



# ASEANFocus



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# “Staying above the fray of major power rivalry and maintaining ASEAN cohesion are but two challenges that will continue to shadow ASEAN in the coming years.”

better than a whitewashed document. Staying above the fray of major power rivalry and maintaining ASEAN cohesion are but two challenges that will continue to shadow ASEAN in the coming years. This is among several points to ponder when Laos takes up the baton for the 2016 ASEAN chairmanship.

Even as we embark on this new stage in ASEAN's journey, community-building remains ASEAN's top priority. The post-2015 agenda will be more challenging and complex as “low hanging fruits” have been picked and a higher level of cooperation is needed to reap the benefits of “high hanging fruits.” In this respect, we will be devoting a special issue of *ASEANFocus*, due out in January 2016, to discuss the next phase of ASEAN community-building as set out by the new ASEAN 2025 Agenda, and to analyse the political-security, economic, and socio-cultural blueprints for the next ten years.

In this last issue for 2015, *ASEANFocus* turns its attention to the East Asia Summit (EAS), which commemorated its tenth anniversary in Kuala Lumpur this past November. Looking ahead to the future role and reach of the EAS, analysts from the United States, Russia, and Southeast Asia have shared their viewpoints. The advent of the ASEAN Economic Community (AEC) as a reality occasions a think-piece from Professor Hal Hill, who also serves on ISEAS-Yusof Ishak Institute's International Advisory Panel. Professor Hill assesses the challenges beyond ASEAN for the newly-established AEC. The continuing concern over freedom of navigation in South China Sea will be the subject of a discussion between Dr. Euan Graham and Dr. Tang Siew Mun. Turning closer to the region, Ms. Moe Thuzar, who coordinates the Myanmar Studies Programme at ISEAS, gives an update on the landmark November 8 general elections in Myanmar.

In our regular sections, *ASEANInfo* focuses on the travel and tourism aspects of people-to-people connectivity across ASEAN. *People and Places* features the eminent Vietnamese mathematician and Fields Medallist Professor Ngô Bảo Châu, and the mysterious Plain of Jars in the heart of the Lao countryside. *Insider Views* is honoured to have Dr. Surin Pitsuwan, the Secretary-General of ASEAN from 2008 to 2012, share his thoughts on ASEAN's future.

From all of us at ISEAS-Yusof Ishak Institute and the ASEAN Studies Centre, our warmest wishes of the season and a great 2016 ahead!

**T**he 27<sup>th</sup> ASEAN Summit and related meetings held in Kuala Lumpur, Malaysia, from 18 to 22 November 2015, marked a special occasion for ASEAN. The ASEAN Leaders adopted the Kuala Lumpur Declaration and formally announced the establishment of the ASEAN Community at year-end, and also unveiled the ASEAN 2025 Agenda, which provides a roadmap for intensifying integration and community-building efforts over the next 10 years. Malaysia, which helms ASEAN as rotational chair for 2015, was commended by its fellow ASEAN members as well as external partners for steering a steady course for regional cooperation throughout the year. This included some skilful navigating of tensions at the ASEAN Defence Ministers' Meeting Plus (ADMM Plus) held in early November before the 27<sup>th</sup> ASEAN Summit. Due to differing views on what to say and what to omit about the South China Sea, the ADMM Plus, where defence ministers from the ten ASEAN member states and eight external dialogue partners (including China and the United States) discuss issues of shared concern and interest, could not agree and therefore did not issue their usual joint declaration. This took some courage and consideration on the part of the Chair (Malaysia), to decide that an admission of differing views would serve regional interests

# 3 Perspectives on the East Asia Summit



## Keeping the East Asia Summit as a Platform for Regional Cooperation

BY TANG SIEW MUN  
& JASON SALIM

The East Asia Summit (EAS) returned to the place of its inaugural meeting in Kuala Lumpur for its tenth meeting on 22 November 2015. Originally conceived by the East Asia Study Group (EASG) as the primary vehicle to strengthen inter-regional cooperation between Northeast and Southeast Asian states, it soon broadened its membership beyond these geographical boundaries to include Australia, India, and New Zealand. Russia and the US joined the club in 2011, bringing the membership to 18 countries.

Almost at the onset, the EAS was faced with the vexing question of maintaining “strategic balance”. The EASG’s vision of introducing the EAS as a mechanism to institutionalise the ASEAN Plus Three (APT) process to advance cooperation between ASEAN and the Northeast Asian states of China, Japan, and South Korea was confronted with the prospect of being overwhelmed by China’s strategic and economic weight.

Australia, India, and New Zealand were therefore invited to join the EAS to assuage this concern, as well as to expand the APT process to include some of ASEAN’s major Dialogue Partners. Russian and US participation – especially the latter – ensured that Southeast Asia’s regional security would feature in the strategic calculations of the two large Pacific powers. As the EAS celebrates its 10<sup>th</sup> anniversary, there have been calls to reflect on its continued relevance in the East Asian regional architecture. Recent declarations and statements made either collectively by the EAS or by its chair at this year’s Summit, Malaysia, sought to address this point.

The joint declaration by all EAS member states commemorating its first decade outlined their shared intention to, among other things, enhance the role of the EAS chair, establish the Committee of Permanent Representatives (CPR) of ASEAN in Jakarta as the point of contact with other non-ASEAN EAS

## “For all its perceived shortcomings, the EAS remains a crucial forum for strategic dialogue in the Asia-Pacific region.”

member states, as well as create a dedicated unit handling EAS matters within the ASEAN Secretariat.

The EAS member states also designate the ASEAN CPR to liaise with the non-ASEAN EAS member states in implementing EAS decisions. This meant that the CPR, which is still striving to fulfill its mandate in coordinating cooperation among ASEAN member states, would now have the added responsibility of managing ASEAN’s relations with some of its most important dialogue partners. Furthermore, the proposed and as yet unnamed EAS “Unit” is reminiscent of the ASEAN Regional Forum (ARF) Unit. Hopefully, the former would not go the way of the latter in being saddled with chronic understaffing and limited resources.

