000, p.2.

– Surveillance
– Treatment, care and support
– Prevention of mother-to-child transmission of HIV
– HIV prevention among drug users
– Regional networking of youth agencies

The ASEAN Task Force on AIDS (ATFOA) also co-ordinates many of the national programs to ensure specialization and that there is no duplication of work.

Conclusion - Disease prevention and health promotion

In the health area very much is in the pipeline and going in the right direction. For example the division of expertise within ASEAN between different countries is going very well. This is especially important concerning the relatively limited resources of the region. The cost of parallel functions can be reduced and you get mutual benefits by specialization. However in order for this to work the information sharing and also trust in ability must be ensured, especially in the case of disease surveillance.

This example of cost reduction I argue could be a model for other areas, such as crime prevention and environmental protection. (However this puts greater emphasis on the trust element than the health sector). However if the framework includes ASEAN as an independent implementing organization this could be ensured.

It must also be said that in the area of HIV/Aids prevention considerable effort has been made without any severe external pressure as in the case of SARS and Avian flu. Continued domestic as well as international political will has ensured that the program moved from agreement to implementation. This could be said to be an example where political will can generate results, which will have many long term benefits for the region.

Transnational Crime and Terrorism

ASEAN agreements concerning transnational crime and terrorism

Narcotics

The Declaration of ASEAN Concord of 24 February 1976 was to my knowledge the first declaration that called for cooperation among member countries surrounding organized crime. The declaration's aim was primarily concerned with the prevention and eradication of narcotics abuse and the illegal trafficking of drugs. It also called for a study on developing judicial cooperation including the possibility of an ASEAN extradition treaty.
However very little was achieved in practical terms, and an extradition treaty was never finalized.

20 years later at the 1st Informal ASEAN Summit in November 1996 in Jakarta it was argued that the ASEAN bodies should study the possibility of regional cooperation on criminal matters, again with special emphasis on extradition.

The same stance was later re-iterated with the addition to take strong measures against trafficking of women and children as well as other transnational crimes at the 2nd Informal ASEAN Summit in December 1997 in Kuala Lumpur. Among the goals was the creation of a drug-free Southeast Asia by that year but was later revised to 2015.
At the 6th ASEAN Summit in December 1998 in Hanoi, the ASEAN governments again reiterated their desire to strengthen and promote regional linkages within ASEAN and adopted the Hanoi Plan of Action (HPA) of which one section addresses the regional capacity to fight transnational crime.

The ASEAN Foreign Ministers, at the 31st ASEAN Ministerial Meeting in July 1998 signed the Joint Declaration for a Drug-Free ASEAN, more specifically affirming ASEAN's commitment to eradicate the production and processing of illicit drugs in Southeast Asia by the year 2015.

Terrorism

In the post September 11 2001 and later Bali-bombing of 2002, environment, higher emphasis has been given to terrorism. At the 7th ASEAN Summit in 2001 in Brunei Darussalam the ASEAN Declaration on Joint Action to Counter Terrorism was adopted. The ASEAN Leaders argued that terrorism was a serious threat to international peace and security and "a direct challenge to the attainment of peace, progress and prosperity of ASEAN and the realization of ASEAN Vision 2020".[9] Worth noting is that ASEAN member countries agreed on the principle to combat terrorism in accordance with the Charter of the United Nations, other international laws and UN resolutions. They also underlined that "cooperative efforts in this regard should consider joint practical counter-terrorism measures in line with specific circumstances in the region and in each member country."[10]

In my previous chapter I had terrorism under a separate heading, due to the more politically charged and highly normative nature of the subject. However it could be argued that on the implementation side anti-terrorism within ASEAN largely parallels the efforts of crime prevention. Of this I argue that one can conclude that at least on the regional level of ASEAN, unlike in the U.S., terrorism has not been brought up to a higher security status, i.e. a threat to the existence of the state (i.e. calling for extraordinary measures). Hence the ASEAN approach to terrorism can be seen as more of a legal/law-enforcement matter rather than military/political matter. This is further reflected by ASEAN's continued emphasis on combating terrorism according to the UN charter and international law, which largely views anti-terrorism as a policing matter.

In terms of cooperation at the international and regional levels, ASEAN and China issued a Joint Declaration of ASEAN and China on Cooperation in 2002, in the field of Non-Traditional Security Issues where counter-terrorism has been included as one of the priorities.

[9] 2001 ASEAN Declaration on Joint Action to Counter Terrorism, p2.

[10] Ibid, p3.

ASEAN is also seeking to cooperate with China, Japan and Korea under the ASEAN+3 process of East Asia cooperation to address the threats of terrorism and transnational crimes. The ASEAN Ministers on Transnational Crime started holding joint consultations with their counterparts from these countries in 2003.

ASEAN and the U.S. signed a Joint Declaration for Cooperation to Combat International Terrorism in August 2002. One of the objectives of the cooperation is to "prevent, disrupt and combat international terrorism through the exchange and flow of information, intelligence and capacity-building assistance."

Furthermore, ASEAN and the E.U. issued the Joint Declaration on Cooperation to Combat Terrorism at the end of the 14th ASEAN-EU Ministerial Meeting in Brussels on 28 January 2003. The Joint Declaration reiterated the commitment of the two sides to work together in the global anti-terrorism effort.

In January 2003, ASEAN police and law enforcement officials agreed that each ASEAN Member Country shall establish an anti-terrorism task force to strengthen cooperation on counter-terrorism and work together with the affected ASEAN member country following a terrorist attack. Such assistance can be in the form of identifying, pursuing and apprehending suspects, examination of witnesses, searching and seizing evidence, evacuating and treating of victims, forensic and crime laboratory.

ASEAN Bodies combating transnational crime and terrorism

Four ASEAN bodies are involved in formulating policies and initiating activities against transnational crime. These include the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Finance Ministers Meeting (AFMM), ASEAN Chiefs of National Police (ASEANAPOL) and ASEAN Senior Officials on Drugs Matters (ASOD). I will describe each one in order.

ASEAN Ministerial Meeting on Transnational Crime

Plan of action

The ASEAN Ministers of the interior adopted the ASEAN Declaration on Transnational Crime in December 1997. This was the body's first gathering where a mission statement was agreed upon which simply stated ASEAN's commitment to fight transnational crime through greater regional collaboration.

The first concrete plan came in the second meeting in June 1999. There the "ASEAN Plan of Action to Combat Transnational Crime" was adopted. This plan was later complemented in 2002 to include a terrorism component. The Plan outlines activities for enhancing ASEAN member countries' efforts to combat transnational crime from the national level up to the regional level. The plan outlines a regional strategy to fight transnational crime which in practical terms this includes:

1. Information exchange
2. Cooperation in legal and law enforcement matters
3. Institutional capacity building
4. Training and extra-regional cooperation activities

The Plan also calls for closer intra-ASEAN coordination between the AMMTC and other ASEAN bodies such as the ASEAN Law Ministers and Attorneys-General, the ASEAN Chief of National Police, the ASEAN Finance Ministers, the Directors-General of Immigration and the Directors-General of Customs in the investigations, prosecution and rehabilitation of perpetrators of such crimes.

Further practical concerns that the Plan of Action includes is to work together on legal matters in order to:

1.) Work on the criminalization in ASEAN member Countries of specific transnational crimes such as illicit drug trafficking, money laundering, terrorism, piracy, arms smuggling and trafficking in persons;

2.) Develop multilateral or bilateral legal arrangements to facilitate apprehension, investigation, prosecution and extradition, exchange of witness, sharing

of evidence, inquiry, seizure and forfeiture of the proceeds of the crime in order to enhance mutual legal and administrative assistance among ASEAN member countries;

3.) Coordinate with the ASEAN Senior Law Officials' Meeting on the implementation of the ASEAN Legal Information Network System.[11]

On law enforcement, the Plan of Action also suggested to:

1.) Develop an exchange programme for ASEAN officials in the policy, legal, law enforcement and academic fields and to

2.) Implement measures to ensure the protection of judges, prosecutors, witnesses and law enforcement officials and personnel from retaliation by transnational criminal organizations.[12]

On extra-regional cooperation, the plan included the following:

1.) Enhance information exchange with ASEAN Dialogue Partners, regional organizations, relevant specialized agencies of the United Nations and other international organizations, particularly towards the sharing of critical information on the identities, movements and activities of known transnational criminal organizations;

2.) Promote interest and support of the international community for ASEAN initiatives against transnational crime through the participation of the ASEAN Member Countries and the ASEAN Secretariat in relevant international conferences.

3.) Examination and adoption of international treaties and conventions concerning terrorism and organized crime.[13]

Implementation

ASEAN Centre for Combating Transnational Crime (ACTC)

[11] Declaration on Terrorism by the 8th ASEAN Summit, Phnom Penh, 3 November 2002, p.1.

[12] Ibid, p2.

[13] Ibid. p.5.

The establishment of the ASEAN Centre for Combating Transnational Crime (ACTC) was agreed upon in 1999 and has begun working.

The ACTC was the first regional project geared towards transnational crime. It is now working to promote data resource sharing, assist in the implementation of program activities outlined in the action plan, and be a centre for information on national legislation and regulatory frameworks of individual member countries. It is also envisioned that the ACTC will have research capabilities to conduct in-depth analysis of transnational crime activities to recommend appropriate regional strategies to fight these activities. However to this date, the centre has no real capacity in this area. This is where I argue that an institutionalization must occur. This centre or a centre similar to this must be given resources, at the expense of national institutions if need be, in order to operate rather than produce a series of guidelines.

ASEAN Finance Ministers Meeting

The ASEAN Finance Ministers are only somewhat involved with transnational crime at this stage, although agreements concerning custom regulations have been signed since 1997. The agreement, of which the primary goal is to enhance ASEAN cooperation in customs activities with respect to AFTA, also aims to strengthen cooperation in combating drug trafficking and joint efforts in anti-smuggling and customs. They have also set up an “ASEAN focal point directory” for ASEAN immigration authorities to exchange information.

