

Sabah Dispute

- Not a simple matter of territorial sovereignty, but had larger political and religious implications
- Both nations are still ideologically aligned (Pro-West and Anti-Communist)
- Alleged Malaysian Support for Moro Muslim rebels in Southern Philippines and influx of refugees and illegal immigrants into Sabah
- Cobbold commission rejected by both Indonesia and Philippines, regardless, Malaysia ignored their reactions
- 1963 Malaysia Agreement incorporated North Borneo into its territory
- Philippines reacted in consternation: rejected the unilateral move made by Malaysia and yet they managed to find an amicable agreement through the Manila accords- 31 July 1963
- UN report established that a large majority of the population favoured joining the Malaysian republic
- Philippines claim rests entirely on Sultanate of Sulu - deemed to be precursors to the British - maintained position that it would inherit sovereignty over North Borneo despite 1930 Anglo-American treaty
- Claim was not pursued till 1962 - Macangpal used it to have a PR win after stonehill corruption scandal - political tool used to further own agenda
- Malaysian perspective: Sabah critical to security against Indonesia
 - Communism spreading: Sabah a useful buffer and affronted Malaysian Sovereignty
- Developed precarious relationship
- Malaysia wanted to maintain authority and ensure national unity
- 1968 - year of tensions
 - Mar 1968: Corregidor affair - revealed training for guerilla war
 - June 1968: Philippines congress resolution - delineate boundaries to include Sabah, signed off by Marcos
 - July 1968 - Malaysians walk out from negotiations
- Only in July 1977 did there come a resumption of bilateral ties - once they recognised Sabah as part of Malaysia through the acceptance with the change of leadership
- Willing to sideline the issue in hopes of economic cooperation and other benefits
- YET, Marcos offer for indirect resolution was rejected by Mahathir
- Insisted that the claim was not a matter for negotiation and that the Philippines needs to formally renounce its claim
- Reports emerged of Malaysian support for MNLF insurgents in the Philippines - indirectly undermining their govt - Malaysia being sympathetic,
- Only with Tripoli agreement of 1976, outlined Libyan agreement to terminate support for MNLF which was done via Malaysia
- Conflict's political use for Leader's personal animosity - Mutual antagonism between Macangpal and Tunku - ambitions to assert regional dominance and leadership
- Hopes for reconciliation crushed by Corregidor affair
- Ramos willingness to negotiate helped mend tensions
- Yet Malaysia only wanted to negotiate with heirs and deemed to sideline Filipino govt
- Senate's refusal to renounce - opposed to losing the territory due to nationalist sentiments
- Inaction to solve the issue

Pattern of bilateral relations

- INDO traditionally nursed a sense of superiority over its maritime neighbors given its size, population and revolutionary independence heritage. War of independence it waged against Dutch from 1945-1949 gave INDO leaders a sense of superiority over its Malay neighbors who had independence given on a platter.
- INDO's ultra-nationalist regime - "Greater Indonesia" - seen MY's idea to include new territories of SG, Sabah and Sarawak taken as affront to INDO's sense of superiority - announce **Konfrontasi**.
- INDO took a non-committal attitude toward formation of MY; busy settling unfinished business of decolonization of West Irian Dispute. Dutch eventually conceded West Irian in 1962, where it was transferred to UN administration and voted in a plebiscite in 1969 to join INDO.
- INDO emboldened by withdrawal of Dutch in face of widespread international support; adopted a confrontational approach and military pressure to achieve foreign policy goals.
- However, before 1961, behaved peaceably towards formation of Malaysia - had hidden goals to gain international support against the Dutch.

Konfrontasi

- Sukarno's reaction to formation of MY in 1963, but had multiple reasons
- Formation of MY was part of British plan for the independence of SG, Konfrontasi as a legacy of BR decol. process.
- INDO saw itself as "first among equals" in region, INDO viewed MY's expanded territory as strategic threat to its role as regional leader - exacerbated by suspicions that MY played a part in harbouring dissidents that destabilised INDO in 1958.
- Sukarno and Tunku Abdul Rahman held differing ideological inclination and had drastically different backgrounds, with Sukarno's ultra-nationalist policy and Tunku's pro-western approach. Sukarno alignment with PKI made anti-communist MY uneasy, given backdrop of MCP insurgencies (& vice versa)
- Could have intended Konfrontasi as a distraction for INDO people from dreadful state of economy
- Sukarno openly denounced MY as a "manifestation of neo-colonialism", decrying continuing links between MY and BR..

Armed Conflict, 1963-66

Undeterred by Azahari's failure, Sukarno stepped up opposition; April 12, first INDO raid into MY territory.

Over next 3 years, further raids occurred across the land border in Borneo, with amphibious and airborne incursions on MY; however, achieved little as MY was backed by Commonwealth forces from UK, Australia, New Zealand.

- **Maphilindo** tried in July 1963; failed as 3 countries were unable to overcome disputes with each other.
- Jan 1965, INDO left the UN in protest of MY's admission into the Security Council.

Resolution

Konfrontasi ended with the Gestapu Coup in 1965, PKI destroyed and Suharto's anti-communist regime ruled; desperate to mend fences with INDO's neighbours and restoring economy.

However, new geopolitical tensions arose as a result of communist Vietnam in 1975, which led to improvement of bilateral relations.

- MY and INDO both saw VIET as bulwark against a resurgent China, especially as the Chinese began to assert their claim of sovereignty over the whole South China Sea - threatened due to geographical proximity and ideological divide.

FORMATION OF ASEAN

Context of regional cooperation before 1967

Phases of development of regional organisations

SEATO (1945-1977), US's brainchild

- Modelled after NATO, SEATO had 8 founding members, 2 of which were SEA states (TH & PH). Other countries included US, UK, France, Australia, New Zealand and Pakistan
- Fundamentally to prevent communism, but VIET war which ended in defeat for the US and its allies; SEATO was a **paper tiger** against Pathet Lao in LAOS and Khmer Rouge in CAM.
- US lost interest in the organisation with 1973 Paris Peace Agreements to withdraw its troops from Indochinese states - provided clear rationale for large-scale American intervention
- Largely irrelevant to security concerns and regionalism - internal disagreements led to few achievements

Association of SEA (ASA, 1961-1967), MY's brainchild

- Tunku Abdul Rahman suggested ideas of regional coop. to **combat communism**. Held talks with President Garcia, and in the end, only 3 states (MY, TH, PH) were onboard.
- Faced with clear threat from **Sukarno and PKI**; failure to include INDO meant ASA would not achieve much, as INDO is one of the largest and potentially most significant country in the region. - Indonesia's aspiration to become a leader of SEA
- Floundered due to Sabah dispute between PH and MY in 1962 (see above), revived in March 1966. ASEAN built on ASA.

Maphilindo (1963), (MY, PH, INDO)

- 1963, PH tries to convene meetings in Manila with MY and PH to settle differences between them (Sabah dispute, INDO opposition), forestall future tensions. **Failed** due to MY's formation (PH-MY severed) and INDO's armed campaign against MY - Konfrontasi

Reasons for formation of ASEAN

Regional cooperation only resumed after the [separation of SG-MY](#). With separation, MY-INDO and MY-PH tensions beginning to dissipate, it made for conducive conditions of interstate cooperation. - **Formation needed to build nations and develop newly independent economies**

On **8 Aug 1967**, ASEAN was founded by INDO, MY, PH, TH, SG.