For all its perceived shortcomings, the EAS remains a crucial forum for strategic dialogue in the Asia-Pacific region, and it has been underpinned by the six priority areas of energy, education, finance, global health, environment and disaster management, as well as ASEAN Connectivity. However, an interesting development in this year’s Summit was the adoption of a joint statement on enhancing regional maritime cooperation despite it not being one of the agreed-upon functional cooperation areas. What makes it even more intriguing was that among its five co-sponsors were China and the United States, who were increasingly locked in a dangerous game of brinkmanship over the South China Sea.

Questions will arise as to the motivations behind their cooperation on this joint statement as well as the dangerous potential of the EAS being hijacked by disagreements over the South China Sea, as it has in the ADMM Plus. Nonetheless, this collaboration between these two giant Pacific powers should be seen in a more positive light, and showcases the ability of the EAS to provide a platform for further cooperation between the two powers.

These steps in the right direction provide the EAS much needed institutional support and structure. The challenge, however, lies in translating these ideas into practice. For example, enhancing the role of the EAS chair in an effort to synergise the EAS with the ASEAN Defence Ministers’ Meeting Plus (ADMM Plus)

might create the danger of conflating the ADMM Plus’ formal setting with the EAS’ less formal atmosphere.

This is not an inconsequential point. ASEAN member states are constantly concerned that efforts by their non-ASEAN counterparts to push for institutionalising the EAS will dilute its informal nature. ASEAN’s preference for a loose mechanism stems from the belief that this format facilitates free-flowing and frank discussions. This is but one of the several sticking points drawing the fine line between ASEAN and non-ASEAN member states of the EAS.

After side-tracking the issue of strengthening the EAS since its inception, ASEAN took measured steps towards loosening its iron grip on the region’s 18-country summit. Detractors will pan these measures for not going far enough in providing sufficient buy-in for non-ASEAN states. The establishment of the EAS Unit, for example, was an example of ASEAN’s efforts to reconcile the imperative of ASEAN’s maintaining control of the EAS with the pressure of giving an increased role to the non-ASEAN member states.

How does ASEAN address this dilemma? Maintaining a stranglehold over the EAS may cause external parties to lose interest. On the other hand, if ASEAN loosens its grip, it might inadvertently expose the EAS to the kind of divisive *realpolitik* and major power posturing that have plagued other ASEAN-led processes. To be sure, affirming centrality does not entail ASEAN clinging on to its “managerial” power. ASEAN centrality requires, first and foremost, for ASEAN to be relevant to the major powers. This goal is achieved by ASEAN’s astute stewardship of regional cooperation mechanisms that provide strategic space and opportunity for the major powers to embed themselves in cooperative ventures in the region. In short, ASEAN’s firm grip on the EAS ensures that the agenda does not run ahead of politics and for the 18 member states to stay focused on the six priority areas of cooperation. ■

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## The United States and the 2015 East Asia Summit

BY ALICE D BA

**“The attention given to South China Sea developments at this year’s leaders’ summit seem generally to be in support of that US interest, though also very much conditioned by the fact that Malaysia chaired the EAS this year.”**

President Barack Obama arrived at the EAS meeting in Kuala Lumpur with a number of priorities, of which three clearly dominated: 1) to reinforce the US position against China’s construction activities in the South China Sea; 2) to reassure US allies in Asia about the credibility of US strategic, economic, and institutional commitments – as expressed in its “rebalance” policies – to Asia; and 3) “to advance... a rules-based regional order.” President Obama’s statements before arriving in Kuala Lumpur, as well as US sail-by and over-flight actions, all but assured that the South China Sea would be “a major topic” at the November meeting.

Did the EAS deliver on these priorities? Yes and no. The EAS offered President Obama the opportunity to reiterate Washington’s objections to China’s construction activities, as well as other assertions of jurisdiction, that it considers to be potential threats to freedom of navigation. Indeed, President Obama tabled the issue early in the day, thus reinforcing the message previously conveyed by Secretary of Defense Ashton Carter at the ADMM Plus meeting earlier the same month, Obama’s own statements made days before in Manila, where he was attending the APEC meeting, not to mention US sea and air operations conducted near Chinese construction activities in the weeks and days leading up to this fall’s round of meetings.

Under Malaysia’s chairmanship, the EAS produced some distinct deliverables in support of Washington’s identified priorities. Prime Minister Najib made “a rules-based order” the centerpiece of this year’s EAS.

Citing United Nations Convention on the Law of the Sea, the Declaration on the Conduct of Parties in the South China Sea (DOC) and ongoing Code of Conduct negotiations, the 2015 EAS Chairman’s Statement was additionally supplemented by a joint EAS Statement on Enhancing Regional Maritime Cooperation, which included long sections on the need for all to act in support of the principles and spirit of UNCLOS. Similarly, the ASEAN-US summit that immediately preceded the EAS offered the United States the opportunity to join its ASEAN counterparts in affirming principled concerns about “freedom of navigation of, in and over-flight above the South China Sea.” Their joint statement also officially endorsed Washington’s request that the US-ASEAN relationship be elevated to a strategic partnership. In addition, President Obama invited his ASEAN counterparts, who accepted, to attend an informal ASEAN-US Summit in California in February 2016.

While the EAS proved to be not as heated as the ADMM Plus (perhaps due to the individuals involved), differences between the United States and China remained sharp. China’s Vice Foreign Minister Liu Zhenming’s comment that China would continue to “expand and upgrade” Chinese facilities on “islands far away from [the Chinese] mainland” did little to reassure Washington about the sufficiency of this year’s EAS in moderating China’s position and South China Sea activities. Nor does it allay Washington’s persistent concerns about the utility of ASEAN institutions in responding to what some US officials call “real issues”.

Going into the EAS meeting, US representatives stated their desire to see the EAS being more flexible in responding to real time challenges, as opposed to being constrained by predetermined agendas. The attention given to South China Sea developments at this year’s leaders’ summit seem generally to be in support of that US interest, though also very much conditioned by the fact that Malaysia chaired the EAS this year. Also, recent US maritime actions, though welcomed by some in ASEAN, also underscore persistent questions about ASEAN frameworks and may sit in tension with Washington’s interest in proving to ASEAN states its long-term commitment to regional frameworks such as the EAS. Here, President Obama’s commitment to attending the EAS, as well as APEC, despite recent terrorist attacks in Paris and Mali served to reinforce a larger message about the long-term credibility of the US rebalance – though this message is also complicated by the uncertainties created by upcoming US presidential elections. Any US desire to build momentum for ratifying the recently-negotiated Trans-Pacific Partnership at this year’s leaders’ summit would have been similarly complicated by outstanding questions about the next administration. ■

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## Can the East Asia Summit Continue to Prop up ASEAN Centrality?