The implementation is left to the individual countries’ concerned authorities. This one could argue is sound, however the establishment of a permanent ASEAN body below the ministerial level seems desirable, in order to ensure regulatory coherence and also that effort is co-coordinated and not duplicated. The lessons from the EU countries’ customs work, it could be argued, are that even with much larger budgets they are severely stretched and only manage to stop a fraction of smuggled goods and narcotics. The lesson from Interpol- and the EU cooperation is that targeted action is essential. This is even more true for the ASEAN countries.

ASEAN Chiefs of National Police

The ASEAN Chiefs of National Police (ASEANAPOL) deals with the preventive, enforcement and operational aspects of cooperation against transnational crime. ASEANAPOL has been actively involved in sharing of expertise in a number of areas. For example policing, enforcement, law, criminal justice, and transnational and international crimes. It has also established three ad-hoc commissions dealing with drug trafficking, arms smuggling, counterfeiting, economic and financial crimes, credit card fraud, extradition and arrangements for handing over of criminal offenders and fugitives. Here in my opinion, one could similarly argue as with customs, that the ad-hoc commissions should be cemented into permanent ASEANAPOL divisions.

ASEANAPOL has also established its own database system to enable member countries to exchange information in a rapid and most of all secure manner and to provide further means of accessing the computerized systems at the INTERPOL General Secretariat.

However this cooperation is somewhat lagging behind with the new CLMV countries, mainly because of a lack of resources and high technical variance between the new and the old countries. The level of computerization in law enforcement in Burma, Laos and Cambodia is severely lacking. Vietnam is a bit better of but still far behind the founding members.

ASEAN Senior Officials on Drugs Matters

ASOD was created in 1984 and initiatives on drugs are based on the ASEAN Plan of Action on Drug Abuse Control adopted in 1994. The Action Plan covers four priority areas:

1.) Preventive drug education,
2.) Treatment and rehabilitation,
3.) Enforcement and
4.) Research.

In preventive education and information, various workshops on drug education for teachers and curriculum designers and comparative research on preventative education have been held.

Co-operative activities in law enforcement include the exchange of law enforcement officers/personnel, the conduct of training programs with the assistance of international agencies and the sharing of information concerning trends, the practical operations and routes of drug traffickers. The ASEAN member countries have also had exchanges of personnel involved in drug treatment and rehabilitation.

These programs have later been complemented by four training centers based in ASEAN member countries. These are the ASEAN Training Centre for Narcotics Law Enforcement (Bangkok), the ASEAN Training Centre for Preventive Drug Education (Manila), the ASEAN Training Centre for Treatment and Rehabilitation (Kuala Lumpur), and the ASEAN Training Centre for the Detection of Drugs in Body Fluids (Singapore).
I would argue that this is a good example of country specialization which enables a more effective use of limited resources but at the same time facilitating information sharing through the relevant ASEAN body.

Conclusion - Transnational crime

In my opinion I would argue that the agreements outlining the desirability of transnational crime co-operation are sufficient, and the Plan of Action of 1997 outlining co-operation in legal, law enforcement and extra-regional cooperation is extensive. However it is the implementation side that is somewhat lagging behind, partly through resource constraints but also in my opinion a political reluctance to delegate implementation and the necessary resources to the regional level.

Environmental protection

ASEAN agreements concerning environmental protection

ASEAN's cooperative agreements in the environmental field center around four areas. Trans-boundary pollution with special emphasis on regional haze, protection of marine and costal areas, protection of regional biodiversity and finally education.

The first ASEAN agreement was the "Manila Declaration on the ASEAN Environment", of 1981. Its aim was to strengthen regional cooperation and collaboration in the field of the environment by adopting a series of policy guidelines, in order to enable the region to develop its natural resources in a sustainable way. The policy guidelines aims were fostering a common awareness among the people of the ASEAN countries of the biological, physical, social environment and its significance for sustained development and further to ensure that environmental considerations are taken into account in development efforts. It also aimed at encouraging the implementation and enforcement of environmental protection measures in the ASEAN countries. It further stipulated the need to develop environmental education programs and it specifically outlined three other areas where the organization should initiate programs namely; trans-boundary pollution, marine protection and biodiversity.

More than ten years later the ASEAN Ministerial Meeting on the Environment of 1994 resulted in "The Strategic Plan of Action on the Environment 1994 – 1998". If one compares the two documents one can only say that that the latter is a more detailed version of the former, re-emphasizing the desire to initiate programs in the four fields. Worth mentioning was that due to the increasing impact of haze in the region and recognizing that the problem had to be met at a regional level, the Ministers agreed to the formulation of an ASEAN Cooperation Plan on Transboundary Pollution.

The Ministers agreed to enhance cooperation to:

1.) Manage natural resources and control transboundary pollution within ASEAN,

2.) To develop regional early warning and response system, and

3.) To improve the capacity of member countries in these areas.

The Ministers further agreed to cooperate on Trans-boundary movement of hazardous wastes and Trans-boundary ship borne pollution.

This Action plan had fairly detailed objectives for each area. For transboundary air-borne pollution a mechanism to assess the origin and cause as well as the nature and extent of local and regional haze incidents was to be developed. ASEAN was also to develop programs aimed at strengthening both national capabilities in the “assessment, mitigation and management of haze” and also help develop and implement national and regional emergency response plans.

Similarly detailed directives were drawn up for trans-boundary movement of hazardous wastes and trans-boundary ship borne pollution. This was 1994. Japan, Denmark, Australia, the United States, the International Timber Association and the UNDP furthermore all supported the action plans and vowed to help implement the agreements and provide funding.

However less specific agreements had already been reached two years earlier. In 1992, the issue of transboundary pollution was addressed in the Singapore Declaration of the Fourth Meeting of the ASEAN Heads of Government January 1992. It stipulated that "ASEAN member countries should continue to enhance environmental cooperation, particularly in issues of transboundary pollution, *natural disasters, and forest fires* and in addressing the anti-tropical timber campaign."

In the Ministerial Meeting on the Environment February 1992, the ASEAN Ministers for the Environment agreed to harmonize policy directions and step up operational and technical cooperation on environment matters such as transboundary air and water pollution, natural disasters, *forest fires*, oil spills, and the transboundary movements and disposal of toxic chemicals and hazardous wastes, and undertake joint actions to address the anti- tropical timber campaign; and undertake to develop and *implement specific programs relating to haze caused by forest fires*, air and water quality management and protection of marine environment in ASEAN seas. I wish to stress that this was pointed out as early as 1992.

In 1997 a major incident of forest fires occurred in Indonesia which resulted in a massive regional haze not seen previously. 800 000 to 4.5 million hectares of forest and bush burnt down that year and another 350 000 in 1998. The haze affected six of the regions countries, and estimated losses of US$ 1.4 billion in increased healthcare and loss of tourism revenue for the region and another US$ 912 million in lost timber sales for Indonesia itself.[14]

Initial claims from the Indonesian government blamed hot weather in conjunction with small scale slash and burn agriculture. However meteorological evidence from Singapore suggested that most of the burning came from land held by large scale conglomerates, some with close ties to the government.[15]

Agreements have been reached of the desirability of preserving the environment, both as a duty to future generations as well as preserving a natural resource. In the ASEAN vision 2020 of the environment it is acknowledged that the environments in Southeast Asia are interconnected and therefore not to be addressed on a purely national level. The complexity of the environment also implies that small changes in the ecosystem can have unforeseeable effects and therefore need to be studied further. The Hanoi Plan of action largely re-emphasizes the commitments made in 1994.

The implementing bodies in the environmental field

The implementing bodies in the environmental field are ASEAN Senior Officials on the Environments (ASOEN) technical taskforce under which there are two work groups. The ASOEN task force reports to the ASEAN ministerial Meeting on Haze. The ASOEN reports to the ASEAN ministerial Meeting on the Environment and has no less than 10 working groups under it. Also the senior officials level under the ASEAN Ministerial Meeting on Higher education is proposed to have a role in implementing environmental education efforts and co-ordinating university participation. Furthermore

[14] Robin Ramcharan, 'ASEAN and Non-Interfrenece', in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003), p.55.

[15] Ibid.

these bodies work closely with the Senior Officials Meeting on Agriculture and Forestry which reports to the related ministerial meeting which in return answers to the ASEAN Economic ministers meeting (AEM). It has 20 work groups underneath it out of which 8 are related to forestry.

Evaluation of Implementation of agreements

After the regional haze of 1997 and 1998, agreements from 1994 were again re-emphasized in the Jakarta declaration of the environment, only this time it rpoduced concrete results. A regional haze response unit was created to monitor forest fires. Plans were drawn up and implemented on sound technological practices in agriculture and forest management (as stipulated in the 1994 agreement). An open website was later launched with meteorological information and predictions. Plans for emergency relief, disaster management and plans for a regional fire prevention effort was drawn up, all in the spate of little over a year.

Unlike other agreements the later Agreement on Transboundary Haze of 2002 could actually acknowledge that practical efforts by ASEAN and member countries were in place or at least well under way. No similar efforts were drawn up on Marine pollution or hazardous waste movement. It looked as though, once again, no one was acting in a preventative manner. That said, there are currently two large scale projects. One aimed at preserving biological diversity and another at protecting marine and costal environment.

Although the bio-diversity program has a very informative web-page it has still little to show in the way concrete environmental programs. Most practical results have been achieved in education, information sharing and the building of a regional database of biological diversity of the region. Workshops on both national and regional levels are conducted and an expert committee has been set up.

There are four ongoing research programs, two aimed at biodiversity studies of coral reefs and one on sustainable fishing in Thailand and one on forest managing in

Vietnam. The body is also a hub for channeling research grants from ASEAN countries but most funding comes from external donors.[16]

The marine and costal protection program stalled for little over two years in agreeing on which regional pollution standards should apply,[17] i.e. what is to be considered pollution, and at what levels. There was also some dispute over what areas should be protected. However a consensus has now been reached on both issues and the project practical implementation is ready to go ahead with more practical protection plans and research.