Faced by **comm. threat** with withdrawal of BR.

- Suharto's accession to power accelerated this process; he saw regionalism as an important way of contributing to domestic stability of SEA states, with eco. ties helping to serve the purpose of eco. Development. Desperate to reverse Sukarno's legacy, he was on board with the machinations of ASEAN.
- With INDO's membership in ASEAN, Konfrontasi is finally over; but **SG is still suspicious**.
- Marcos replaced by Macapagal in Dec 1965, PH adopted a more moderate foreign policy stance. Confluence of both INDO's national interests and interests of other SEA states led to the establishment of ASEAN.

Common desire for collective diplomatic clout against External powers - enhance bargaining power and allow interests to be taken into consideration - yet dependence on external security guarantees

ASEAN way - unique to SEA - minimalist institutional structure and lack of state obligation
Quarantine Chinese influence aside internal threats

Concerns with VIET and anti-communist motivations

Regionally, 2 camps of ideology;

Faced by a strong and aggressive North Vietnam, and strong Communist movements in both Laos and Cambodia, poised to spread communism.

- Comm. Party of Thailand (CPT) ideologically aligned with CCP, received mil. training and weapons from PRC. Chinese aided Burmese Comm. Party (BCP) usurp Ne Win.
- Possibility of Domino Theory materialising, compelled non-comm. SEA states to join forces to protect their **similar ideologies of anti-comm.** and **shared security concerns**.

Significance of Intl. Developments

Changing patterns of Great Power relations affected the thinking of SEA leaders.

Sino-Soviet Split became more evident in 1960s-70s, Sino-AM rapprochement in 1960s-70s also gave rise to fear that interests of SEA states would be sidelined.

- With a regional organisation, they would gain more bargaining power against huge powers like China - general fear against commies

ASEAN's r/s with China has been tumultuous. Signs of cooperation (ARF) & conflict (South China Sea)

US began to disengage militarily from the region. After the Tet Offensive in 1968, VIET War became increasingly unpopular w/ AM public. (Paris Peace Accords, see above)

With Japan as a rising power, the world was moving more towards multi-polarity instead of bi-polarity. Uncertainty of international climates meant reason to band together now more than ever.

- Leaders sought a multilateral **platform for resolution, or at least minimisation of interstate disputes and tensions**. Discord could not continue if nation-states were to survive in the global context.

An aim of resolving inter-state tensions (closely tied to aim of countering comm. threat) could be seen as the most important reason for formation of ASEAN.

Reasons for formation of ASEAN: politico-security reasons

Final 2 paras of Bangkok Declaration - made reference to mil. and security concerns.

However, muted in official documents as ASEAN was not meant to be a militaristic alliance; at least on paper. Did not want to raise suspicions or red flags amongst big powers on the state of SEA.

- SEA Association for Regional Coop. (SEAARC) controversy, original SEAARC proposal included more explicit references to defense and military alliances, which all states disagreed upon except INDO. Highlighted the **differing security needs of member states in the formation of ASEAN**.

- Wished to maintain good ties with Western colonial powers hoping that ASEAN could provide some collective clout against Western powers.

For some countries (e.g. TH, INDO), politico-security concerns were very much interlinked with economic considerations.

Economic, social, cultural reasons

Bangkok Declaration: *"accelerate the economic growth, social progress and cultural development in the region through joint endeavour and partnership in order to strengthen the foundation for a prosperous and equal community of SEA nations; to promote regional peace and stability"*

So, which one was more prevalent?

a) Official rhetoric vs private motivations

B.D. and official rhetoric all emphasised soft issues possibly due to following reasons;

- A way to 'bury the hatchet' with Konfrontasi and Sabah claims, wanted ASEAN to be as inclusive as possible; i.e. ASEAN as a platform for reconciliation of MY and INDO.
- SEA countries motivated by eco. Considerations; Western aid was necessary. As SG, TH and PH house US military bases, any security or military clause was undiplomatic (e.g. SEAARC). Founding members of ASEAN wished to avoid giving larger powers any perception that ASEAN was meant to counter external threat.

Notable that all countries shared common security interests against Comm. threat, & uncertainty of impending new international order. ASEAN Declaration shows such worry.

b) Different reasons for different countries

INDO particularly felt SEA had to take extra steps to ensure their own safety and defense; was fundamentally suspicious of external powers and believed that foreign interests were intent on dominating the region.

SG was also wary of larger neighbours, especially INDO. Looked upon ASEAN as a way to constrain actions of neighbours and preserve national security.

However, TH, PH still had US bases, and SG had intimate links with BR, hence security was a proxy interest for them.

Conclusion: reasons for formation of ASEAN

ASEAN's formation should be seen as **response to regional and intl developments, that SEA states sought to protect their interests in an ever-changing world.**

- One view adopted is that maintenance of security in SEA was the precursor for eco. And social growth, and the region had to be stable before other countries would invest in them.
- However, it can also be argued that with eco. devt and social stability, countries would be domestically stable and bring SEA states closer as eco. ties strengthen. Hence, **two main motives perpetuate each other.**
- Indiv state interests converged with larger state objectives
 - ASEAN overhaul Indo's foreign policy image - ASEAN way to cfm Indo peaceful intentions
 - Malaysia's security concerns over containment of communist influence - ASEAN bolster security and also provide platform to resolve tensions
 - SG increase political and econ weight - accepted as an equal in the region - cultivate diplomatic ties to implement foreign policy
 - Symbolic demonstration of ethnic and religious harmony as it overshadows majority chinese population
 - Philippines to dissociate image of being America's little brother - assert regional identity
 - Thai concerns over communist vietnam, Cambodia and Laos - pragmatic and flexible approach to dealing with communists through ASEAN
- Principle of non-interference in domestic affairs, Collective Decision making based on consultation and consensus
- However, leader's refused to openly admit political agenda of ASEAN as they did not have the military means to respond collectively to threats

GROWTH AND DEVELOPMENT OF ASEAN

Aims and Principles of ASEAN

ASEAN Declaration of 1967, aims to:

- 1) **Accelerate eco. growth, social progress and cultural devt.** in the region through joint endeavours...
- 2) **Promote regional peace and stability** through abiding respect for justice and the rule of law... adhering to principles of the UN Charter.
- 3) Promote active collaboration and mutual assistance... in the **economic, social, cultural, technical and administrative fields**;
- 4) Provide assistance to each other... in **educational, professional, technical and admin. fields**.
- 5) Collaborate more effectively for greater utilisation of **agriculture and industries, expansion of trade**, etc.
- 6) **Promote SEA study**; and
- 7) **Maintain close and beneficial coop. with existing international and regional organisations** with similar aim and purpose.

ASEAN member states have also adopted the **Treaty of Amity and Cooperation (TAC) in SEA of 1976**; outlines principles of mutual respect and emphasis on individual sovereignty of countries.

Especially principles of non-interference in internal affairs of one another.