BY VICTOR SUMSKY

When the 1<sup>st</sup> East Asia Summit (EAS) was convened in Kuala Lumpur in 2005, it was not supposed to deal with regional security issues, probably because its founding member states were apprehensive that focusing on sensitive regional security matters might result not so much in agreements and cooperation, but in deeper divisions among them.

Neither the US nor Russia were among the founding member states. While the former seemed disinterested in joining, the latter did apply for membership but was denied it on the grounds that it did not have ‘substantial’ relations with East Asian partners, primarily in terms of trade and investment. However, five years later, following the EAS’s decision to discuss security, the Americans and Russians were both invited to join in 2011.

Behind the decision to expand the EAS membership and its agenda was ASEAN’s concern that, in spite of all the economic interdependency between East Asian countries, the conflict potential of the region was growing. A wider and mutually neutralising presence of major powers was probably viewed as a means of arresting this trend – and of sustaining ASEAN’s much-valued regional centrality. Disturbing as some of them were, political changes in the area were still proceeding in a more or less evolutionary way. As long as East Asia was economically doing what it was doing, things still looked tolerable and there seemed to be enough time ahead for a calculated, step-by-step movement towards the new regional security architecture.

**“Adherence to the principle of ASEAN centrality was emphasised by all ASEAN’s dialogue partners without exception and there is an underlying feeling that the practical maintenance of this ASEAN centrality is turning into an uphill task.”**

Today, in late 2015, what is the situation following the recent series of ASEAN Summits in Malaysia? Yes, the ASEAN Community has been launched as expected; and a number of new Action Plans and the Road Map for 2016-2025 are there to prove that ASEAN remains determined to deepen and diversify its connectivity. The 10<sup>th</sup> EAS did not fail to denounce violent extremism, and stressed the need to confront the Islamic State by preaching moderation on a global scale. Neither did it ignore the imperative of regional maritime cooperation and the situation in the South China Sea.

Against this background, adherence to the principle of ASEAN centrality was emphasised by all ASEAN’s dialogue partners without exception. Yet, there is an underlying feeling that the practical maintenance of this ASEAN centrality is turning into an uphill task. The so-called Asian paradox (the phenomenon of sharpening strategic rivalries between close economic partners), and the increasing complexity and ever-quicken pace of development in the region are hardly conducive to a stronger ASEAN solidarity. Suffice it to say that on the eve of the Kuala Lumpur summits, four out of the ten ASEAN members chose to join the Trans-Pacific Partnership (TPP) led by the United States instead of waiting for the launch of ASEAN’s own Regional Comprehensive Economic Partnership (RCEP). Soon after that, the ASEAN Defence Ministers Meeting Plus (ADMM Plus) failed to work out a joint position regarding the new round of tensions in the South China Sea.

Is ASEAN centrality – and with it the whole set of dialogue platforms based on it – in jeopardy? If so, what exactly can be done to bring the operation of the EAS (as well as the ASEAN Regional Forum and the ADMM Plus) in line with the changing realities? In the absence of serious responses to these and related questions East Asia’s future may not turn out to be as bright and predictable as many people still anticipate. ■

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# Challenges for ASEAN beyond the AEC

*Deeper economic integration is one of the most important raison d'être of the newly-established ASEAN Community, but can the ASEAN Economic Community withstand the challenges from outside?*

BY HAL HILL



**ASEAN** is the most dynamic group of economies and the most successful regional association in the developing world. It owes its success primarily to its members' economic dynamism and the political stability most of them have enjoyed over several decades. The 2008 Growth Commission report, sponsored by the World Bank, asked the question "How many instances of rapid and sustained economic growth have there been in the past century?" Adopting as a benchmark at least 7% annual average growth for at least 25 years, their conclusion was that only 13 economies out of the 150 for which there were estimates achieved rapid growth. Nine of the 13 were in East Asia, and four of these were in Southeast Asia: Indonesia, Malaysia, Singapore, and Thailand. In retrospect, Vietnam should also have qualified. This growth momentum has been driven by the embracing of global economic opportunities, by generally prudent macroeconomic management, and by mostly inclusive growth.

Institutionally, ASEAN has underpinned this transformation. It is the most durable regional association in the developing world. The key to its success and longevity has been the performance of the individual countries, combined with an economic strategy characterised by one of the region's great public intellectuals, the late Dr. Hadi Soesastro, as "outward-looking regional integration". Sometimes characterised as "open regionalism", and unlike the preferential arrangements adopted by the EU, NAFTA, Mercosur and others, the ASEAN countries have always looked outwards. A significant proportion of ASEAN's internal trade preferences have been "multilateralised", that is,

they are applied to all trading partners. In fact, less than 10% of intra-ASEAN trade avails of preferences under the ASEAN Free Trade Agreement, because the margins of preference between the generalised and preferential tariffs are now generally minimal (and the administrative procedures are still quite cumbersome).

An understanding of ASEAN's commercial realities explains such a practice. First, unlike the EU, most ASEAN trade is extra-, not intra-regional, so the costs of trade diversion would exceed the benefits of trade creation under any customs union-type arrangement. Second, about 70% of intra-ASEAN trade is still to, through or with resolutely free-trade Singapore. Thus a common external (region-wide) tariff of anything more than zero would not be feasible. Third, about half of intra-ASEAN merchandise trade is already free-trade under the International Technology Agreement (ITA), and covers trade in the region's huge global production networks, mainly in electronics and related industries. In fact, in the only significant WTO agreement over the past decade, a second ITA (ITA II) was recently signed, further extending this free-trade facility. In important respects, the ITA is a more substantial trade agreement than the TPP, in spite of the fanfare – some would say hype – that the latter has received.

In spite of these great achievements, these are perhaps the most challenging of times for ASEAN, on a par with the Asian financial crisis of 1997-98 or the possibility of "dominoes" reaching south during the Indochina war era of the 1960s and 1970s.