Conclusion - Environmental protection

It can be stated that with respect to the environmental agreements a consensus was reached as early as 1981, however no real practical programs emanated from this or later agreements. Later declarations re-affirmed the organizations commitment in 1992 and 1994 with stronger emphasis on trans-boundary pollution. A detailed action plan was drawn up and to be implemented over a four year period. It could only be said that substantial practical efforts occurred only after the haze of 1997 and the huge economic impact that it caused. Agreements that followed focused on Haze and the Hanoi plan of Action was the first document that emphasized the security aspect of environmental protection.

Conclusion - CHAPTER 4

My preliminary conclusion from the second chapter still stands that the major obstacle to effective co-operation lies not in the decision making process, since internal interest largely coincide (as argued in the first chapter), but rather on the implementation side. This is clearly reflected with the comprehensiveness of the consensus on policy

[16] http://www.acdm.net/

[17] M Mazlan Jusoh, "ASEAN-Canada Cooperative Programme on Marine Science -- phase II (CPMS-II): All phases of the project cycle", *Marine Policy*, (Volume 22, Issue 6, November 1998), pp. 493-503.

guidelines, strategy and even implementation that has been reached as reflected in the declarations and action plans.

It is on the implementation side that focus needs to be drawn. In the case of the environment the same guidelines drawn up in early 80's still stand today in 2004, but are just beginning to be implemented. The only time when practical co-operation materializes is in the event of a major crisis. This is true for law-enforcement after September 11 and the Bali-bombing, in the health area after the SARS and Avian flu outbreaks, and in environmental sector after the regional Haze problem of 1997. Worth noting is that in the environmental sector, there was a Haze monitoring agreement in 1992, and a disease surveillance agreement in 2000.

So in the next chapter I will address possible institutional constraints that might hinder effective and timely project implementation.

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CHAPTER 5

Low level security areas – Institutional constraints

I have now in chapter two outlined the common value of security co-operation in the five chosen low level security areas. I have established that there are considerable benefits to cooperation in relation to the cost and few or no external interests hinder further co-operation. In the third chapter I have outlined the declarations and major initiated projects and concluded that although there is, and has been, political consensus surrounding these very areas, sometimes over a long period, very little has been achieved in practice, with the notable exceptions of haze and disease monitoring following urgent regional crises.

In both cases consensus had already been reached awaiting implementation but, like other projects, stalled until a major crisis occurred, when commitment was re-affirmed and projects implemented, in a very short period of time it might be added. Although too early to say, a similar trend can be outlined in the legal field following the Bali and Marriott hotel bombings in Indonesia, when old agreements from 1998 were re-affirmed and vows made for these projects to be filled with practical content. We are however yet to see if they produce concrete results.

My conclusion for this lack of implementation then is that it cannot be attributed to different national interests, if you interpret the agreements as expressions of national interest (note later on ambiguity), but rather the implementation side of the institution. There are two aspects of this, decision making structure and implementation.

The Scholar that in my opinion has been most prominent and foresighted in looking at ASEAN's structural problems, although in a very general matter, is Muthiah Alagappa, whose early studies I draw heavily on. Also worth mentioning in this context, especially with regards to the norms within ASEAN, is Ahmad Zakaria, Micheal Vatikonis, Amitav Acharya. What I do in the later part of this chapter is that I highlight their

general points and compare how they relate more specifically to cooperation in the low level security sector as well as point towards certain issues not previously raised.

An overview of the institutional structure of decision making in ASEAN

At the top of the ASEAN decision structure you have the ASEAN summit and heads of government meeting held annually. However this is more of a formal, even symbolic level surrounded by a high degree of protocol.[1]

Under this you have the level of ASEAN Ministerial Meetings where the meetings of Foreign ministers (AMM) and Finance ministries (ASEAN economic ministers meeting, AEM) play the most important role. The AMM meeting is held on a rotational basis in each ASEAN capital. Its role is largely to co-ordinate activities and review decisions from other bodies. Since the Singapore summit in 1992 and the formation of AFTA and later the ASEAN Investment Area (AIA), the economic ministries importance could be said to equal and in some cases supercede the AMM, as this requires the most effort, both with respect to intra- and inter government co-ordination.[2] Since 1977 other ministerial sectors began to meet regularly and now encompass most government areas.

Under the ministerial level is the ASEAN standing committee. The standing committee could be said, at least in a formal sense, to be the institutional "hub" or continual focal point of ASEAN. It is formally chaired by the foreign minister of the host country of the up-coming ministerial meeting. It also convenes in the ASEAN secretariat in Jakarta. In the standing committee you also have the ASEAN secretary general and the director generals of each of the ASEAN national secretariats. However the ASEAN

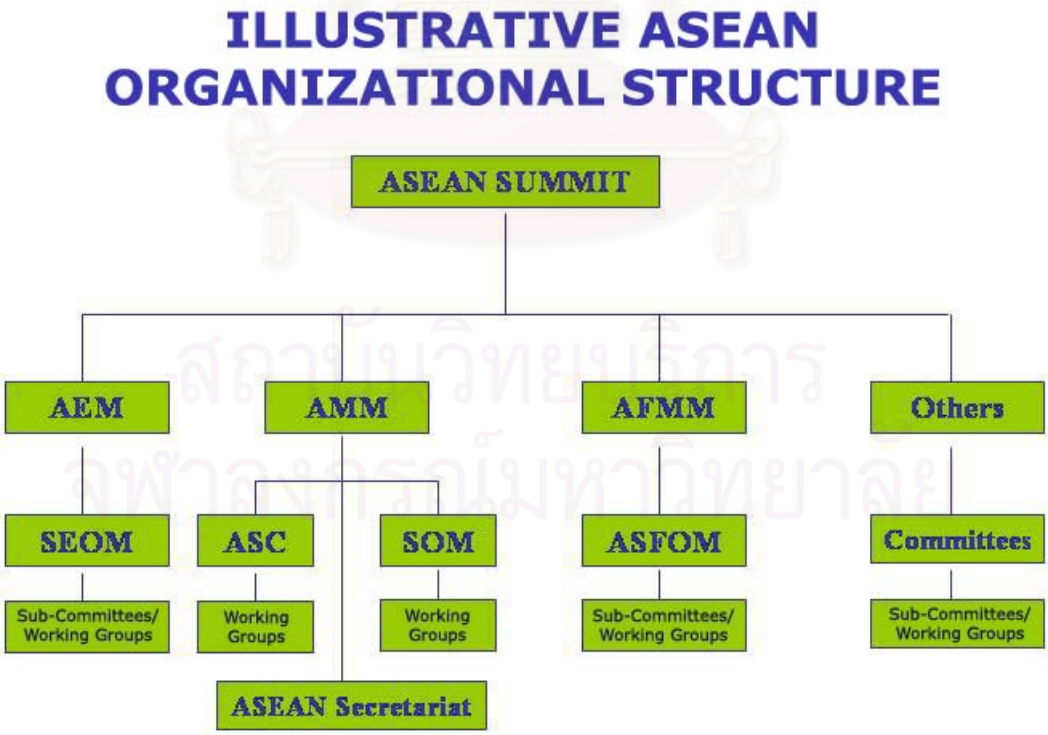
[1] The since the fourth summit in 1992 it was agreed that a formal summit should be held every 3 years and in following summit in 1995 it was agreed to meet informally every year between summits and subsequently in 1997 that the distinction between formal and informal to be removed. This can be said to reflect the drastic increase in the frequency of interaction within ASEAN as a whole since the end of the cold war, with meetings now in the hundreds every year.

[2] Zakaria Ahmad, 'The structure of decision-making', in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies), 2003, p 30.

secretary general, in practice, chairs all the meetings of the standing committee apart from the first and the last one of each year.

The standing committee's role is, apart from supervising the work of the ASEAN secretariat, to consider and review recommendations from all the permanent committees with the view to implement the policy guidelines of the AMM. It should also review issues of ASEAN management and prepare for the ministerial meetings and summits. Most of this work is supposed to be done by sector specific divisions within the secretariat.

Since 1992 there has been a strengthening of the role of the secretariat and the ASEAN secretary general in particular. The idea was to transform it from a co-coordinating to a more proactive body, giving the secretary general the right to initiate recommendations and proposals and play a larger role in the implementation process. The professional staff of the secretariat was increased from 14 to 31 and now stands at 42. The recruitment was also modified from being national appointments to direct recruitment.



At the same level you also have the ASEAN Senior officials meeting (SOM) which addresses political cooperation and reports directly to the ASEAN foreign ministerial meeting (AMM). You also have the Senior Economic Officials Meeting (SOME) which reports to the AEM. Then you have senior official meeting on all other functional cooperative matters such as ASEAN Senior Officials on the Environment (ASOEN), ASEAN Senior Officials on Drug matters (ASOD), the Committee on Social Development (COSD), the ASEAN Conference on Civil Service Matters (ACCM) and Committee on Culture and Information (COCI). These all report to the Standing Committee and the relevant ministerial meeting. You also have the Special SOM which constitutes the foreign and defense officials, which discuss confidence building measures, security co-operation programs, security concepts and emergency relief operations. The Special SOM also co-ordinates ASEAN's position on international issues.

As ASEAN cooperation ventured into more areas there was a perceived need to establish a supervisory body to ensure that various projects did not work counter to each other, so in 1987 a Joint Consultative Meeting (JCM) with the Secretary General (SG), the ASEAN DGs and the SOM and SEOM was established.

However most important in this structure is perhaps the ASEAN National Secretariat under the foreign ministry in each member country.[3] It is up the National Secretariat to co-ordinate the member country's position at the senior officials' level and the to co-ordinate work of the committees and work groups. Since ASEAN lacks any independent authorities of its own it is also up to the ASEAN secretariats to implement co-ordination directives and projects. Each secretariat is headed by a director general.