Declaration made room and concessions for foreign military arrangements for ASEAN members as it recognised military vulnerabilities

Formal mechanisms of ASEAN

- Bangkok Declaration/ASEAN Declaration (1967)
- Zone of Peace, Freedom and Neutrality (ZOPFAN) Declaration (1971) - reinstate commitment to each other in principle, a form of a united front despite vague and impractical agreements
- ZOPFAN Blueprint (1976)
- Declaration of ASEAN Concord (1976)
- TAC (1976)

Key trend: ASEAN member states have not generally preferred ASEAN's own formal mechanisms to deal with disputes between each other; preferred either to refer disputes to **ICJ**, or informal means.

Informal mechanisms of ASEAN

“ASEAN Way” and principles of non-interference. Based heavily on the principles of consultation and consensus. ASEAN Way involved meetings between leaders and/or senior government officials, discussing important issues between countries.

- Fostered better understanding of each other's domestic positions, but processes are incremental and slow at times. As member states are not forced to make legally-binding agreements, without conclusion, issues are either postponed or states agree to disagree.
- Focused more on confidence building than problem solving? ASEAN Way has been criticised for the inaction it brings about.
- As consensus-building is a long and difficult process with no guarantee of success, it leads to vague and watered-down agreements with little prospect of decisive action; was this the right way to deal with interstate tensions?

Principle of Non-interference

Key principle which anchored the Bangkok Declaration in 1967. Evolved from **“non-interference”** to **“flexible engagement”** to **“enhanced interactions”**. Has been bent from time to time.

- When factional pol. conflict took place in CAM in 1997, ASEAN sent foreign ministers to mediate between the parties, and pressured CAM to make arrangements for free and fair elections - clear intervention into CAM's domestic politics.
- ASEAN delayed CAM's admission into ASEAN due to the questionable legacy of Hun Sen's new Cambodian government - again, clear intervention.

Situation only solved through the mediation of Japan, CAM's provider of aid.

- June 1997, amidst international censure against Myanmar's human rights abuse and treatment of Aung San Suu Kyi, MY foreign minister stepped into dialogue with pro-democracy opposition.

1998, eventual movement toward flexible engagement.

Although non-interference was well-intentioned, it had questionable effectiveness. Being inconsistently applied over the years, it has delayed action on key regional issues (e.g. haze) and opened ASEAN up to intl criticism regarding engagement with Myanmar.

Asean Concord

- Context of communist victories in Indochina - represent significant threat to ASEAN due to their military capabilities and vietnam's ability to support communist insurgencies in the region
- Initially, Indo saw PRC as greater threat, viewing vietnam as buffer state to chinese influence
- Malaysia saw them as a threat as well de to Chinese support for the Malayan Communist party - saw vietnam as a safety zone
- Thai perceive vietnam to be greatest danger to its own security
- SG feared vietnam's aspirations and looked to draw in PRC as a buffer
- Initial divergent and contradictory security perspectives hindered the emergence of a coherent and common approach to Communist issue
- With the victories in Indochina, finally, ASEAN able to finally sign TAC and Concord
- Declaration provided a shared political identity

- TAC an extension of ZOPFAN - regulate regional order by applying a code of conduct - contain bilateral conflicts and enhance regional security

Trend over the years

ASEAN's early institutional machinery and its limitations

5 main working units in its early years;

- Annual Meeting of Foreign Ministers (AMM)
- ASEAN Standing Committee (ASC)
- Permanent Committees
- Ad-Hoc Committees
- ASEAN National Secretariats

ASEAN's organisational reforms 1976 & after

Infrequent summits were held before 1976; ASEAN wanted to diffuse its image as a political bloc.

In its first ASEAN Summit at Bali (1976), changes were proposed to improve ASEAN's organisational structure.

- Heads of Government began to take a more active role in the organisation, having previously left their Foreign Ministers to do so.
- ASEAN Heads of Govt to meet formally every 3 years from 4th Summit onwards.
- Central ASEAN Secretariat established to replace National Secretariats, enabled easier coordination of ASEAN meetings and initiatives.
- Professional staff increased (14-32 by 1997)
- Established ASEAN Economic Ministers' Meeting (AEMM), ASEAN Free Trade Area (AFTA) Council.

Why Bali Summit, 1976?

Summits, being public showings of solidarity, was necessitated by the events listed below;

- U.S. withdrawal, Hanoi's victory over South Vietnam, Communist influences in Laos and CAM, uncertainty of policies of China.

Yet, behind the camaraderie displayed, there was a division of opinion, as ASEAN states **did not all share an equal sense of danger**. Other than TH which shared borders and historical interactions with VIET, most ASEAN members espoused a cautious response. **Support for TH could not be explicitly shown, lest interpreted by VIET as aggression.**

- Differences came to the fore in 1980s, when organisation grappled with VIET invasion & occupation of CAM.

Hence, 1976 Bali Summit was a skilful shadow play, more significant for its ceremony and what it did *not* articulate publicly. A clear political signal of solidarity **was an end in itself**, and a way to stand by TH without standing against any state.

Singapore Summit, 1992

Unlike previous Summits, ASEAN leaders came to SG Summit with a common sense of mission and purpose over relevance of ASEAN in the post Cold-War era. The end of CW led to rapprochement between VIET and Laos, without ASEAN in the picture. What role remained for ASEAN? And resolution of CAM issue had relieved ASEAN of its need to reconcile their different policies towards China and VIET. **Motivation to forge new grounds in other areas of cooperation was consistent for all ASEAN leaders.**

- Regional economic blocs were beginning to emerge in early 1990s; international developments pushed ASEAN to their attention from their passé CW security concerns to **eco. coop.**
- **1997, ASEAN Vision 2020.** (overshadowed by AFC)

There have been further efforts to formalise ASEAN's structures since, e.g. ASEAN Political-Security Community, ASEAN Economic Community and ASEAN Socio-Cultural Community.

ASEAN Charter, 2008

Given member states' preference to rely on the "ASEAN Way" in their interactions, there has been no real need for a Charter to 'codify' norms. Only in 1974, that PH initiated calls for ASEAN Charter.

Serves as a **legally binding agreement** among 10 ASEAN member states - although given ASEAN's overarching principle of non-interference, uncertain how ASEAN states can be held accountable. Has attracted controversy due to provisions on human rights.

ASEAN Charter serves as a culmination of formalisation and expansion of ASEAN's organisational structure.

Expansion in membership

Bangkok Declaration of August 1967 was explicit ASEAN was meant to be an inclusive organisation.

- Eventual membership of Vietnam (28 July 1995), Laos and Myanmar (23 July 1997), and CAM (1999) symbolised growth in **values and political outlook** of ASEAN states.

ASEAN and VIET

Admission in 1995 gave closure to the political gulf between Comm. and non-Comm. States of SEA. Membership had been offered as incentive to VIET in negotiations for terminating Third Indochinese War.

- ASEAN member states still suspicious of VIET. VIET's invasion of CAM in 1979 took place shortly after a series of goodwill visits by PM Pham to ASEAN capitals, where he had given public assurances of non-intervention in the internal affairs of regional states; its invasion was regarded as an act of treachery.
- Against backdrop of distrust, greatest achievement of ASEAN has perhaps been its eventual acceptance of **opposing political ideologies and systems** on a common regional platform.

Viet's POV

- Diplomatic relations between VIET and ASEAN member states picked up momentum after its withdrawal from CAM in 1991. In July 1992, VIET and Laos acceded to ASEAN's TAC Foreign Ministers.
- Both international and domestic contexts were crucial in understanding Vietnamese motivation to be a part of ASEAN.