These challenges arise from the coincidence of four interrelated factors. **FIRST**, several of the major countries are experiencing political difficulties, and as a result are losing their economic dynamism, at least temporarily. **Thailand** has become a significantly polarised country, with no circuit breaker yet in sight. The Thai business community has long been accustomed to operating in the midst of political uncertainty and frequent changes of government. But the current travails, which have their origins in sharply rising inequality in the late 20<sup>th</sup> century, the rise and fall of former Prime Minister Thaksin Shinawatra, and the vexed issue of monarchical succession, are deeper than anything the country has hitherto experienced. Another economic star, **Malaysia**, is grappling with the twin, interrelated challenges of a dominant ruling party in continuous power for almost 60 years alongside an affirmative action programme that has outlived its usefulness and corrupted many aspects of public life and policy. **Indonesia**, the most vibrant democratic state in Southeast Asia, is adjusting to the aftermath of a massive commodity boom, yet public expectations and the political narratives are only very slowly coming to grips with the imperative of structural reform and fiscal adjustment. The Jokowi administration is struggling to articulate a development policy narrative going forward. In **Vietnam**, the challenge is to loosen the grip of the Communist Party of Vietnam and the privileged state enterprise sector, including the state-owned banks, which for a period recently imperiled the country's hard-won macroeconomic reforms.

post-war global trading order, to the detriment of smaller economies which depend on a rules-based system. The WTO has been rendered practically powerless. Instead there has been a proliferation of “trade-lite” so-called free trade agreements, which in reality are anything but free (as they discriminate against non-members), and in practice anyway are mostly incomprehensible to the business communities. By definition these agreements will advance the commercial interests of the large economies which by definition establish the rules. The TPP is just the latest variant of this proposition. President Obama made no bones about it: the TPP enables the US to set the trade rules for the Asia-Pacific region.

**THE FOURTH** current challenge relates to ASEAN itself. The Association has set itself an ambitious target in the implementation of the ASEAN Economic Community (AEC) protocols, to take effect at the end of the year. This is ASEAN's most ambitious attempt yet to create a “seamless Southeast Asian economy”, extending beyond merchandise trade to services trade, investment, labour movements, and harmonisation of standards. There is no doubt that the AEC is a significant step forward: the exemptions (from free trade) will have to be made explicit, and some skilled labour movement will be freed up. But implementation is likely to be patchy, especially in services and labour. Various country accreditation procedures, including resistance from professional associations and bureaucracies, sometimes in the guise of “language tests”,

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The region's second challenge is to adjust to a slowing and less predictable Chinese economy. China dominates the region's economic horizons and it will be the single most important external economic influence going forward. Its slower and less resource-intensive economic growth path has hit the major commodity exporters hard, Indonesia and Malaysia especially. Its slower growth has also affected the most open economies in the region, particularly Singapore, Malaysia and Thailand. Its effects on global capital markets and the consequent flight to safety affect all emerging economies, among them practically all the Southeast Asian economies with their porous international capital accounts. When more than one of these factors are operating – as in the case of Indonesia – the adverse effects are multiplied.

**THIRD**, not only is the global economy particularly sluggish and volatile, the architecture governing global commerce is in disarray as well. The “termites” (to quote the eminent trade economist Jagdish Bhagwati) are undermining the liberal

will effectively block quite a lot of the envisaged liberalisations. In setting targets, one is reminded of the lament of Rodolfo C. Severino, a former ASEAN Secretary-General (1998-2002) and a distinguished Filipino diplomat, in his memoirs that ASEAN's “*regional economic integration seems to have become stuck in framework agreements, work programs and master plans.*”

Going forward, there are sound reasons for optimism. ASEAN has faced serious problems before and overcome them. Its vibrant civil societies and aspiring middle classes are demanding better-quality governance. But to regain the development momentum, governments will have to reinvigorate the reform momentum at home and think deeply about regional and global economic integration strategies. ■

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# Freedom of Navigation and Collective Self-Interest

BY EUAN GRAHAM



Freedom of Navigation operations (FONOPS) are not new. Since 1979, the US Navy has performed them worldwide to challenge excessive maritime claims. For most of this time, the FON programme has remained non-controversial, despite regularly performing ‘operational assertions’ in waters claimed by a number of US security partners in the Asia Pacific, as well as China, although none in the Spratly Islands since 2012.

Though US warships are used to carry out physical demonstrations, it is a more legal activity than military. The purpose is to make clear by deliberate non-observance that the US does not accept excessive restrictions imposed by coastal states on lawful military activities permitted under the UN Convention on the Law of the Sea (UNCLOS). Restrictions range from demands for prior notification or authorisation to enter the territorial sea, to the more vexed issue of intelligence gathering within the 200 nautical-mile Exclusive Economic Zone (EEZ), which China, India and others oppose.

Washington attracts understandable censure as a non-Party to UNCLOS, despite the fact that US policy, and claims that it is acting in defence of the international rules-based order, hinge upon strict observance of the Convention. Nonetheless, the launch of US FONOPS assertions in the vicinity of the Spratly Islands is a justified and proportional reaction to the quickening tempo of challenges issued by China to US warships and military aircraft exercising their legal right to operate there and elsewhere in the South China Sea. International concern over China’s actions and intentions has intensified since Beijing began constructing large artificial islands on seven diminutive

Spratlys features. Although already occupied by Beijing, several are entitled to no more than a 500 metre safety zone.

Given that Beijing has not legally defined its territorial waters in the South China Sea anywhere south of the Paracel Islands, yet habitually issues warnings to vessels and aircraft in the Spratly Islands and beyond, it is reasonable for the US and others with a legitimate interest in protecting the public goods of overflight and navigation, to assert these freedoms now, before they are subject to more serious impediment. For the US Navy to exercise high-seas freedoms by undertaking normal operations in the South China Sea should not be seen as a brazen provocation to Beijing, or anyone else. Nor should FONOPS be seen as a panacea to the South China Sea’s hydra of complex challenges. But if they act as a fillip for China and other claimants to clarify their South China Sea claims consistently with UNCLOS, that would be a tangible benefit far beyond their demonstration value.

FONOPS can also be conducted with sufficient restraint to satisfy the principle of due regard for coastal states’ sovereign rights within the 200 nautical-mile EEZ elsewhere in the South China Sea. But contrary to the claims of China and other littoral states in the South China Sea, the EEZ does not confer security rights, or constitute “territory”. As it has in the past, the US should avoid targeting FONOPS exclusively at China while demonstrating that significant rights of access are under wider challenge in the region.