Outside the formal institutional framework is the so called "track-two" process. This involves consultations among the Non-governmental ASEAN-Institutes of Strategic and International Studies (ASEAN-ISIS) which are present in each of the ASEAN member countries. ASEAN officials meet with these institutes on a recurrent basis.

[3] Ibid. p.28.

In a similar fashion informal private input into the decision making structure comes via the ASEAN Chamber of Commerce and Industry (CCI). ASEAN's dialog partners have also created the ASEAN Joint Business Council which lobbies for regional business interests.

This is the formal decision making structure, under which technical committees with national representatives are set up, to formulate concrete plans and projects. There are now 22 ministerial bodies, 29 at the senior officials' level and 122 technical bodies.

Institutional structure for project evaluation and implementation

The ASEAN secretariat, as well as the sub-committees, has the authority to initiate projects, but they are as outlined above, implemented within national frameworks, often with external funding through international organizations or the dialog partners. Within the ASEAN secretariat, there is a Project Appraisal Committee (PAC) that answers to the Standing committee. The PAC is supposed to evaluate each proposal according to its regional relevance, its possible effectiveness in reaching regional goals, and ensure that they complement or at least do not counter existing programs, as well as avoiding duplication of efforts. The Secretariat is also assigned to follow up and evaluate projects and convey recommendations to the ASC about their continuation, modification or termination.

From proposal to implementation it passes through the PAC three times, twice for appraisal and once for enquires towards funding, and then finally a fourth time for evaluation. The actual work of planning the project and its details is left for the relevant committees, and finally the ASC has the final say on go ahead.[4]

[4] The project implementation cycle can be found in Jamil Maidan Flores, *ASEAN – How it works*, (Jakarta: Asean Secretariat, 2000), p.53.

Structural problems

Lack of a regional perspective

The decision structure of ASEAN in this respect is, at least at a first glance, fairly straight forward. You have at the top a government and ministerial level which meets annually, under which there is a senior officials level which convenes more regularly, and under that a technical level concerning concrete co-ordination proposals and project formulation. To tie this structure together you also have a standing committee and a Secretariat to review and co-ordinate and oversee everything. The projects and recommendations are then handed back to relevant ASEAN National Secretariats or the relevant ministry in the member country for implementation. National policy coherence is also ensured by the national secretariats.

So in this sense the "decision-makers" of ASEAN become the bureaucrats of the National Secretariat that formulate policy and national viewpoints, and attend and deliberate at the meetings that perform the actual negotiations. The national secretariat then subsequently implements the programs.[5] ASEAN as an organization is then merely the stage on which such deliberations take place, and the annual ministerial meetings a confirmation or approval stamp of the previous work and the future direction.

Where does the ASEAN secretariat come in? Since the professional staff is so abysmally small, it leaves the secretariat and the ASEAN secretary general as a mere administrator of meetings rather than the initiator and overseer, as outlined in the protocol amending the agreement on the establishment of the ASEAN secretariat of 1992.[6] The only thing it can initiate and oversee is that the agendas of the committees and workgroups are in line with the decisions of the AMM.

[5] Zakaria Ahmad, 'The structure of decision-making', in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003), p 30.

[6] 25th AMM 1992 in Manila.

The focal point of the work then does not become the Secretariat or ASEAN but rather a dispersed set of focal points in the respective member countries' ministries of foreign affairs. This has the implication that there is no body within the institutional framework that oversees any purely regional interest. The national secretariats all work to enhance the national interest. Interviews with officials confirm this view, and further point out that it is viewed rather as a "duty" to look after the purely national interest.[7]

There is no institution that can so to speak weight the national interests against one another and come up with a series of optimal solutions. The mode of consensus somewhat hampers this from the start, but as I outline below in the EU context, consensus that can not be achieved at a lower level of compromise can be made at a higher or more correctly broader level.[8] This could happen within ASEAN if there was an institutional body that could come up with a series of optimal *regional* solutions. (An optimal solution requires that the collective good be weighted rather than finding the lowest common denominator which is then by definition a sub-optimal solution in which some members might lose out.) These solutions could, taken as a whole, be balanced to benefit everyone overall, thereby facilitating a consensus decision.

The current problem is that no one is doing this and the Secretariat, which has the mandate, does not have nearly enough resources to do so. It goes without saying that the research effort of such an institution would have to be substantial, with a larger professional staff than 42.

With respect to the low level security issues that I have outlined this is a very real obstacle, since they require in many cases in depth studies concerning national interests and risks, and they are closely linked to the developmental agenda.

That said, the ASEAN Institute of Strategic and International Studies do however organize conferences and publish research which focuses on the regional perspective.

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[7] Michael Antolik,, ASEAN and the diplomacy of accommodation, (N.Y.: M.E. Sharpe, 1990), p. 90-108.

[8] Apirat Petchsiri (ed.), Strengthening ASEAN integration: lessons from the EU's rule of law: conference proceeding February 2001, Bangkok: Centre for European Studies, 2001, p. 23-31.

The only problem is that this Institute, similarly to the private sector (CCI), does not have any formal place in the decision making structure, nor does it have adequate resources to pursue any comprehensive agenda. Its role is thus confined to being a "think tank".

Unclear lines of authority

The lack of a regional perspective is only one aspect of the institutional framework that hampers the potential of the organization. There are a number of issues that could be considered stumbling blocks in the way the organization is working at the moment.

Although the decision structure is very clear vertically, it is less clear on a horizontal axis. There is little clarity in where the lines of authority are to be drawn between the sectors. Previously the foreign ministry of each member country was the only "clearing house" of national positions, but as the organization has moved in the direction of intensified financial cooperation, and with the formation of the AEM similarly to the AMM directly responsible to the Secretary General, this is no longer possible. Economic issues have become much more important and a "dual clearance" is now required. In some cases it is uncertain who has the final authority. The ASEAN senior economic meeting paralleling the senior officials meeting on political matters further helps to muddy the situation. Joint ministerial meetings have been initiated to help in this matter on an ASEAN level, but similar measures have not been introduced at all the members' national levels. This vertical decision making structure creates severe co-ordination problems mostly because they occur at a very late stage in the work process. Consensus is reached in the committees by the various national representatives, but then goes up the line finally to be stopped at the senior level (often at the ASC) due to overlapping authority.[9] Once that has been cleared out it must then go back to the committees in order, once again, to reach a consensus within the new framework of authority. Since the senior level convenes much less regularly this slows down the process.

[9] Muthiah Alagappa,, 'Institutional framework – recommendations for change', 1987 in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003), pp. 22-27.

Desirable in this context, I argue, would be to create intra sectoral “clearing houses” at the lower levels. Only if lines of authority could not be cleared out at this level would it move up. Since the committees convene much more often this could speed up the process.

Again this is highly relevant in the case of the low level security issues, since they have a higher degree of inter-connectedness than conventional threats, as I have outlined in chapter two.

The principle of rotation

Since ASEAN is founded on a norm of sovereign equality, rotation of chairmanship within the committees and the secretariat has continuously been emphasized. This is to avoid any one country dominating a certain sector, but it also has the effect of hindering the development of area expertise. Furthermore it creates a lack of continuity within the secretariat that further pushes the focal point away from the organization onto the national secretariats. As the famous saying goes, “with rotation comes castration but with permanence comes power”.

That said there have been instances where this norm has simply been abandoned due to complexity and one country has been left to chair a committee.[10]

Lack of meetings

Although there has been a considerable increase in the number of meetings organized by ASEAN, most bodies function only on a periodical basis. The AMM and AEMM meet about twice a year, the standing committee six times, and the permanent committees once a year. It has been said that activities between meetings are very

[10] Ahmad Zakaria, ‘The structure of decision-making’, in in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003) p 29.

limited.[11] This together with the frequent changes due to the rotation system makes this system very tedious and cumbersome. This has in turn led some problems to simply be handed to an individual country rather than pursuing plans through deliberations in the committees.[12]

Lack of resources and follow-up of projects

As outlined above, the secretariat has a professional staff of only 42. I argued that this made it impossible to increase the secretariats role to encompass a regional perspective. However it has been argued that the current budget allocation is not enough to perform the advisory and reviewing functions it has been given. The numbers of fulltime staff in the permanent committees are not nearly enough to identify projects and evaluate them, and at the same time interact with other regional and international bodies. It is instead the host country of a project that supplies the technical staff on an interim basis. This does not help the building of an expertise within ASEAN, nor any expertise with a comprehensive regional knowledge.[13]

Since the organization itself lacks manpower to follow up the projects, it is left to the National Secretariats, which are also the implementers. Having a political body evaluating itself, especially in fields where success and failure are not easily measured you enter the area of moral hazard. Furthermore, this is particularly distressing since it takes place in countries with a long history of interference from political and economic sectors in bureaucratic deliberations and implementations. More often than not, these can not be separated and no norm dictates that it should be so.

Furthermore, since ASEAN is an organization based entirely on a policy regime, not a legal framework, the role of the bureaucrat becomes even more susceptible to interference. Desired in this area would be if not pure ASEAN authorities at least a form

[11] Muthiah Alagappa,, 'Institutional framework – recommendations for change', 1987 in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003) p. 22-27.

[12] Zakaria, Ahmad, 'The structure of decision-making', in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003) p 29.

[13] Ibid.

of mini-authorities, aimed simply at evaluating projects and responsible to the secretariat or the standing committee.

One can only speculate why this organizational structure prevails with the reluctance to allocate resources and staff within an ASEAN framework. It could be seen as a reflection of the ASEAN member countries sensitivity towards any loss of national sovereignty. It could also be a fear from the political sector that they would lose control over how projects are implemented, if left to a regional body.

It could also be a reflection of the national bureaucracies' fear of having policies sidelined because they do not conform to the policies that emanate from long coordinated ASEAN deliberations,i.e. separating the bureaucracies and delegating authority to ASEAN, requiring the domestic bureaucracy to follow suit. A fear of losing the ultimate evaluative control might also be a reason. Bureaucrats from individual countries grapple to work out very micro level costs and benefits, all the while taking special care to safeguard their own national interests. If as I suggest, independent ASEAN authorities are guided by a certain level of legal framework, then conclusions of some form of mismanagement or non-implementation by national authorities might come to light.

