

ASEAN at 40

Still Relevant?

Introduction

Challenges Facing ASEAN:

1. Coping with transnational dangers: financial crisis, terrorism, pandemics, haze
2. The rise of China, India, and their interaction with other great powers
3. The implications of domestic strife in member states, like Indonesia, Thailand and the Philippines, political situation in Myanmar

ASEAN's Record at 40: Successes

- Survival despite doubts
- Avoiding war among members
- Engaging outside powers
- Providing a platform for further institution-building in Asia Pacific

ASEAN's Failures/Limitations

- Unused mechanisms for conflict resolution
- Inability to deal with internal problems of members with regional implications
- Mixed performance over transnational challenges
- Limited institutionalisation and legalisation
- Lack of engagement with civil society

Future of ASEAN

- A sunset organisation?
- 'Irrelevance'?
- Must 'reinvent itself'

ASEAN Charter: EPG Report Highlights

- Stronger institution: Ministerial level Secretary-General; 4 deputies; Professional staff
- ASEAN Council (Government leaders) meeting twice a year
- Councils of three Communities: Economic, Security and Socio-Cultural

Decision-Making

- Majority voting if no consensus can be reached in non-sensitive areas (exclude security and foreign policy)
- Dispute settlement mechanisms in all areas
- Culture of compliance with ASEAN decisions, agreements and timetables
- Suspension of membership rights and privileges for members who violate ASEAN objectives, principles, treaties, and commitments

- Relax (“calibrate”) noninterference principles to deal with common problems
- Vision of an ASEAN Union

Challenges/Problems

- How much of the EPG report be accepted in the final Charter.
- Dispute-settlement: will member states take their disputes to ASEAN when there are global bodies, like the ICJ?
- Decisions about punitive measures for noncompliance, left to ASEAN Council. Will it act to enforce?

- “Calibrating” noninterference: what does it mean in practice? Unless there are specific institutions that have the mandate to act supranationally, like a regional peacekeeping force, regional disaster assistance mechanism, regional fire brigade, etc.
- Too many objectives (19) and principles (23). Many are vague, some are too general.

- New elements include: respect for human rights and upholding of democratic values. Will these be upheld in practice when several members do not have democratic political systems?

- In theory, the Charter is a great idea. The EPG report is bold and creative. The challenge lies in implementation.

- “ASEAN’s problem is not one of lack of vision, ideas, and action plans. The real problem is one of ensuring compliance, and effective implementation of decision.”

Will this apply to the EPG Report and the Charter?