Unfortunately, Washington has done itself no favours in the lead-up to the launch of FONOPS in late October, or from its



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**“For the US Navy to exercise high-seas freedoms by undertaking normal operations in the South China Sea should not be seen as a brazen provocation to Beijing, or anyone else. Nor should FONOPS be seen as a panacea to the South China Sea’s hydra of complex challenges.”**

mixed messaging since then. The USS Lassen’s transit past Subi Reef conveyed the basic message, to China and wider regional audience, that Washington is prepared to underwrite Freedom of Navigation. However, the long delay between Defence Secretary Ashton Carter’s announcement in May that the United States “will fly, sail and operate wherever international law allows” and start of operations was not helpful, especially interspersed with Beltway leaks and unattributed media briefings that suggested an administration at internal odds over the conduct of its China policy.

This had the regrettable effect of putting US credibility on the line. Widespread relief that greeted USS Lassen’s operation as a belated demonstration of US resolve quickly yielded to further doubts when reports surfaced that it may have been conducted as an ‘innocent passage’, an operationally constrained mode of transit specific to the 12 nautical-mile territorial sea. Whatever the intended message, the Obama administration

found itself battling renewed accusations of timidity towards China, compounded by the risk that innocent passage had inadvertently strengthened Beijing’s legal hand by tacitly accepting a territorial sea around Subi Reef, a low-tide elevation. Innocent or not, the net impression was that Washington’s convoluted messaging had sired an entirely new category of ‘incoherent passage’. The US must learn from these lessons for subsequent FONOPS, above all the need to keep its messages clear and simple.

As a result, it is now more likely that the US will have to lead initial operations alone, with support from its two most important Western Pacific allies, Japan and Australia, limited to the diplomatic sphere. Be that as it may, their continuing naval presence in the South China Sea will still send a useful signal of broader international commitment. Involving the Southeast Asian Spratlys claimants themselves in FONOPS would inevitably attract accusations of US partiality, and risk naval demonstrations designed primarily to buttress their own sovereignty claims.

Singapore has thus far expressed only lukewarm support for the US launch of FONOPS, but is the stand-out candidate in Southeast Asia for a self-interested operational role in support of freedom of navigation and overflight, beyond the passive support it already provides as a logistics hub for the US Navy/Air Force. Singapore relies on unimpeded access to important

training areas for its navy and air force in the South China Sea. China’s growing presence around the Spratlys may not directly impinge on such access. But a Chinese Air Defence Identification Zone, for example, could constrain Singapore’s freedom to operate and train in the closest area of unrestricted airspace to the island.

Singapore is currently confronted by a stricter enforcement of Indonesian airspace under President Jokowi, where Singapore’s Flight Informational Region overlaps with Indonesian airspace. Indonesia’s air force interceptions of civilian aircraft have

underlined the potential for safety and sovereignty to become entangled within the South China Sea. In a recent speech, Prime Minister Lee Hsien Loong underlined Singapore’s existential stake in upholding overflight and freedom of navigation, as a small state surrounded by bigger powers.

As the current coordinator for ASEAN-China Dialogue Relations, Singapore is ideally placed to rally Southeast Asian support behind a joined-up position in support of lawful freedoms of overflight, navigation and commercial uses of the sea. That would not mean doing the bidding of any outside party, or inviting the great power rivalry so feared in the region. On the contrary, it would be a distinctively enlightened expression of ASEAN’s collective self-interest, given that nine of its members share frontage on the South China Sea. ■

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# US FONOPS and ASEAN

BY TANG SIEW MUN



The *USS Lassen* sailed into the stormy political waters of the South China Sea (SCS) on 27 October 2015. The fact that it came within 12 nautical miles of the Chinese-occupied Subi and Mischief reefs all but guaranteed a strong response from Beijing. China’s Foreign Ministry Spokesperson, Lu Kang remarked that “[r]elevant actions by the US naval vessel threatened China’s sovereignty and security interests, put the personnel and facilities on the islands and reefs at risk and endangered regional peace and stability. The Chinese side hereby expresses strong dissatisfaction and opposition.”

In spite of Beijing’s strong retort, Washington has pledged to continue with what it termed as an exercise to affirm the freedom of navigation. US Secretary of Defence Ashton Carter’s pronouncement that “We’ve done them before, all over the world [and] we will do them again,” leaves little room to doubt that freedom of navigation operations (FONOPS) would be the norm rather than the exception. The overflight of two US B-52s on 12 November 2015 over the disputed SCS waters reinforces this contention.

ASEAN is not a mere bystander in the SCS standoff between China and the US, as four of its ten members – Brunei Darussalam, Malaysia, the Philippines and Vietnam – are claimants in the dispute. But the claimant countries have largely kept a surprising silence over the incident, to the dismay of Washington which had hoped for a chorus of support from ASEAN.

ASEAN’s low-keyed response to FONOPS is in keeping with its culture of refraining from megaphone diplomacy. However, this does not mean that ASEAN, especially the claimant states and interested parties such as Singapore and Indonesia, were

indifferent or did not support the deployment. Vietnam’s Foreign Ministry spokesman, Le Hai Binh affirmed that Vietnam respects the freedom of navigation and overflight in the East Sea consistent with relevant provisions of the UN Convention on the Law of the Sea as well as its national laws. Similarly, Singapore’s Minister for Foreign Affairs, Vivian Balakrishnan underlined that “Singapore supports the right of freedom of navigation and over-flight under international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS).” The Malaysian Minister of Foreign Affairs and Minister of Defence were both noticeably quiet on this issue. Unsurprisingly, Philippines Secretary of Defence Voltaire Gazmin offered the clearest support for the US FONOPS with a firm and unequivocal statement of support: “The presence of the United States near the Spratly Islands will ensure freedom of navigation and the enforcement of the rules in the disputed territories in the South China Sea.”

In hindsight, ASEAN has had its “Lassen moment” at the 48<sup>th</sup> ASEAN Foreign Ministers Meeting when it devoted seven paragraphs on the SCS in the joint communique in which ASEAN “took note of the serious concerns expressed by some Ministers on the land reclamations in the South China Sea, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the South China Sea.” Additionally, the ASEAN Foreign Ministers “reaffirmed the importance of maintaining peace, security, stability, and freedom of navigation in and over-flight above the South China Sea.”