If one were less sinister, one could argue that ASEAN has, only recently, in a de-facto way entered into new co-operative areas. Since 1991 the value of cooperation was somewhat limited and hindered by external circumstances dictated by the cold war, especially in the low level security areas. Only after this could meaningful interactions take place. In this context, the EU as an institution has developed for more than half a decade, in a region with small disparities in political culture, ideology and economic development. One might well argue that why this has not been done is simply that there has not been enough time to do so, furthermore that very little has been developed in terms of realistic suggestions from the academic and public sector. Only after a series of crises with haze, SARS and terrorism has the urgency been acknowledged. But now that this is evident, I argue that now is the time to address these institutional deficiencies so optimal projects with a real regional scope can be developed in a timely fashion to meet very real threats.

The "ASEAN way", functional necessity or stumbling block?

Much of the criticism surrounding ASEAN's deficiencies as a regional problem solver focuses on the decision making process, or more precisely the norms that guide it; the main norms being those of consensus in decision making, quiet diplomacy, non-interference and non-intervention in domestic affairs, and subsequently a pledge to use peaceful means to settle disputes, and mutual respect and tolerance.

This has brought some authors to argue that ASEAN is not a regional organization as such, but rather a consultation process,[14] others point out that ASEAN lacks federative features and is thereby purely a "sovereignty enhancing" organization, aimed at increasing domestic resilience vis-à-vis competing political groups (based in the country or in neighboring countries).[15] The logic being that as long as it is viewed as such the consensus aspects and principle of the lowest common denominator must persist.

Furthermore, The Bangkok declaration and the Treaty of enmity and cooperation (TAC) outline this "sovereignty enhancing" view, and no treaty has yet been signed indicating otherwise.

Some authors have then come to predict the continued irrelevance of the organization as long as this consensus norm and non-interference norm persists.[16] They point towards the failure of the organization to deal with regional problems such as the East Timor incident and more importantly the Asian financial crisis. In the case of the former, the issue was simply ignored and in the case of the financial crisis all countries went their separate way (Thailand and Indonesia adopting IMF plans, Malaysia choosing currency control).

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[14] Kao Kim Hourn, *ASEAN's non-interference policy: principles under pressure?*, (London: ASEAN Academic Press, 2000).

[15] Muthiah Alagappa (Ed.), *Asian security practice: Material and ideational influences*, (Stanford, Calif.: Stanford University Press, 1998).

[16] James Cotton, 'The "haze" over Southeast Asia: Challenging the ASEAN mode of regional engagement', *Pacific affairs*, Vancover Vol 2 No.3, 2001.

A further detriment to the organization many authors argue is the enlargement process of Laos, Cambodia, Vietnam and Myanmar.[17] Especially since the negative political implications of including the latter have become obvious. It appears that a hope (from ASEAN-6) of a normalization of Myanmar has been proved wrong by Myanmar's subsequent desire for legitimization without change. As the E.U. and the U.S. singles out Myanmar it has also undermined the organization's ability to act as a regional grouping. Myanmar is now a liability rather than an asset. Authors and editors are now pointing to other areas, mainly economic, where the grouping's common future interests can be questioned.[18]

The academic criticism also has its reflection in politics, where senior members of ASEAN have expressed concern about the perceived view of the organization as irrelevant following the 1997 crisis.[19] Various political efforts have been made mainly by Thailand and the Philippines to modify the organizational norm of non-interference to "constructive engagement", the argument being that affairs of one nation's interests can not be effectively sidelined, nor effectively solved on a bilateral basis. The financial crisis pointed out the interconnectedness of economic decisions throughout the region. However even with the continual pressure of having the international pariah of Myanmar in the organization, the "ASEAN way" was contrary re-affirmed at the 1998 Hanoi summit. Both Singapore and Malaysia as well as the new members stressed the importance of staying with the "founding principles" (i.e. that of Bangkok declaration and TAC) and on the contrary it was argued that changing the ASEAN norms would

[17] Shaun Narine, "Institutional theory and Southeast Asia: the case of ASEAN", *World Affairs*, (v. 161 no1, Summer 1998) p. 33-47.

[18] for example David Kruger, 'Ready to Join the Bandwagon, Sort of.', *Far Eastern Economic Review*, (v.165 no. 23 June 13 2002) p. 16, 18, Frank-Jèurgen Richter and Pamela Mar, "Prospects for an Asian Nafta", *Far Eastern Economic Review*, (v.165 no.15, Apr. 18 2002), Zhai Kun, "Investment: Yes; Free Trade Agreement: No" *Beijing Review*, (v. 45 no.49 Dec. 5 2002) pp. 9-10.

[19] David M Jones and Mike L Smith, "The changing security agenda and Southeast Asia: globalization, new terror, and the delusions of regionalism", *Studies in Conflict and Terrorism*, (v. 24 no.4 July/Aug. 2001) pp. 271-88.

decrease rather than increase the regions security.[20] Jurgen Haacke in one article points out the differences in diplomatic culture between Southeast Asia and the West. A critical speech by Al Gore aimed at Malaysia sparked high controversy, at the same time as the matter was being discussed in Hanoi. The ASEAN norm of tolerance and quiet diplomacy makes such face-losing as well as destabilizing speeches out of the agenda. The incident merely highlighted that it was best for all nations (with "sensitivities") to stick to the ASEAN way. The Hanoi summit was a disappointment to many who believed that a change was necessary to vitalize the organization, and many argued that the prospects for fulfillment of ASEAN 2020 and the Hanoi Plan of Action was therefore bleak.[21]

However as I have pointed out in chapter two, there are a number of fundamental and sometimes very detailed agreements surrounding the low level security areas, so the "ASEAN way" can not solely be attributed to hampering the organization, at least not at the highest level of decision-making. So let us look closer on the ASEAN way and what it entails.

Examining the "The ASEAN way"

Worth noting is that fairly few studies have actually been conducted on bureaucratic procedures and attitudes towards the organizations norms and how they are applied in practice, although they are frequently mentioned as a key aspects in the day to day work of the organization. There are however a few notable exceptions but they are however rather old and studies including the new member countries are yet to be done. A study by Zakaria Haji Ahmad in 1986 suggests for example that the same norms are interpreted differently and have different implications depending on the country's particular bureaucratic culture.[22] This must be taken into consideration but it falls outside the scope for this thesis.

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[20] J. Haacke, 'Intramural Challenges to the "Asean Way"', 1999, in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003), pp. 63-64.

[21] Ibid.

[22] Z. Ahamad, "The world of ASEAN decision-makings: A study of Bureaucratic Elite Perceptions in Malaysia, The Philippines and Singapore", *Contemporary Southeast Asian Studies,* (No 3,

That said, there are largely six norms that are highlighted in the literature surrounding ASEAN's decision making and diplomatic culture, and they are somewhat overlapping.[23]

National Equality

One is adherence to national equality, i.e. all nations no matter what size have a formally equal status, equal veto rights, and equal attendance rights. The size of each member county's contribution to the organization is also equal. The norm also implies that due adherence to this principle should apply to all diplomatic interactions, at all levels.

This goes very much in line with the sovereignty enhancing principle. But in practice it could also be argued that this norm is essentially elevating the poorer new members to equal status. This may be a necessity at ministerial and senior official level however depending on how it is employed in practice at lower levels determines whether it is a hindrance or not. If it implies that for example Laos and Cambodia may talk on equal terms about implementing policing with Singapore and Malaysia, although not having nearly the same means to enforce the policies, it might be argued that a relevance norm should be included. For example details about sharing surveillance intelligence should only be discussed where such cooperation may be beneficial or relevant to the countries in question, countries with limited capabilities to make use of such intelligence should therefore (as a norm) not interfere. To be harsh, there is no point discussing law enforcement with countries that more or less lack the necessary means. I am not proposing that this should be codified, merely suggesting a change of norm at the lower

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Dec 1986), pp.192-212. For discussion on ASEAN norms see Kao Kim Hourn, *ASEAN's non-interference policy: principles under pressure?*, (London: ASEAN Academic Press, 2000). and Muthiah Alagappa (ed.), *Asian security practice: Material and ideational influences*, (Stanford, Calif.: Stanford University Press, 1998).

Michael Antolik, *Asean and the diplomacy of accommodation*, (N.Y.: M.E. Sharpe, 1990).

[23] Acharya makes a distinction between ASEAN norms, and ASEAN way, where the latter implies a distinct cultural origin and the former is merely agreed rules of behaviour. I however make no such distinction, Amitav Acharya, *Constructing a security community in Southeast Asia: ASEAN and the problem of regional order*, (London: Routledge, 2001).

levels. But as stated earlier, it all depends on the inner practical workings of the organization's committees, and very little has been written about it.

Peaceful settlements of conflicts

A second norm that is often pointed to as a success is the non-us of force in settling conflicts. In fact I would argue that this is the norm that sets the organization into a different context than being merely a "consultation process". That said it remains for any organization to prove its "collaboratory strength" through a series of conflicts, and in the case of ASEAN, all bilateral conflicts have effectively been lifted outside the ASEAN agenda, this being a norm in itself (even if formal conflict resolving mechanisms of the high council have been set up). But lifting them outside ASEAN has not increased the members' inclination towards violent solutions, which might be argued is often the case within the UN, where sidelined issues almost "naturally" lead to violent conclusions.

It could however also be argued that the members' national interests have largely coincided so there has been very little reason at any one time to use force. The ASEAN-6' interests have largely coincided, and after the fall of the Soviet Union this applies to the ASEAN-10, as the CLMV countries have politically and economically reoriented themselves towards the region, making this norm natural to comply with.