Gorbachev's New Thinking from the mid-1980s onwards meant a reduction in Soviet aid; this together with Doi Moi, meant that VIET had to reduce heavy spending on occupation of CAM and grow foreign trade. ASEAN member states were a ready source of capital and trade.

- VIET wanted to join since **1988**; hoped to reap benefits from ASEAN membership in 3 main areas;
- **A stable environment of peace and security** (attracted by consensual nature of "ASEAN Way", didn't have to spend as much maintaining borders),
- **Economic coop.** (trade and investment more important to VIET economy since Doi Moi in 1985),
- **And international standing** (improve relations with US and China by tapping on ASEAN's various regional and extra-regional platforms (ASEAN Regional Forum (ARF))).

ASEAN's POV

Regional and international changes from 1990 onwards altered their relations with Indochinese states.

- Viet and Laos committed themselves to market-based economic reform
- "VIET factor" - strategically, another card in their dealings with China
- Notions of Chinese threat; VIET the only one to clash with China, and showed it was no pushover.

Large, untapped market for ASEAN products (in process of EOI industrialisation)

However, TH remained wary of VIET, but notions gradually subsided as Cambodian crisis wound down (Chatichai "turning battlefields into marketplaces")

ASEAN trade embargo ends by Sept 1991 with VIET withdrawal from Cambodia
VIET joins on 28 July, 1995.

ASEAN and Myanmar

Myanmar internal politics were not relevant to the question of membership; being in the geographical footprint of ASEAN, an untapped market, and a chance for ASEAN to redress Myanmar's internal problems and abuses which can spill over into other parts of the region, and Burmese junta were receptive to the idea.

Myanmar's military govt POV

- Under sanctions from US and EU, desperate for eco. & devt aid.
- SLORC was trying to alter its negative international image, signed ceasefires and released Aung San Suu Kyi in 1995.

ASEAN's international relations with US and EU dented, even after Myanmar joined ASEAN, still uses brute force and undemocratic means. Dented credibility with its partners.

- Criticised by policy of "constructive engagement" by brutal military junta
- US and EU particularly vocal, AM slapping new sanctions on Myanmar, EU ban Myanmar's senior officials from obtaining visas.

ASEAN and Cambodia

Likewise controversial; **called into question ASEAN's application of its hallowed principles: non-interference.**

Peace agreement that followed 2nd Paris Peace Conference; definitively resolved CAM crisis. Occurred in 1993, during power-sharing agreement between Hun Sen and Prince Ranariddh; in **early 1997**, along with Laos and Myanmar, CAM would be granted ASEAN membership.

However, due to volatile political situation in CAM, with fighting breaking out between Hun Sen and Ranariddh loyalists, with Ranariddh defeated and opposition Sam Rainsy fleeing, Hun Sen was the undisputed new leader of CAM.

- Special Foreign Ministers' meeting on 10 July, CAM's admission would be **delayed**.
- Offered to mediate conflict, but Hun Sen demanded that ASEAN stick to their principles of non-interference.
- ASEAN postponed CAM's admission, arguing it would have to resolve its political instability.

ASEAN arguably violated its principle of non-interference. Inconsistency in organisation's treatment of Myanmar and CAM.

In all, admission of Myanmar and CAM is noteworthy for its significant controversy generated; questions about MYA's human rights record to ASEAN's commitment to fundamental principles.

Conclusion: Less coherent ASEAN?

Membership expansion severely affected intra-ASEAN coop. in terms of its org. coherence and identity as a political community.

- Original ASEAN states shared an anti-comm. ideology, experiences with comm. insurgencies, and security ties to West.

- No ideological cement binds newly expanded ASEAN.

- Large eco. gap between core states (ASEAN6) and newer members (CLMV), intra-ASEAN issues. Ideas of a common, collective goal were tested.

- Divisiveness in security issues due to enlarged membership, e.g. CAM has links to China and has blocked ASEAN efforts to present united front to the Chinese on South China Sea disputes.

However, some believe that two-tiered ASEAN is better than one group in ASEAN, and another group outside of it.

- ASEAN has the wherewithal to handle differences, and emphasis on informality and non-interference can help preserve national unity.

ASEAN: BUILDING REGIONAL PEACE AND STABILITY (Lecture 10)

Regional security environment from 1967

As elaborated above, a series of regional and [international developments](#) had brought about increased uncertainty for Southeast Asian states from mid-late 1960s.

1968	Announcement of <u>withdrawal of BR forces</u> east of Suez by 1971
Feb 1968	<u>Net offensive</u> led to announcement of the Nixon Doctrine in July 1969, signalling imminent withdrawal of US from the region
1969	11th Congress of the Chinese Comm. Party signaled the end to the turmoil and xenophobia of the Cultural Revolution, brought on the era of “ping pong diplomacy” and <u>rapprochement between China and US</u> , feeding into the belief that US would disengage from SEA and cease protection of region from threat posed by PRC. Highlighted increasing prominence of the PRC in the world stage, seemingly signaling a move towards a multipolar world.
1970s	<u>Decline of Japan</u> - move toward multipolarity

Although tensions between SEA states had receded somewhat, as PH finally accorded formal diplomatic recognition to MY in 1966 and Konfrontasi ended in the same year, yet early years of ASEAN continued to be marred with discord between member states.

Continued existence of inter-state tensions (1966-1971)

MY-PH tensions

Despite MY and PH committing to cooperation within ASEAN, the Sabah dispute continued to rumble on.

- [Corregidor Affair](#) occurred barely seven months into the formation of ASEAN, showing PH was not willing to shelve its national interests for the sake of regional cooperation. (see above)
- Only with 3rd ASEAN Ministerial Meeting held in Cameron Highlands, that Tunku made announcement on full restoration of diplomatic ties.

SG-INDO tensions

Diplomatic spat involving execution of INDO marines who carried out MacDonald House bombing of March 1965, men were convicted and hanged in Oct 1968. Despite event being carried out during Sukarno's regime, Suharto's New Order government had called upon SG to spare the men, to which SG govt refused and carried out death sentence.

- Resulted in ransacking of SG Embassy in Jakarta by student protestors.

Role of ASEAN

Throughout period of bilateral tension over Sabah, ASEAN helped keep bilateral disputes between member states out of official ASEAN forums, using ASEAN meetings as platforms for “informal discussions” and diplomatic efforts.

- Aug 1968 and Dec 1969 meetings resulted in ‘cooling-off periods’, ASEAN could not solve the dispute directly, but through **direct and indirect measures of restraint, pressure, diplomacy,**

communication and trade-offs, did succeed in preventing any further escalation of the crisis. Sabah dispute was an important milestone in ASEAN's early approach to conflict avoidance and was indicative of what was to be known later as the ASEAN Way.

ASEAN anxiety about regional security (1971-76)

Early 1970s, anxieties on changing regional and international order only intensified.