ASEAN has taken a more forthright response to developments in the SCS in the last year, but it is always mindful not to overstep and jeopardise the on-going implementation of the



**“The US FONOPS leaves ASEAN in a bind. On one hand, ASEAN is committed to the freedom of navigation and over-flight above the South China Sea but does not have the capacity to affirm these interests. On the other hand, inaction may be interpreted as acquiescing to a *fait accompli*.”**

Declaration on the Code of Conduct of Parties in the South China Sea (DOC) and negotiations on the Code of Conduct in the South China Sea (COC), and to avoid giving the impression of ASEAN ganging up on China. While these negotiations have not yielded the desired results, the process is an important line of communication between ASEAN and China to manage expectations and exchange views on the SCS. ASEAN states have to, thus, tread carefully in their support for FONOPS. While none of the ASEAN states have joined the US in FONOPS, three states – Malaysia, the Philippines and Singapore – have directly or indirectly made known their positions by supporting US P-8 *Poseidon* surveillance operations over the South China Sea.

The US FONOPS leaves ASEAN in a bind. On one hand, ASEAN is committed to the freedom of navigation and over-flight above the South China Sea, but it does not have the capacity to affirm these interests. It certainly does not want to undertake actions that would be seen as provocative by China. On the other hand, inaction may be interpreted as acquiescing to a *fait accompli*. To be sure, while ASEAN does not take a position on the merits of the SCS claims, it stands firm on, firstly, the peaceful resolution of disputes and secondly, the rights of the international community to use the SCS for commerce and peaceful purposes being upheld.

China’s President Xi Jinping sought to assuage these concerns while delivering the Singapore Lecture on 7 November 2015. He remarked that “There has never been any problem with the freedom of navigation and overflight; nor will there ever be any in the future, for China needs unimpeded commerce through these waters more than anyone else.” Sea-borne commerce is China’s lifeline and Beijing places a high premium on the safe and free passage of maritime trade. In fact, Beijing’s

preoccupation with the Straits of Malacca dilemma underscores China’s vulnerability and attentiveness to the freedom of navigation.

However, tensions and misunderstanding arise when logic is out of sync with facts on the ground. While China has thus far not impeded international maritime trade, the deployment of the *Shenyang* J11B fighter aircrafts to Woody Island in response to the *USS Lassen* incident drives home the point that China has the capacity to militarise its newly reclaimed features, which adds a military and strategic dimension to the SCS disputes that heretofore was absent.

The US FONOPS bring the freedom of navigation to the fore of the region’s strategic discourse and literally “speaks up” for smaller states who cannot. However, Washington should be mindful not to press the issue to the point of inciting hostility with Beijing. Fundamentally, FONOPS’s role is to impress on the stakeholders the sacrosanct principle of freedom of navigation, and not to be used as a tool for confronting China. The latter motive would be detrimental to ASEAN and US interests in the region. ■

Dr. Tang Siew Mun is Head of the ASEAN Studies Centre at the ISEAS-Yusof Ishak Institute

# Myanmar Decides

*After decades of military rule, excitement abounds as Myanmar decides its future in the first free elections since 1990.*

BY MOE THUZAR



Scenes from a polling booth in Myanmar

The 8 November 2015 general elections in Myanmar saw about 80 percent of 30 million eligible voters casting their votes in over 300 constituencies and about 41,000 polling stations countrywide. At stake for the 92 political parties (which included 60 ethnic parties) competing in the elections were 1,150 seats in the upper and lower houses of Myanmar’s parliament and for the local assemblies in each of the 14 administrative states and regions. The seats up for grabs did not include the 25 percent of the total seats occupied by serving military officers in all assemblies.

Myanmar’s Union Election Commission opened up the election process to international observers, some of whom arrived days ahead in Myanmar to monitor the campaign. The election campaign period started on 8 August. The widespread view that the 2015 election would be freer and more credible than past elections (1990 and 2010), and the high hopes for a “genuinely civilian government” that would carry through Myanmar’s political, administrative and economic transitions successfully, were tempered with some scepticism that the incumbent would somehow rig the elections. These sentiments have some historical moorings.

The 2015 general elections is the first openly-contested election in 25 years, since the multi-party general elections held in 1990 when the National League for Democracy (NLD) led by Daw Aung San Suu Kyi won the majority of seats, were annulled by the State Law and Order Restoration Council, the military junta that had taken control of the country in September 1988. The atmosphere of anticipation surrounding

the 2015 elections were potently similar to that in 1990, when the elections had been opened to foreign media (but not election monitors). This had not been the case for the 2010 elections, which were mainly seen as an orchestrated move by the military regime to put in place a “civilianised” government that would not embark on radical change. Be that as it may, this civilianised government went on to initiate political, administrative and socio-economic reforms, and paved the way for the NLD to rejoin the political process (which it did via by-elections in 2012).

Daw Suu – who had been under house arrest during the 1990 elections – hit the campaign trail early for the 2015 elections, advocating her party’s platform of change. To a populace inured to decades of authoritarian rule, and in the most open space afforded since 1962 to voice views and opinions, the NLD’s campaign message of “It’s time (to change)” struck a resonant chord.

In contrast, the incumbent Union Solidarity and Development Party (USDP), ran on a performance platform which seemed to indicate status quo. The main performance deliverable that the USDP administration could focus on in the run-up to the elections was on achieving a nationwide ceasefire agreement with ethnic armed groups and on starting a political dialogue towards constitutional change. The significance of the nationwide ceasefire agreement signed on 15 October 2015 was however diluted somewhat, with only 8 of the 16 armed ethnic groups coming to the table as signatories. Deliverables for economic growth and poverty reduction were largely perceived as urban-centric, and oriented towards attracting investments rather than benefitting the

**“The 8 November elections in Myanmar are arguably one of the most important political events in Southeast Asia this year. They present an interesting scenario not just for the future of Myanmar, but also with regard to the perceptions and reality of security in ASEAN.”**

populace at large. The only reform measure that was popularly received seemed to have been the privatisation of the telecommunications industry which led to normalisation of prices for mobile phones and cellular phone smart cards. The broadened scope for communication and information-sharing played a part in spreading election campaign news widely, and in keeping track of the polling results.