But that said, ASEAN has been very successful in not only sidelining disputes, but rather indirectly making them less important altogether. Take for example border disputes. Closer economic cooperation within the AFTA framework makes borders less important. Mutual economic gains from the Thai-Malaysian border trade reduce the relevance of that border, and also raises the security concerns for both parties with respect to the rebel movement, which effectively has lost all its support from Malaysia since the mid-nineties.

Consensus

The consensus norm is a widely criticized norm of ASEAN and many regional organization scholars favor majoritarian elements of decision-making. The EU is often seen as prime example of a functioning regional body applying majority decisions. One must here highlight the often misguided use of the term consensus with respect to ASEAN. First in comparing EU and ASEAN decision making, one point is often missed. It is implied that for an organization to be of any "real" power there has to be a decision structure based on majority voting. However in the case of the much celebrated EU, it is seldom enforced, but rather seen as a last resort. It is argued that in the end every country must be able to legitimize its participation in concrete terms and "running over", even smaller members, results in de-legitimizing the organization itself, and is therefore avoided. [24] Much of what has been built around the "first pillar" has in fact been done through consensus.[25]

Secondly, in western *parlance* consensus implies *agreement*, but in the ASEAN context it is rather different. Here it means a state of acceptance and understanding of every actor's position, hence the popular term to describe this "agree to disagree without being disagreeable". In a similar fashion the often quoted detrimental remark about AFTA as "Agree First, Talk After" is not only true but actually a reflection on how ASEAN works. Declarations are rather a framework on "what should be agreed upon" when sending it down to the next level. I.e. the declarations are not a foundation to build upwards, as in the western sense, but rather an end goal that should be strived towards. [26]

[24] Interview with senior EU diplomat, December 2001.

[25] This is confirmed at least if one looks at the outcomes of EU Commissions proposals for economic harmonisation.

[26] On a side note, I would argue that this has the effect of setting the boundaries of the organizations scope and depth, and I would argue that the large institutional "spillover effect" that is contributed to the EU's ever larger scope does not apply to ASEAN. I.e. in the E.U. you agree to co-operate in a certain area, for example in the "third pillar" of the legal field. When EU and its institutions begins to work it naturally encounters more and more related areas that need co-ordination and "stretches" out until it reaches the perimeters of the founding agreements and national legislation, often requiring a decision from the European Court to decide where the ultimate line is to be drawn. But at this time it has "stretched" to the very end of institutional boundaries. By the Agree First Talk After this is effectively avoided, for good and bad.

This process may be well and good. However the logic then demands that the lower echelons of the implementation structure must be given greater flexibility; in practice this means flexibility, compromise and majority decision. When you apply this norm at every level, which as I understand is currently the case, instead of having a structure pressing issues downwards into more and more detailed solutions and plans, the norm naturally pushes issues back up at a higher level for "clearance". It becomes a long running ping-pong game between the technical implementation level and the decision level. And since the decision level meets less regularly it makes for a very lengthy process.

Why then has there been an effective implementation on haze and disease surveillance? My answer is that probably because the details were agreed upon at the highest level, with the adjoining time and effort associated with it (special meetings, conferences and bureaucratic machinery to back it up.)

Furthermore, the consensus norm has been accused of hampering co-operation in areas where it might benefit a few but not all members.[27] This is partly true in the area of environment but that said, it could be said that it is an expression of the members desire to avoid the organization itself becoming to large, powerful and more importantly costly. By only addressing problems that are truly regional you limit the organizational scope. But since very little is financed from the collective ASEAN organization anyway this argument does not hold. Instead you have pushed projects such as the Mekong River Commission that may well be within the organization to the outside. Larger bargaining power vis-à-vis other actors may be gained by including such organizations, for example against China and the great dam project. This can easily be achieved by embracing the 10-X principle.

Non-interference and non-intervention in domestic affairs

[27] Ralf Emmers, *Cooperative security and the balance of power in ASEAN and the ARF*, (London: Routledge Curzon, 2003).

Non-interference and non-intervention is one of the most criticized norms as outlined in the introduction. Non-interference and non-intervention implies that governments avoid criticizing domestic policy of their neighbors, and furthermore deny sanctuary for groups deemed as criminals, rebels or guerillas by the other country and similarly deny political and material support to any such group. However separating domestic from regional politics has proven difficult.

The aspect of non-interference becomes particularly problematic with respect to the ability to address problems which derive from one member country but primarily affect another. This applies to nearly all the low-level threats, firstly, because they are in their very nature transnational. -the forest fires, SARS, avian flu, HIV, Mekong river, Muslim rebels in Malaysia, drug production in Myanmar, refugees and illegal immigrants from Myanmar and Laos in Thailand, Indonesians in Malaysia to name a few.

Secondly these issues cannot in many cases be disconnected from the political elites in the respective countries. The forest fires in Indonesia were largely caused by big conglomerates with close political ties to the Indonesian government[28] rather than small scale slash and burn farmers as first claimed. Myanmar's use of selective support or crackdown on drug production depending on rebel group support is another.[29] The avian flu was covered up and subsequently addressed in a very selective manner when acknowledged, due to the Thai governments close relationship with large scale chicken exporters.[30] This is just to name a few concrete examples. There are a great number of potential areas of conflict were domestic politics, religion and business intersect in these low level areas.

In this interconnected political-economical environment it is impossible not to raise issues without stepping on powerful toes. And as noted in chapter one, the very slow

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[28] Robin Ramcharan, 'ASEAN and Non-Interfrenece', in Sharon Siddique, *The 2nd ASEAN reader*, (Singapore: Institute of Southeast Asian Studies, 2003), p.55.

[29] Justine Rosenthal, "Southeast Asia: Archipelago of Afghanistans?", *Orbis*, (v.47 no.3 Summer 2003) pp. 479-93.

[30] Pasuk Phongpaichit and Chris Baker, *Thaksin: The business of politics in Thailand*, (Bangkok: Silkworm Books, 2004) pp. 232-233.

impact of these threats make them easy to ignore for short term gains, therefore it is paramount that the norm of non-interference is modified together with a *securitization* of these issues.

So this would imply that although there is a general agreement around certain issues such as disease surveillance (in early 2000) and regional haze (in 1992), they are not implemented, because implementation means enforcement, and enforcement means stepping on toes… i.e. better leave it for another day and let business go on as usual. If one were to be harsh one could say, to use the diplomatic language of ASEAN itself that it is therefore in the "ASEAN way" to show "concern", but not to do anything about it.

But the questions begs again, why implementation of Haze and Disease surveillance? I argue that it can probably be accredited to the heavy external and domestic political pressure which made it impossible to ignore, i.e. both were crisis situations. The key argument I make is that precautions should be taken before, not after they appear.

Quiet diplomacy and Mutual tolerance

Quiet diplomacy and mutual tolerance, as noted in the introduction, is a key aspect of ASEAN's diplomatic culture. One might not like each other, one might not agree, but one does not say it openly. In short, one agrees to tolerate each other with the understanding that any radical reshaping of the political geography can not realistically be achieved by any one actor Issues of concern are brought up and discussed behind closed doors. However this is nothing unique in international diplomacy, rather it is the norm, even a necessary precondition, but I would claim that it is the extent and level to which it is practiced that makes it distinctly part of an "ASEAN way". In a Non-ASEAN context harsh remarks on domestic concerns are simply part of the international political game. But in a region with weak governments necessity has fostered an organizational norm for this to be extended all the way up to the highest of levels. Some attribute this to a the distinctly Asian trait of "saving face", however I would argue that domestic conditions dictate this rather than culture since this political practice does not

extend to the rest of Asia.[31] Rather it can be attributed to a mutual recognition of each others domestic "sensitivities" and the political choice not to undermine each other.

Some point out that part of the ASEAN way is also to always have a united front. If consensus could not be reached, this is merely stated rather than elaborating on the different positions in public. Michael Antolik argues that this is extended even to the extent of declarations and agreements by deliberately using ambiguous language which could be interpreted according to the wishes of all. If this is the case one must further examine whether the statements made can be interpreted differently according to the underlying national interests.[32]

My study of the agreements and declarations in chapter 3 implies that the issue is not primarily ambiguity per se, but rather ambiguity is a natural consequence of the general and non-specific nature of the declarations. That said, many of the action plans and the Hanoi Plan of Action in particular must be considered as fairly detailed.

With respect to the low level security area I would argue that the norm of keeping a united front and practicing quiet diplomacy and tolerance greatly helps co-operation. Precisely because many of the issues are connected with government elites, and that these elites have sensitivities with public criticism, ASEAN within a quiet diplomacy framework can address these issues in a timely fashion. However this requires that the leaders of the ASEAN countries acknowledge that the low level threats are destabilizing in the long run and agree that these must be addressed and not allow them to be pushed aside. Instead of having costly cover ups followed by international disgrace, it is better to have established monitoring and implementation capabilities, and create the institutions in such a way that they adhere to the norms of ASEAN. WHO and others do not have any such concerns. ASEAN could in this case even be a locus for interaction with other "sensitive" countries, for example China and North Korea.

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[31] China, both Koreas, Japan, often make use of powerful derogatory language towards their neighbours domestic affairs.

[32] Michael Antolik, *Asean and the diplomacy of accommodation*, (N.Y.: M.E. Sharpe, 1990), pp. 104-106.

CHAPTER 6

Low level security areas – Summary and overall conclusion

The traditional security agenda of the elites of Southeast Asia have up until recently been concerned mainly with high level threats. These conventional threats have similarly been given a higher priority, status and budget, often because they threaten to undermine the government itself.

However in this thesis I have argued that this is a fallacy in today's Southeast Asia. Today the low end spectrum is as much, if not more of a threat to the political elites of ASEAN. Disease, most recently SARS, Avian flu and in the long run HIV, transnational crime and drug production, terrorism, environmental degradation, migration and refugees all threaten to undermine the ASEAN governments, be they democratic or authoritarian. Similarly they pose a great threat to the peoples of Southeast Asia.