- Tet Offensive (1968) and succeeding Nixon Doctrine (1969) raised fears of reunified Comm. VIET, and its implications of this for the rest of SEA - in particular non-comm. states - were uncertain. Nixon Doctrine also suggested disengagement of US from region.
- Sino-US rapprochement, Soviet diplomacy in SEA (to make allies against China), BR military withdrawal, Japan's rise as an eco. power all pointed to a dawn of **multipolarity**.
- With receding role of the US, ASEAN members also saw this as an opportunity to shape a new pattern of inter-state relations in the region that would allow local players a greater role in the region affairs.
- Minimise proxy conflicts within the region triggered by external powers' competition with each other.

Zone of Peace, Freedom and Neutrality (ZOPFAN), 1971

Malaysia's advocacy of neutralisation

One of ASEAN's first responses to these changes in the regional and international order was its stance on neutrality.

- AS early as 1968, Tun Ismail, back bencher, raised the idea of a plan to ensure the neutralisation of SEA. The Tunku, who was the PM at the time, was pro-Western and anti-Comm. Tunku wished to preserve MY's ties with the West, did not want neutrality.

Other than calls for **regional autonomy** in **managing great power intervention**, MY's proposal for neutralisation lacked a clear concise definition. Mainly consisted of following broad principles:

- SEA states would have respect for each other's sovereignty and territorial integrity with acceptance of principles of **non-interference and non-aggression**.
- **All foreign powers to be excluded from region.**
- Member states should derive ways to ensure peace amongst themselves.

Backdrop of ZOPFAN

27 Nov 1971, ASEAN foreign ministers met at KL to sign the Declaration. But security coop. was not easily realised given the different security concerns of its members. ZOPFAN was essentially a "soft and open-ended" agreement on broad principles previously laid out in 1967 Bangkok Declaration and not a framework of specific and legalistic measures.

- Differed in perspective over these issues;
- Aspirations for regional autonomy
- Dependence on external (specifically, Western) security guarantees
- Threat perceptions of China and post-war VIET.

Concerns

PH and TH concerned over implications on their Alliance relationship with the US, while **INDO**, given their staunchly anti-west views, was more concerned with the development of 'regional resilience', instead of seeking a guarantee from major powers with regards to region's neutrality. **MY** was similarly pre-occupied by desire for regional autonomy.

SG was more convinced interests were best served by maintaining involvement of powers in region, as it remained concerned about the potential threat of its much larger neighbours; did not wish to give up security agreements with FPDA.

Great powers were also hardly enamoured by the plan.

US had no desire to disengage completely from SEA, and

USSR wished to have greater role in SEA.

Only **China** agreed, since geographical proximity would allow it to exert influence either way.

ZOPFAN Blueprint only completed in 1976.

Assessing ZOPFAN

Indochinese wars continued, along with involvement of USA, USSR and China.

VIET invaded Khmer Rouge-ruled CAM (VIET supported by USSR, CAM and China)

USA's involvement continued (defence arrangements with PH)

No neutralisation of SEA.

However, ZOPFAN served an auxiliary purpose; to reaffirm ASEAN's core principles, and member states still remained committed to success of nascent organization.

Bali Summit

Treaty of Amity and Cooperation (24 Feb 1976)

Provided principles of non-interference and the pacific settlement of disputes; acted as a code of conduct governing inter-state interaction, can be seen as a formalization of the ASEAN Way.

- Also provided concrete steps to set up necessary legalities (High Council of Ministerial Representatives)

The High Council noted disputes and situations that were likely to disrupt regional peace, and was authorised to recommend appropriate measures for settlement, or advice, mediation and conciliation. Served as a mechanism ASEAN had formalised to solve intra-ASEAN disputes.

However, it has never been used. ASEAN members are pussies (unwilling to sit in judgement, fear negative repercussions). Doubts about the impartiality of High Council.

- ICJ served as a more fair system (e.g. INDO wanted to bring Sipadan-Ligitan dispute to High Council, but MY refused because they felt that ASEAN member states would side with INDO being more influential and powerful)

High Council is also only allowed to **recommend solutions to disputes**. (another reason why MY did not favour HC; without legally-binding judgement, dispute had no end in sight) In comparison, judgement of ICJ must be accepted by all signatories of the UN Charter.

However, the HC served as a progressive step in the integration of the region, shown in how it provides a legal basis for negotiations regarding disputes.

Similarly, the **Declaration of ASEAN Concord (1976)** once again reaffirmed essential principles and aims, as well as its commitment to ZOPFAN. However, did not show concrete plan of action to meet ASEAN's stated aims.

Through such formal treaties, norms were established with regard to regional cooperation;

- Non-use of force and peaceful settlement of disputes
- Regional autonomy
- Non-interference
- No military pacts; **reliance on bilateral defense cooperation outside the aegis of ASEAN.**

ASEAN and Cambodian Crisis (1978-91)

VIET invasion of CAM became a long-running regional security crisis; absorbed most of ASEAN's attention throughout 1980s.

- With VIET alignment to USSR and CAM with China, there were clear strategic reasons for invasion; with Sino-Soviet Split deepening in the 1970s, VIET was threatened by China and being surrounded by pro-Chinese forces. Fought to expel Khmer Rouge.

ASEAN swift and united response

By Jan 1979, VIET occupied Phnom Penh, and expelled Pol Pot Khmer Rouge regime. Former Head of State Sihanouk had fled to Beijing, where he was warmly welcome by Deng Xiaoping.

- VIET replaced Pol Pot's regime with a VIET-sponsored comm. govt under Samrin; its fast conquest of CAM was source of great concern for ASEAN, which was confronted by the spectre of a strong and dangerously aggressive Comm. state in their neighbourhood.

12 Jan 1979, a special Foreign Ministers' Meeting was held in Bangkok, and confirmed CAM people's right to self-determination and demanded immediate withdrawal of VIET forces.

- Followed by tabling of an ASEAN draft resolution on conflict in the UN Security Council in March 1979, which was adopted by UN General Assembly in Nov of the same year.
- On 14 Nov 1979, ASEAN sponsored a UN resolution which called for withdrawal of all foreign troops from both VIET and CAM, which also condemned the Chinese use of force.

ASEAN response was successful; can be seen in how ASEAN mobilised international opinion against the Heng Samrin govt, to the extent that UN even refused to recognise the regime.

ASEAN and the CGDK

ASEAN did in fact recognise that it could not be seen by the international community to overtly back a govt with such a brutal record of genocide; ASEAN supported a variety of opposition forces to the VIET govt, which eventually formed the loose alliance known as the Coalition Govt of Democratic Kampuchea (CGDK).

- Comprised of FUNCINPEC under Prince Sihanouk, Son Sann's KPNLF and the Khmer Rouge
- A fractious alliance; all groups were previously at odds with each other. Did not see eye to eye. However, formation of CGDK allowed further ASEAN efforts to internationalise the conflict and lobby for **international diplomatic opposition to VIET.**

ASEAN never closed doors to constructive relations with Hanoi and its allies in CAM, and there was possibility of a peaceful settlement to CAM issue by engaging in **active collective diplomacy for a political settlement**.

Testing the ASEAN Way

Unity and disunity in ASEAN's diplomatic efforts, 1979-91

ASEAN still faced the challenge of accommodating [different perceptions of threat](#) among members and maintaining a common diplomatic response.

- TH directly threatened by geographical proximity, SG small state wanted to uphold principles of non-aggression and non-intervention. MY and INDO were more concerned with involvement of major powers. MY as architect of ZOPFAN wanted major powers to stay away from affairs, while INDO shared affinity of decol. with VIET. Perceived threat from involvement of major powers. Geographically distant from VIET.