On 8 November, lines of keen voters were evident at polling

stations before the opening hour of 6 a.m. Taking a page from other election experiences in Southeast Asia, “voting ink” was introduced for the first time in Myanmar, and voters displayed their ink-stained fingers proudly as a mark of having “done their duty”. Despite some earlier concerns over possible election violence, voting was conducted with discipline. So too was the vote-counting process after polling closed at 4 p.m. Predictably, interest in the outcome of polls was largely focused on the two dominant large parties: the NLD and the incumbent USDP. In a bid for transparency, polling stations announced their respective results publicly. These were then shared widely by social media, thus allowing for practically real-time tracking of the results, which indicated a clear win by the NLD from the start.

At the time of writing, the final results of individual wins in each of the parliamentary assemblies have been tallied and released by the Union Election Commission. The NLD swept 390 of the 491 seats in both houses of parliament, a resounding 79.4 percent of the total. The USDP retained 42 seats, and the Arakan National Party was a distant third with 22 seats. The NLD thus holds the majority of seats in both houses of parliament: 59 percent of the 323 seats in the lower house (People’s Assembly or Pyithu Hluttaw), and 60 percent of the 168 seats in the upper house (National Assembly or Amyotha Hluttaw). In the respective state assemblies, the NLD also dominates with 476 of the total 629 seats across the 14 state/regional assemblies.

The 8 November election results have thus set the stage for a second election in parliament in early 2016 which will choose the top three executive positions (President and two Vice-Presidents). Both houses of parliament, and the military bloc, will each nominate a candidate. The candidate with the largest number of votes will be confirmed as President, with the two runners-up taking each of the two vice-presidential posts. With its parliamentary win, the NLD looks set to bag the president and one of the vice-president positions. The USDP, with some negotiating in parliament, may yet be able to swing in its favour the second vice-president position.

Under the current 2008 Constitution, Daw Suu is not eligible to be nominated or selected for any of the top three posts, but she has stated clearly that she will maintain a position “above the President” in leading the country. She has also cautioned the elected NLD candidates not to hold any aspirations for executive (or cabinet) posts, instead emphasising her intent to form a “conciliation government” comprising a mix of ethnic stakeholders and technocrats.

On the part of the USDP, several high-level candidates including President Thein Sein, have conceded defeat with grace. President Thein Sein has repeatedly given assurance of a smooth handover. This has been echoed by the Commander-in-Chief, Senior General Min Aung Hlaing. Both met with Daw Suu in highly publicised meetings on 2 December. Daw Suu and her parliamentary colleague, Thura U Shwe Mann, had met in the immediate aftermath of the elections. The invitation to meet with all these principals was first extended by Daw Suu.

The 8 November elections in Myanmar are arguably one of the most important political events in Southeast Asia this year. They present an interesting scenario not just for the future of Myanmar, but also with regard to the perceptions and reality of security in ASEAN. The new government in 2016 will be presented with continuing the tasks of (1) negotiating a lasting end to decades-long internal conflicts; (2) entrenching democratic institutions and habits after decades of authoritarian rule; and (3) expanding the country’s regional role and reach, with balanced priorities and diversified partnerships. ■

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## Ngô Bảo Châu: A Head for Numbers

*The first Southeast Asian  
Fields Medallist unlocks the  
key to true understanding in  
mathematics*

① Professor Châu  
with his Fields Medal

② Professor Châu  
teaching a class



The Fields Medal is widely recognised as the world’s highest honour in the field of mathematics. Often considered the mathematician’s Nobel Prize (since the field of mathematics does not have one), it is only awarded every four years, during the quadrennial International Congress of Mathematicians (ICM) meeting, to a maximum of four mathematicians under the age of 40 who have distinguished themselves through their respective research. Among the four outstanding mathematicians that were awarded the Medal in the 2010 ICM meeting in Hyderabad was 38-year old Ngô Bảo Châu – the first Vietnamese and Southeast Asian in the award’s 74-year history to receive the high distinction.

Professor Châu’s great accomplishment in mathematics revolves around his successful proof of the fundamental Lemma. Mathematicians have described the Lemma as “a technical device that links automorphic representations of different groups”. Since its introduction in 1979 by Robert Langlands, the Lemma is part of the “Langlands program” that sought to unify number theory, algebraic geometry, and representation theory. Many theorems in this area have assumed the Lemma to be true without anyone being able to prove it for nearly three decades. Professor Châu’s work with the fundamental Lemma theory was selected by TIME Magazine as one of the Top 10 Scientific Discoveries of 2009.

Born in Hanoi in 1972, Professor Châu’s parents were both prominent professors in universities there. In 1988, as a 16-year old high school student, Châu participated in the International Mathematics Olympiad and scored the maximum 42/42 points, winning the much-coveted Gold Medal. After repeating the same feat the following year, he became the first Vietnamese to win two gold medals at the Olympiad. He successfully defended his doctoral thesis at the prestigious Université Paris-Sud XI at the age of 25, and was made a full professor in the same university a mere eight years later at the age of 33. After completing a research stint in the prestigious Institute of Advanced Study in Princeton, New Jersey – following in the footsteps of celebrated academic luminaries such as Albert Einstein, J. Robert Oppenheimer, Clifford Geertz, and George F. Kennan – he is now based in the University of Chicago, where he is the Francis and Rose Yuen Distinguished Service Professor in the Department of Mathematics.

Despite his teaching and research commitments in France and the United States, Professor Châu remains firmly connected to his home country of Vietnam. News of Professor Châu’s award was enthusiastically welcomed in Vietnam, and he was given a hero’s welcome in Hanoi on returning from Hyderabad in August 2010. A ceremony in honour of Professor Châu receiving the Fields Medal was attended by state leaders and thousands of students. Vietnamese Prime Minister Nguyễn Tấn Dũng lauded Professor Châu as “the pride of the nation’s educational sector and a strong encouragement for young scholars in Vietnam”. Professor Châu’s stellar achievements in the field of mathematics was the main impetus for the establishment of the Vietnam Institute of Advanced Study in Mathematics in 2010, where, as Founding Scientific Director, he continues to play an active role in the development of mathematical study in Vietnam and in mentoring promising Vietnamese mathematicians in their research.