If one examine the cost-benefit ratio of security, both for elites and individuals, I have argued that low end security compares better than traditional security areas especially if one looks at the practical applicability of co-operation in this low-level field.

I have pointed out in this thesis that, unlike in the field of military and economic co-operation, there are likely to be no, or at least very few, security dilemmas involved in addressing these issues. Efforts in one area do not undermine the other states ability to do likewise; neither will the initiating country's efforts be in vain. I also hope to have shown that there are a distinct set regional interests to protect, and that external interests may aid cooperative efforts or at least show little resistance towards such initiatives.

Since the low-level threats in their very nature move over a longer time-scale with a gradual rather than a sudden impact it is essential that they are *securitized* and lifted outside the developmental agenda. I believe that by lifting these issues into a security agenda we take away threats to them that may arise from everyday political gambling.

Another characteristic is that they tend to be trans-national and fluid. I point out that water mismanagement in one country may have economic repercussions in a second, which may lead to domestic political unrest which in turn results in migration flows which in turn causes economic harm to a third country. With respect to low level threats it is simply not realistic to separate them and view them as pure national problems. Therefore the best approach is a regional one and the organization today, that encompasses all the countries of Southeast Asia, is ASEAN.

Therefore I shifted focus to this organization, with respect to low level threat cooperation, in chapter three and four. In those two chapters I argued that the major obstacle to effective co-operation lay not in the decision making process at the governmental level, since national interests largely coincide (as argued in the second chapter), but rather on the implementation side. This is clearly reflected with the comprehensiveness of the consensus on policy guidelines, strategy and even implementation that has been reached, as reflected in the declarations and action plans.

I argue that it is on the implementation side that focus needs to be drawn. I have drawn attention to the case of the environment where guidelines drawn up in early 80's still stand today in 2004, but are just beginning to be implemented. The only time when practical co-operation materializes, I argue is in the event of a major crisis. This is true for law-enforcement after September 11 and the Bali-bombing, in the health area after the SARS and Avian flu outbreaks, and in environmental sector after the regional haze problem of 1997. Worth noting is that in the environmental sector, there was a haze monitoring agreement in 1992, and a disease surveillance agreement in 2000.

However I wish to point out that in areas where disaster like consequences, are rare, such as drugs and related transnational crime, immigration, biological diversity, food security and Aids there must be a strong political and administrative will to enforce it, since no overt public reaction will force political action before it is too late.

I argue that there is a need to build permanent institutions around these low level security areas, as opposed to ad-hoc solutions in the event of a crisis, as is currently the case. Furthermore, I suggest that ASEAN institutions, as opposed to individual

countries, must be given more resources to implement programs and become more independent vis-a-vis national bureaucracies. This might however have an implication on the non-interference norm, but the informal consultation principle and the principle of quiet diplomacy can remain, since I argue they are highly beneficial even fundamental in this area of co-operation. Similarly I argue that that the consensus norm can remain but greater levy should be given to the lower level of decision-makers.

This is however a somewhat different view from the prevailing one, that ASEAN is only to be the framework for consultation and co-operation. In short I argue that the frame should be filled with permanent and largely independent bodies, with the mandate to raise issues which the bodies deem as matters of regional concern. However the way they do this can be regulated and agreed in advance, preferably within some form of codified framework.

This I argue, given the *securitization* of the low level security issues, would aid in the practical implementation of ASEAN projects, generating not only more, but more effective and timely threat responses. This would be beneficial to both the people of the region as well as the governing elites.

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REFERENCES

Acharya, Amitav , *Constructing a security community in Southeast Asia: ASEAN and the problem of regional order*, London: Routledge, 2001.

Agras, J., V. Suri, and D. Chapman, "Environment and Trade: A Review of the Literature," draft manuscript, Department of Agricultural Resource and Managerial Economics, Cornell University, Ithaca, N.Y., June 1994.

Alagappa, Muthiah Ed., *Asian security practice: material and ideational influences*, Stanford, Calif.: Stanford University Press, 1998.

Antolik, Michael, *ASEAN and the diplomacy of accommodation*, Armonk, N.Y.: M.E. Sharpe, 1990.

Apirat Petchsiri Ed., *Strengthening ASEAN integration: lessons from the EU's rule of law: conference proceeding February 2001*, Bangkok: Centre for European Studies, 2001.

Apirat Petchsiri, Paveena Sutthisripok and Pakprapai Thontiravong Eds., *Comparative regional integration: ASEAN and the EU*, Bangkok: Interdisciplinary Department of European Studies, Chulalongkorn University, 2002.

ASEAN Secretariat, *ASEAN: an overview*, Jakarta: ASEAN Secretariat, 1995.

ASEAN Secretariat, *ASEAN annual report*, ASEAN Secretariat, 2003.

Baylis , John, *The globalization of world politics: an introduction to international relations*, New York: Oxford University Press, 1997.

Bishop, Ryan and Robinson, Lillian S. *Night Market: Sexual Cultures and the Thai economic miracle*, London: Routledge, 1998.

Bourdet, Yves, *The Economics of Transition in Laos: From Socialism to ASEAN Integration*, Routledge:London, 2000.

Brandon, C., and R. Ramankutty, *Toward an Environmental Strategy for Asia*, World Bank Discussion Paper #224, The World Bank, Washington, D.C, 1993.

Buszynski, Leszek., “Realism, Institutionalism, and Philippine Security”, *Asian Survey*, vol.42 no3 (May/June 2002) pp. 483-501.

Buzan, Barry , *Security: a new framework for analysis***,** Boulder, Colo.: Lynne Rienner Pub, 1998.

Chapman, D., "Costs of Environmental Regulation, 1969-1981, Coal and Nuclear Generation,", in *Energy Resources and Energy Corporations*, by Chapman, D., Cornell University Press, Ithaca, N.Y., 1983.

Chapman, D., "Environmental Standards and International Trade in Automobiles and Copper: The Case for a Social Tariff," *Natural Resources Journal*, Summer 1991, pp.440-462.

Chris Beyrer , *War in the Blood: Sex, Politics and AIDS in Southeast Asia*, London: Zed Books, 1998.

Christie, Clive J., *A modern history of Southeast Asia: decolonization, nationalism and separatism,* London ; New York ; Singapore: Tauris Academic Studies ; Institute of Southeast Asian Studies , 1996.

Collins, Allan, *The Security Dilemmas of Southeast Asia*, London, New York: Macmillan Press: ISEAS, 2000.

Cotton, J and Ravenhill, J (Eds), *Seeking Asian Engagement*, Melbourne: Oxford University Press, 1997.

Cotton, James, 'The "haze" over Southeast Asia: Challenging the ASEAN mode of regional engagement', *Pacific affairs*, Vancover Vol.2 No.3. 2001.

Daws, Sam and Tharoor, Shashi, "Humanitarian intervention: Getting past the reefs ", *World Policy Journal*, New York, Summer 2001 Vol. 18: 2, pp. 21-30.

Djalal, Dini, "Asia's Intelligence Gap", *Foreign Policy*, no135 (Mar./Apr. 2003) pp. 84-5.

Emmers, Ralf, *Cooperative security and the balance of power in ASEAN and the ARF*, London: RoutledgeCurzon, 2003.

Eng, Peter, "Transforming ASEAN", *Washington Quarterly*, v. 22 no1 (Winter 1999) pp. 49-65.

Erik, Paul, "Regionalization, democracy and conflict", *Journal of Contemporary Asia*, Vol. 29 No. 3, 1999 pp. 285-308.

Flores, Jamil Maidan, *ASEAN functional cooperation: Toward a caring community* , Jakarta: Asean Secretariat, 2000.

Frankel, B., Ed., *Realism: restatements and renewal*, London: Frank Cass, 1997.

'Free Aids drugs and condoms - Burma agrees to promote safe sex', *Bangkok Post* 290903.

Gershman, John, “Is Southeast Asia the Second Front?” **,** *Foreign Affairs*, New York: Jul/Aug 2002. Vol. 81, Iss. 4. pp.21-46.

Han, Henry, *Terrorism & political violence: limits & possibilities of legal control*, New York: Oceana Publications, 1993.

Hoffman, Bruce, *Change and Continuity in Terrorism*, Washington: Rand publications, 2001.

Hourn, Kao Kim, *ASEAN's non-interference policy: principles under pressure?*, London: ASEAN Academic Press, 2000.

Hurst, Philip, *Rain forest politics: ecological destruction in South-East Asia*, London and New Jersey: Zed Books Ltd, 1990.

Jeffrey W Jacobs, “The Mekong River Commission: Transboundary water resources planning and regional security”, *The Geographical Journal*. London: Dec 2002. Vol. 168.

Jones, David Martin.; Smith, Mike Lawrence, “From Konfrontasi to Disintegrasi: ASEAN and the Rise of Islamism in Southeast Asia”, *Studies in Conflict and Terrorism*, v. 25 no6 (Nov./Dec. 2002) pp. 343-56.

Jones, David Martin, “Smith, Michael L. R.; Islamists defeat Asian way”, *The World Today*, v.58 no6 (June 2002) pp.12-14.

Jones, David M.; Smith, Mike L.,”The changing security agenda and Southeast Asia: globalization, new terror, and the delusions of regionalism”, *Studies in Conflict and Terrorism*, v. 24 no4 (July/Aug. 2001) pp. 271-88.

Kristensen, J., “Food security and development in the lower Mekong river basin: a challenge for the Mekong River Commission”, Paper delivered at the Asia and Pacific Forum on Poverty: Reforming Policies and Institutions for Poverty Reduction Manila 5-9 February 2001.

Kristensen J. “Making best use of the Mekong poses a huge challenge”, *Bangkok Post* 21 May (http:// www.mrcmekong.org/media/press2001 /pressO004.htm).

Kruger, David, “Ready to Join the Bandwagon, Sort of.”, *Far Eastern Economic Review*, v.165 no23 (June 13 2002) pp. 16-18.