Despite strong unified stance at the outset of crisis, ASEAN's diplomatic efforts oscillated between unity and disunity over the next decade, as organisation strained to live up to principles of accommodation, compromise and consensus.

Kuantan Declaration, Mar 1980

First crack in ASEAN's position revealed here. Declaration stated that;

- VIET should not fall under Soviet influence, nor China's grip; hence, VIET was required to be free from dependence upon, or influence by, either USSR or China. VIET was welcome to negotiate with ASEAN once rid of superpowers.
- INDO and MY willing to accept VIET's position on CAM in exchange for peaceful conditions along TH-Kampuchea border
- Big power intervention in SEA was major cause of CAM's issue and not VIET occupation of CAM. Understandably, KD was not acceptable to TH, the frontline state of crisis. TH wished for direct solution to crisis that would address VIET's vast military strength and aggressive foreign policy.
- MY and INDO stepped away from KD in deference to TH's protest; ASEAN unity had been reasserted, but it showed the differing strategic priorities of ASEAN member states.

International Conference on Kampuchea (ICK), 1981

ASEAN continued efforts to find peaceful resolution. VIET refused to attend due to ASEAN and UN official recognition of CGDK as the legitimate government of CAM although major powers like PRC and US were there. Affected effectiveness of the conference.

- ASEAN proposed disarmament of all CAM factions and holding of free elections under supervision of UN, but plan was opposed by China.
- China stuck true to its plan of 'bleeding VIET white' through sustained intl isolation, and TH sided with China.
- **ASEAN's proposal was not adopted.** Conference eventually arrived at a consensus declaration which called for a ceasefire of warring CAM factions, and withdrawal of all foreign forces from CAM with free elections under UN auspices.

- ASEAN did not achieve its aims at the ICK, a *diplomatic defeat*. In the first place, ASEAN failed to include VIET, and meeting did not engage all parties involved. Forced into a watered down agreement by larger powers of US and China, and signs of disunity only sprouted.
- Yet, some would argue it was a success. ASEAN managed to maintain a front of unity against China despite emergence of differences between ASEAN member states, and 79 countries attended conference which gave it international recognition. Presentation of a reasonable framework by ASEAN also made VIET appear as the unreasonable stumbling block to any resolution. Nevertheless, ICK showed little real progress in terms of resolving the issue.

Five-Plus-Two (5+2) Talks, March 1983

MY planned to rope VIET and Laos in for discussion with the ASEAN member states on settlement of crisis (5 ASEAN states + VIET and Laos, 5+2)

- CAM factions would be excluded, circumventing the problem of which was the legitimate government of CAM.
- Both INDO and SG supported the suggestion, but TH and China objected.
- TH argued that while proposed talks excluded Heng Samrin's regime, it also excluded the CGDK; did not want ASEAN to hold post-invasion regional talks that would suggest that **VIET would not be punished for invading CAM**, since ASEAN recognised VIET as one of the main parties in negotiations.

The ASEAN Appeal, Sept 1983

Even though '5+2' failed, clear signal that changes were occurring in the approach taken by ASEAN states toward Cambodian crisis. A clear sign of increasing flexibility in ASEAN's diplomatic approaches was shown in ASEAN appeal.

- Signaled a more conciliatory stance by ASEAN; called for phased withdrawal rather than immediate withdrawal. TH also proposed withdrawal of troops 30km from the Thai border, TH had started taking a softer line towards VIET. No mention of UN and ICK.

INDO bilateral engagement with VIET, 1984

INDO engaged with VIET outside of ASEAN framework.

- Feb 1984, INDO Foreign Minister announced ASEAN was prepared to meet VIET halfway. General Benny Murdani's visit to Hanoi, and his declaration that VIET did not pose a threat to the region suggested that INDO was willing to provide VIET with a sympathetic ear within ASEAN. Once again showed difference in opinion; TH still perceived VIET as a threat.

Dry Season Offensive (1984-85) and ASEAN response

Despite ASEAN's efforts to engage VIET, VIET engaged in large-scale dry season offensive along TH-CAM border in Nov 1984. Targeted Khmer Rouge KPNLF resistance fighters operating along the border. '16-Camps Campaign' as they hit 16 camps of enemy fighters.

- Significant clashes between VIET and TH troops, VIET pursued fighters deep into TH territory.
- VIET had goal of eliminating CGDK as viable alternative to Heng Samrin govt that it was propping up in Phnom Penh. This would pave its withdrawal from CAM, and Heng Samrin's pro-VIET govt to stay in power.
- By April 1985, VIET succeeded in destroying or capturing 16 camps, and military success of the operation raised morale. VIET wanted to put forth a visage of strength such that it could negotiate with ASEAN from a position of power.

TH shocked at how effective People's Army of VIET (PAVN) and how easily CAM resistance had been swept aside. Once again felt acutely the threat of its own national security. ASEAN was also taken aback by its military strength.

- ASEAN appealed for USSR to cut aid to VIET if latter continued its military conquest.
- A week after appeal to USSR, ASEAN Foreign Ministers met up to discuss CAM Crisis and other matters, and issued strong-worded statement on ongoing VIET operation, which included clauses that *urged major powers to increase military aid to support CAM resistance*. **Ran contrary to ASEAN's hallowed principles that disputes should be ran peacefully, and perhaps illustrates depth of alarm felt by ASEAN in wake of VIET military victory.**

VIET's show of force allowed all member states - at least publicly - to rally behind TH and condemn the VIET offensive.

'Proximity Talks', 1985

Yet ASEAN unity once again showed its crack(s); differing strategic perceptions and priorities again came to the fore.

MY brought forth the idea of 'PT' in May 1985.

- Objective of the talks were to bring together, for the first time, the UN-recognised CGDK and the Hanoi-backed Heng Samrin govt in an attempt to make CAM resolve the conflict by themselves. This way, situation would not be complicated by major powers.
- TH objected to the plan, arguing that only including the CGDK and the Heng Samrin regime would imply that conflict was only a civil war, neglecting the fact that VIET been instrumental to the outbreak of the conflict. Showed that MY and INDO viewed the crisis and significance of VIET different from TH.
- Proposal rejected by VIET; involvement of UN was seen as a departure from ASEAN's earlier position in 1983 ASEAN Appeal, where it offered settlement of CAM problem outside of UN framework.

JIM I, July 1988

New, innovative meeting format, takes place in 2 stages: the Khmers (representatives of Heng Samrin and CGDK) would meet first, and then negotiations would occur between CGDK and VIET. Format designed to let CAM solve their own problems without the image that CAM conflict was a civil war.

Viet's participation in the format was significant, given that it had rejected all of the previous attempts at reaching a political settlement to crisis.

- Given its movement towards Doi Moi, it began to realise the importance of mending fences with its neighbours, and the upkeep of 180,000 troops occupation army in CAM was exerting a heavy burden on the economy; political resolution would free up resources for eco. devt. Gorbachev 'New Thinking' policy also cut its aid to socialist allies all around the world, including VIET.