Kurt W. Radtke, Joop A. Stam, John Groenewegen, Leo M. van der Mey, and Takuo Akiyama, *Dynamics in Pacific Asia: Conflict, Competition and Cooperation*, London: Kegan Paul International, 1998.

Lintner, Bertil., “Tangible benefits: Laos savours the advantages of joining Asean”, *Far Eastern Economic Review*, v. 160 (Jan. 23 1997) pp. 24-25.

Matsume, Tatsuro and Chen, Lincoln, Eds., *Common security in Asian – New concepts of Human security*, Tokyo: Tokai University Press, 1995.

Mazlan, Jusoh, “ASEAN-Canada Cooperative Programme on Marine Science – phase II (CPMS-II): All phases of the project cycle”, *Marine Policy*, Volume 22, Issue 6, November 1998, pp. 493-503.

Mekong River Commission 2002 Annual report 2001 Mekong River Commission, Phnom Penh.

Narine, Shaun; “Institutional theory and Southeast Asia: the case of ASEAN”, *World Affairs*, v. 161 no1 (Summer 1998) pp. 33-47.

Nesadurai, Helen E., “Attempting developmental regionalism through AFTA: the domestic sources of regional governance”, *Third World Quarterly*, v.24 no2 (Apr. 2003) pp. 235-253.

Ong Keng, “The Impact of SARS on Asian Economy and ASEAN’s Leaders’ Response”, Address to The Association of Southeast Asian Nations, Beijing, 13 May 2003.

Phongpaichit, Pasuk and Baker, Chris, *Thaksin: The business of politics in Thailand*, Bangkok: Silkworm Books, 2004.

Pushpanathan, Assistant Director, ASEAN Secretariat, “Combating Transnational Crime in ASEAN”**,** Paper presented at the 7th ACPF World Conference on Crime Preventionand Criminal Justice, 23-26 November 1999, New Delhi, India

Raslan, Karim, “A View From Southeast Asia”, *Foreign Policy*, no137 (July/Aug. 2003) pp. 38-9.

Richter, Frank-Jèurgen.; Mar, Pamela, “Prospects for an Asian Nafta”, *Far Eastern Economic Review*, v.165 no15 (Apr. 18 2002).

Rosenthal, Justine “A, Southeast Asia: Archipelago of Afghanistans?” *Orbis*, v.47 no3 (Summer 2003) pp. 479-93.

Sekiguchi Sueo and Noda Makoto eds., *Road to Asean-10, Japanese Perspectives on Economic Integration,* New York: Japan Center for International Exchange (distributed outside Japan by the Brookings Institution Press, Washington, D. C.). 2000.

Siddique, Sharon, *The 2nd ASEAN reader*, Singapore: Institute of Southeast Asian Studies, 2003.

Than, Mya and Gates, Carol, eds. *ASEAN enlargement-impacts and implications*, ISEAS:Singapore, 2001.

Thayer, Carlyle A. and Amer, Ramses (eds.) *Vietnamese Foreign Policy in Transition*, New York, NY: St. Martin's Press, 1999.

Thiparat, Pranee, Ed., *The quest for Human security: The next Phase of ASEAN?*, Selected papers presented at the ASEAN 2020 Conference on "ASEAN: Human Security in the Twenty-first Century" July 21-22, 2000, Bangkok, Bangkok:ISIS Thailand, 2001.

Vatikiotis, Michael.; "Seeds of division", *Eastern Economic Review*, v. 159 (Oct. 17 1996) pp. 16-17.

Vatikiotis, Michael, "Asean and China-United in Adversity", Far *Eastern Economic Review*, vol.166 no18 (May 8 2003) pp. 14-17.

World Bank, *Development Report*, Washington, D.C:World Bank, 1992.

Zehfuss, Maja , *Constructivism in international relations: The politics of reality*, Cambridge: Cambridge University Press, 2002.

Zhai Kun.; "Investment: Yes; Free Trade Agreement: No", *eijing Review*, v. 45 no49 (Dec. 5 2002) pp. 9-10.

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BIBLIOGRAPHY

Joint declarations and agreements by field sorted by year (from 1980-)

Transnational Crime, drugs and International Terrorism

Joint Communiqué of the First ASEAN Plus Three Ministerial Meeting on Transnational Crime (AMMTC+3), Bangkok, 10 January 2004.

Joint Communique of the Fourth ASEAN Ministerial Meeting on Transnational Crime (AMMTC), Bangkok, 8 January 2004.

Memorandum of Understanding between the Governments of the Member Countries of the Association of Southeast Asian Nations (ASEAN) and the Government of the People's Republic of China on Cooperation in the Field of Non-traditional Security Issues.

Joint Declaration on Co-operation to Combat Terrorism, 14th ASEAN-EU Ministerial Meeting, Brussels, 27 January 2003.

Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues, Phnom Penh, 4 November 2002.

Declaration on Terrorism by the 8th ASEAN Summit, Phnom Penh, 3 November 2002.

ASEAN-United States of America Joint Declaration for Cooperation to Combat International Terrorism, Bandar Seri Begawan, 1 August 2002.

ASEAN Plan OF Action To Combat Transnational Crime Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime, Kuala Lumpur, 17 May 2002.

Joint Communique of the Special ASEAN Ministerial Meeting on Terrorism, Kuala Lumpur, 20-21 May 2002.

2001 ASEAN Declaration on Joint Action to Counter Terrorism.

Joint Communique of the Third ASEAN Ministerial Meeting on Transnational Crime (2001).

ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD) (2000).

Bangkok Political Declaration in Pursuit of A Drug-Free ASEAN 2015 (2000).

Joint Communique of the Second ASEAN Ministerial Meeting on Transnational Crime (1999).

Manila Declaration on the Prevention and Control of Transnational Crime (1998).

ASEAN Foreign Ministers Joint Declaration for a Drug-Free ASEAN (1998).

ASEAN Declaration on Transnational Crime (1997).

ASEAN Foreign Ministers Joint Statement on the International Problem of Drug Abuse (1985).

ASEAN Declaration of Principles to Combat the Abuse of Narcotics Drugs (1976)

Legal Cooperation

Joint Communique of the 5th Meeting of ASEAN Law Ministers (2002).

Joint Press Statement Seventh ASEAN Senior Law Officials Meeting (ASLOM) (2001).

Joint Communique of The Fourth ASEAN Ministers of Law Meeting (1999).

The Third ASEAN Ministers of Law Meeting (1996).

The Second ASEAN Ministers of Justice, Ministers of Law and Attorneys-General Meeting (1993).

ASEAN Ministerial Understanding on The Organizational Arrangement for Cooperation in the Legal Field (1986).

Disease prevention and Health promotion.

Declaration of the 7th ASEAN Health Ministers Meeting, Penang, Malaysia, 22 April 2004.

Joint Statement of the Special ASEAN+3 Health Ministers Meeting on SARS, Siem Reap, 10-11 June 2003.

Addressing the Labour and Employment Challenges caused by SARS.

ASEAN Labour Ministers at their 17th Meeting held on 8-9 May 2003.

Joint Resolution of the ASEAN +3 Aviation Forum on the Prevention and Containment of the Severe Acute Respiratory Syndrome (SARS), 2003.

Joint Statement of the Special ASEAN-China Leaders Meeting on SARS, Bangkok, 29 April 2003.

Joint Declaration of the Special ASEAN Leaders Meeting on SARS, Bangkok 29 April 2003.

Joint Statement of the ASEAN+3 Ministers of Health Special Meeting on SARS, Kuala Lumpur, 26 April 2003.

Joint Declaration of the Special ASEAN Leaders Meeting on Severe Acute Respiratory Syndrome (SARS), Bangkok, 29 April 2003.

Regional Action Plan on Healthy ASEAN Lifestyles 2002.

Declaration of the Sixth ASEAN Health Ministers Meeting on Healthy ASEAN Lifestyles 2002.

7th ASEAN Summit Declaration on HIV/AIDS, Brunei Darussalam, 5 November 2001.

Declaration of the Fifth ASEAN Health Ministers Meeting on Healthy ASEAN 2020 ,2000.

Declaration of the Second HIV/AIDS ASEAN Regional Workshop of Islamic Religious Leaders 28-31 July 2000.

1st HIV/AIDS ASEAN Regional Workshop of Islamic Religious Leaders 1998.

Resolution of the Third Meeting of the ASEAN Health Ministers, 1984.

Declaration of the ASEAN Health Ministers on Collaboration on Health, 1980.

Environment

ASEAN Environmental Education Action Plan, 2000 - 2005

ASEAN Declaration on Heritage Parks 2002

Yangon Resolution on Sustainable Development 2002

ASEAN Agreement on Transboundary Haze Pollution (2002)

Jakarta Declaration on Environment and Development (18 September 1997)

Regional Haze Action Plan [23 Dec 1997]

Strategic Plan of Action on the Environment [1994 - 1998]

ASEAN Cooperation Plan on Transboundary Pollution [1995]

Bandar Seri Begawan Resolution on Environment and Development (1994)

Singapore Resolution on Environment and Development (1992)

The Kuala Lumpur Accord on Environment and Development (1990)

Jakarta Resolution on Sustainable Development (1987)

Agreement on the Conversation of Nature and Natural Resources (1985)

Bangkok Declaration on the ASEAN Environment (1984)

ASEAN Declaration on Heritage Parks and Reserves (1984)

Manila Declaration on the ASEAN Environment (1981)

Internet sources

http://www.aseansec.org
http://www.haze-online.or.id/
http://www.asean-disease-surveillance.net
http://www.acdm.net/

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Johannes Lund was born in Boden, Sweden. After military service in the Swedish air force intelligence (UNDSAKC), he commenced university studies at Uppsala and Stockholm University focusing on history and political science as well as economics and business. He later shifted his studies to Australia and graduated from University of Western Australia (UWA) with a B.A. in Political Science and Asian Studies. Following that, he joined the Masters of Southeast Asian studies program at Chulalongkorn University in June 2002.

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