However, VIET continued to be inflexible in meeting, persisted that withdrawal from Kampuchea was only possible if threats of China, CAM resistance and TH were removed. Nevertheless, JIM I established several key elements for comprehensive settlement of the conflict.

- The withdrawal of VIET troops
- Cessation of external aid to opposing Khmer forces
- Need for international supervision to monitor withdrawal
- Need for free elections
- An interim government in post-withdrawal CAM
- Need for a sovereign, independent, and neutral CAM
- The 'non-return' of the policies of the Khmer Rouge, and the linkage between the withdrawal of VIET troops and the cessation of external aid to both sides of the Khmer divide.

Marked a break in CAM stalemate; achieved due to ASEAN's principles of compromise and accommodation, as member states managed to accommodate different interests; ASEAN Way validated

Turning Indochinese battlefields into marketplaces, 1988-90

ASEAN members started acting unilaterally. TH started to pursue eco. opportunities with VIET. Noticed VIET movement toward capitalist models, hoped to exploit VIET market for TH goods. Followed by INDO (Suharto)'s historic visit to VIET in Nov 1990 to increase eco. talks.

- Seen negatively by other ASEAN members, saw TH driven by selfish eco. gains, would damage ASEAN's steadfast opposition to VIET's installed regime in Phnom Penh.

Showed inability of regional organisation to present unified stance.

Suharto's visit had less of a negative impact because by then crisis was already clearly moving towards resolution, and ASEAN also saw the benefits of working together with VIET.

The moral dilemma

Despite private moral reservations against Khmer Rouge regime, ASEAN had to support their participation in CGDK in order not to undermine ASEAN solidarity for principles of territorial integrity and non-aggression. Ultimately backed Khmer Rouge (a brutal regime) because it perceived VIET to be a bigger threat.

Morality vs Reality; some states wanted nothing to do with Khmer Rouge, but SG together with TH was firmest in promoting KR resistance to VIET.

CGDK was put together to restrain the KR. Helped to shore up waning support for ASEAN's cause, as it was propping up CGDK not KR.

ASEAN opposition to VIET also due to sense of betrayal, when Pham Van Dong went in a round of visits but never disclosed his true intentions.

Settlement of CAM issue (23 Oct 1991)

JIM I followed by JIM II in Feb 1989; but II failed because of differences in opinion on implementation - especially on how various CAM factions would share power in new CAM state. As continuation of JIM II, countries agreed on an international conference - **first Paris Conference**.

- 19 countries, USA, USSR, China, France, INDO brought together
- INDO acted as ASEAN's main representative
- However, meeting **failed** as;
- CAM could not agree on whether the UN should oversee the International Control Mechanism (ICM) that would supervise a settlement in CAM
- CAM could not agree how to bring about national reconciliation among CAM parties; Sihanouk wanted KR rep. to be included in interim govt, which Hun Sen, who had replaced Heng Samrin opposed it
- Reflected a fundamental lack of strategic interest amongst powers in CAM, and reluctance was perceived as a lack of urgency for a speedy and comprehensive settlement to CAM conflict

Eventually, Agreement on a Comprehensive Political Settlement for the CAM Conflict was signed on **23 Oct 1991** at end of 2nd Paris Peace Conference, and UN was given mandate to end the conflict (End of CW, UN desired to assert role in newly multi-polar world).

CAM issue was a severe test of ASEAN's informal conflict management mechanisms (dialogue and consensus), accommodation of different interests, and norm-building in regional peace and security efforts.

Success of ASEAN in handling crisis

Even though it was **UN** who settled crisis, CAM issue has often been raised as ASEAN's finest moment since formation; shown in firm position which ASEAN steadfastly took and collective diplomacy which it pursued despite moral pressures.

- Induced nearly uniform rejection of VIET's actions from the get-go, isolating VIET in, for e.g. the UN, where VIET sought for its CAM govt to be recognised and seated.
- ASEAN lobbying at each annual UN session was successful in defeating recognition
- Successfully guided resolution through UN General Assembly that called on VIET to withdraw from CAM and allow CAM to choose own government.
- CGDK was dominated by brutal Khmer Rouge and was a fractious coalition; mustered little support amongst the CAM populace, while Heng Samrin govt was backed by VIET and appeared to be a potent threat to regional security by aggressive VIET. ASEAN successful in diluting the influence of the KR by forming CDGK; and while it had its own problems, it represented efforts toward a new, viable and broadly representative govt for CAM.

Limitations of ASEAN in handling crisis

Differences between ASEAN members emerged;

- TH had greatest military concerns,

- PH, at the other end of the spectrum, saw the changed situation in Indochina as posing little threat to its interests,
- INDO and MY, both viewed China as primary threat, were more conciliatory to VIET,
- INDO made serious bilateral overtures towards VIET, as it sought solution outside of ASEAN framework. Mid 1980s, aggressively sought solution through bilateral action, although did not reject ASEAN strategy
- SG supported TH position, but raised concerns about increasing bipolarisation of region
However, more-or-less consistent regional policy in opposition to VIET.
- Fractious CGDK with violent KR mustered little popular support in CAM populace; ultimately, **in final resolution of CAM crisis, ASEAN was marginalized by bigger powers like UN Permanent Five. Showed that it was incapable of ensuring regional security without aid of larger and stronger countries. ZOPFAN was trash.**

ASEAN Regional Forum (ARF), 1994

Post CW context

USSR - dissolution of Soviet Union and a rethinking of Soviet policy in Asia-Pacific to reduce international tensions and preserve peace and security through regional coop.

US - with collapse of SV, US worked towards reduced role in Asia by cutting mil. forces by 12% by end of 1992. US bases in PH closed by 1992.

China - relations with SEA improved when China disengaged from CAM crisis, and supported ASEAN's efforts toward settlement (e.g. Jakarta Informal Meetings)

Loss of US as regional counterweight to other ambitions would lead to a power-vacuum and strategic uncertainties; in this context and with CAM crisis settled, ASEAN started to pursue security arrangements based on multilateralism and engagement of external powers in post CW period.

Development of ARF

In July 1993 meeting in SG, intention to establish the ARF was announced, and the Asia-Pacific Forum was promising to promote open dialogue on political security cooperation in the region. In this context, ASEAN should work with ARF partners about a **more predictable and constructive pattern of relations** in the Asia Pacific.

ARF modus operandi consisted of promoting confidence building measures (CBMs), preventive diplomacy mechanism and conflict-resolution mechanisms. Activities toward mechanisms included:

- High level defense contacts and exchanges
- Publication of defense policy papers
- Recognition and support for international agreement such as the Non-Proliferation Treaty, Chemical Weapons Conventions, Biological Weapons Convention, etc.

Focus of ARF is on dialogue and confidence building rather than concrete military co-op. Soft forms of cooperation have been **criticised**. ARF served as a "talk-shop".

Evaluating ARF - Can ASEAN lead ARF effectively?

ARF showed slow progress in meeting objectives; its members focused on the first stage in the 1990s, only attempting to define 'preventive diplomacy' and suggest principles to guide its practice in 2001, during the 8th ARF meeting; no **structural developments to manage real conflict**.

- Goal of ARF was to keep **all members** engaged in consultative process; all members have to agree to discuss issues before they actually discuss them. If a member does not wish for ARF to intervene, it would not be able to do so. Very much in line of ASEAN Way, and opens up ARF to same criticism of ASEAN's consensus based approach; weak, watered down decisions and inefficient.

On the other hand,

- It can be argued that keeping all members in consultative process itself aids confidence-building, and therefore reduces the potential for conflict to occur. Thus, ARF is able to achieve key goal of preserving security in Asia-Pacific region even without progression in terms of structural developments to manage conflict.

Significance of ARF in ASEAN's efforts to build regional peace and stability

ARF marked turn toward ASEAN's engagement of the major powers and a new **multilateralism**. Yet, both ASEAN Way and ARF have imposed limits on this regional endeavour. Most glaring is ARF's lack of capacity to resolve intractable regional conflict such as interstate disputes in the South China Sea. ASEAN Way deals with conflicts through conflict avoidance and management; insufficient to address **real security problems**.

- China's refusal to give ARF a voice due to its consensus-based approach (cannot force China to listen), ASEAN has also been unwilling to press China with issues on SCS dispute as it fears alienating China from ARF..

Evaluations of ARF must be **weighted against realistic expectations**.

Southeast Asian Nuclear Weapon-Free Zone (SEANWFZ), 1995

Idea of nuclear-free zone was mooted in 1971 by ZOPFAN; SEANWFZ Treaty provides for dispute settlement at ICJ as a last resort.

South China Sea disputes

Context: disputes within the South China Sea

South China Sea is home to complex web of territorial claims between multiple states. Two main island groups disputed; the Paracel Islands and the Spratly Islands.

- China and VIET dispute possession of Paracel Islands, which are roughly equidistant from the coastlines China and VIET.

- China, VIET, MY, PH, Brunei dispute possession over all or part of the Spratly Islands. China and VIET both claim all of the islands, while MY, the PH and Brunei only claim parts of the Spratly Island group.

- The Republic of China, ie. Taiwan, claims the same areas as the PRC in accordance with the 'Nine-Dash Line', has suspended its claim since 2005.

Both island groups are believed to contain substantial reserves of oil and natural gas, along with being surrounded by rich fishing grounds. Disputes have hence arisen over issues such as

boundary demarcation, exclusive economic zones (EEZs), fishing rights and resource exploitation.

- Proximity of Paracel Islands to China's Hainan Island - where it possesses key military installations - means China sees island group as being vital to security.
- Strategic location between Indian Ocean and West Pacific means that Spratly Island commands the southern entrance to the South China Sea. Strategic dimension was more important for China in 1970s because of buildup of Soviet naval forces in area.

Motivations for conflicting claims

- VIET claims on Spratly and Paracel Islands based on **historical** records. VIET claims to have occupied both islands from 17th century onwards. Majority of islands lie in 200 nautical miles of VIET's geographical baseline, thus legally lying in VIET; however, it also lay in 200 nautical miles from China.
 - PH govt, while basing argument on historical treaties, and Spratlys lies in EEZ, has also invoked **national security** concern given proximity of island to PH archipelago. When TH forces occupied island of Itu Aba, PH issued formal statement in June 1978, to the effect that the occupation constituted a threat to PH. **Oil resources** of Spratlys took on a new strategic perspective in the PH, with drastic oil price increase in 1974 crisis - with oil from Spratlys, boost ED.
 - MY and Brunei claim parts of Spratlys that lie within their EEZs
 - INDO repeatedly asserted status as a non-claimant state, but PRC's 'Nine-Dash Line' appears to overlap with INDO's EEZ.
 - PRC claims entirety of SCS by ill-defined 'Nine-Dash Line', govt insists claim is backed by historical ownership of the area since the Han dynasty
- Notable that many of these claims - especially VIET and Chinese claims - are rooted in historical precedent rather than international law, which explains in part the reluctance of these govts to take disputes in for judgement by the ICJ. Prolonged these disputes.

1988 onwards - strategy of escalation by China

Until 1988 China occupied no island in the Spratlys; taken control of the Paracel Islands after a skirmish with South VIET in 1974. From 1988-1995, tensions between China and various SEA countries escalated over SCS. Suggests that even if source of tension had been present, the **escalation of tensions was in large part a result of policy choice**, determined by domestic considerations.

- 1974, China clashes with SV, defeating South VIET navy and expunging VIET presence in Paracel.
- 1988, Chinese and VIET troops clash in Johnson South Reef Skirmish in Spratly. Chinese emerge victorious
- 1992, China passes its '**Law of Territorial Sea and Contiguous Zone of the PRC**' which states that **Paracel and Spratly Islands are sovereign Chinese territory**.
- 1995, China's occupation of Mischief Reef led to row with PH. Additions to Chinese structures on Mischief Reef occurred over 1996-1998.
- Mar 1995, China fishing boat fired upon by MY naval vessels
- April 1997, PH start challenging China's claims on Spratlys

China's strategy of escalation can be seen as a result of **Chinese intra-bureaucratic policies**. More nationalistic, aggressive, and expansionist stance in external territorial tensions due to

Tiananmen incident. **Asymmetry of power** between China and other countries has also limited effectiveness of the region in dealing with tensions. Development of tensions are largely due to China's foreign policy.

ASEAN role in SCS disputes

As many of claimant states are ASEAN members (MY, Brunei, PH, VIET, maybe INDO), organisation is increasingly pulled into dispute.

1992, **ASEAN Declaration on the SCS**, ascertained ASEAN norms. Direct response to China's Law.

ASEAN powers saw the need to deal with apparently larger and aggressive power in a united front, which parallels their overall stance during CAM crisis.

EVENT	RESPONSE
China passes its 'Law of Territorial Sea and Contiguous Zone of the PRC' which states that Paracel and Spratly Islands are sovereign Chinese territory.	ASEAN Declaration on the SCS , ascertained ASEAN norms.
China's occupation of Mischief Reef led to row with PH. Protests to Chinese structures on Mischief Reef occurred over 1995-1998.	China-ASEAN forum - strong stance against Beijing's aggression in SCS. Targeted Mischief Reef. 1995, ARF Meeting where China did not want issue to be added on ARF agenda; ASEAN secured Sino-ASEAN multilateral consultations on security issues e.g. on Spratlys Islands.

Effectiveness of responses limited; China rejected ARF role in dispute, and was stronger than all ASEAN states combined. Informal workshops however did more; South China Sea Workshop process (1990), effective as confidence-building measures to help reduce possibility of escalation of tensions within SCS. Not meant to resolve conflict resolutely.

Further progress made in **2002** when Declaration of Conduct on the Parties in the SCS signed between China and ASEAN. Commits all parties to binding code of conduct to regulate behaviour in SCS.

However, situation still remains volatile; China building of 'blue-water navy', an ocean-going fleet that can be used of power projection - and might well use it to assert claims on SCS. Undertaken further construction and land reclamation measures in Spratly Islands.

Conclusion: ASEAN and the SCS disputes

SCS dispute is important in examining ASEAN effectiveness in;

- Building and preserving regional peace and stability, as it strives to prevent escalation of disputes,
- Disputes pit ASEAN against China, a case study for relationship with external powers,

- Tested ASEAN unity, differing national interests of nations have undermined its unified stance on issue. Overlapping claims of SCS between ASEAN nations.
- Effectiveness of ASEAN norms of conflict management in addressing the disputes can be evaluated.