In many of his public speeches, Professor Châu paid tribute to his 7<sup>th</sup> and 8<sup>th</sup> grade math teacher, Mr Ton Than, who had this to say about his student-turned-math prodigy:

**“Châu spent 15 years to pursue a problem. If he had not had firm stuff, he would not have succeeded.”**

Vietnamese and Southeast Asian mathematicians would do well to mirror Professor Châu’s shining example and perseverance, and bring about a flourishing of home-grown talent in the physical and natural sciences. ■



# Jars, Jars, Everywhere

*Laos is home to one of the most intriguing sights in the world – thousands of jars in the middle of solitude*



interesting theory suggests that the jars served as a repository for “ritual decomposition”, not unlike how the bodies of deceased Cambodian, Lao, and Thai nobility were kept in urns for long periods before cremation. In short, there remains a lack of consensus among researchers as to the purposes of the jars to this day.



About 400 kilometres away from the Lao capital of Vientiane and right in the geographical heart of Laos, lies a mysterious sight that has captivated countless imaginations and elicited many questions past and present – a desolate plateau curiously peppered with thousands of large stone jars across the landscape as far as the eyes can see. The Lao people call it *thung hai hin*, but to the outside world, it is *la Plaine des Jarres*, the Plain of Jars.

Little is known about the 2,500 jars, lids, and stone disks spread across 52 sites in the 15,000-square kilometre area in Xieng Khouang province, giving the Plain of Jars a mystique similar to that of its more famous megalithic counterparts such as the Stonehenge in England or the giant Moai heads on Easter Island. Some jars are as tall as 3 metres, complete with holes at the top which are big enough for an average person to enter the jar and snugly fit within. The average jar weighs a metric ton, which would have made it relatively immobile once it was put in its place. Out of the 2,000 jars that have been verified over the years by experts, only one jar has any form of carving: that of the top half of a human figure with its hands upturned.

Given that research on the jars has raised more questions than provide answers, it is no wonder that scholars have for centuries wondered aloud what the stone jars, which could be dated all the way back to the Stone Age (500BCE-500CE), could have been used for. The locals believe that the jars were commissioned 1,500 years ago by a king to store a local variant of rice whisky, *lau-lao*, in celebration of a military victory against a rival. However, scholars have come up with many other alternative theories based on their discoveries inside the jars and the surrounding areas. In the 1930s, a French archaeologist named Dr. Madeleine Colani managed to unearth not just what was considered to be “grave goods” – such as beads, bracelets, and spearheads – but also bones and ashes, leading her to postulate that the jars served as urns for the cremated. Another highly

Eighty years on, Dr. Colani’s studies remains the most extensive and exhaustive research carried out concerning the Plain of Jars. After the end of the Second World War, Indochina was caught in the turmoil of conflicts and wars. Laos has the sombre reputation of being the most bombed country in the world, having had an astounding estimate of 2 million tonnes of explosives dropped on its territory as part of America’s “Secret War” against communist forces in Laos and their supporters from Vietnam from 1964 to 1973. A significant proportion of the bombs were dropped in Xieng Khouang province, causing irreparable damage to many of the jars in the Plain. Furthermore, countless remain unexploded today, hampering access to the Plain by both researchers as well as those committed to preserving them.

Laos is already home to two UNESCO World Heritage sites: the former royal city of Luang Prabang; and the Vat Phou temple. In an attempt to highlight this relatively underexplored part of Laotian prehistory, the Laotian government is preparing to propose the Plain of Jars as a World Heritage site. The Plain of Jars provides us with one of the precious few windows into life and culture in prehistoric Southeast Asia. Preserving the Plain of Jars would not only enhance popular knowledge of Laos, but also put Southeast Asia on the map for archaeological research into the earliest days of Mankind. ■

**“There remains a lack of consensus among researchers as to the purposes of the jars to this day.”**

① *The Plain of Jars from a distance*

② *Hmong women and children standing on one of the jars*

*With the realisation of the ASEAN Community by year-end, ASEAN will move ahead into the next phase of community-building. ASEANFocus (AF) spoke to Dr. Surin Pitsuwan (SP) and talked about the future of ASEAN amidst the numerous internal and external challenges.*



*Dr. Surin Pitsuwan*, who served as the Secretary-General of ASEAN in 2008-2012, is also a former Minister of Foreign Affairs of Thailand. Among other responsibilities, he now heads the Future Innovative Thailand Institute. He was educated in Claremont McKenna College and Harvard University, completing his doctoral studies in Political Science and Middle Eastern Studies in the latter.

**AF: What are your thoughts on the East Asia Summit (EAS), especially in light of its 10<sup>th</sup> year anniversary?**

**SP:** The EAS is a forum that is supposed to be strategic, leader-led and long-term visioning about the future architecture of the Asia-Pacific region. Since 2005 [at the Summit held] also in Kuala Lumpur, from ASEAN Plus 6, we have expanded to ASEAN Plus 8. Russia and the US have been included for their “strategic presence” in the region. If you ask me, I think it has been too formalised, too rigid and too structured. A more pragmatic, effective and useful format should have been more informal, personal, flexible, give-and-take kind of forum where leaders could raise sensitive issues more intimately with each other. After all, we are talking about the future of the region, the Common future, where we need a higher degree of common responsibility and shared commitment. The EAS is a good foundation for effective visualising and building that common future together. It remains a good potential to be realised.

**AF: How relevant is ASEAN centrality? Can ASEAN centrality be sustained in the face of power rivalries in Southeast Asia?**

**SP:** ASEAN Centrality is a phrase coined by ASEAN, enshrined in our Charter, and conveniently subscribed to by our Dialogue Partners and others. But it is a role that needs to be earned and re-earned all the time. It is not prescribed, but must be acquired. We should not be satisfied with being given the “convening power” by default. Others do not get along, so ASEAN is given the role of providing the venue. We need to be more substantive than that. We threaten none, we welcome all. That is no longer adequate. We must be able to provide solutions to the challenges faced by the region and the world.

**AF: ASEAN has been criticized for trying to sweep the South China Sea issue under the carpet. What can ASEAN**

**do as a group to better manage the tensions in the South China Sea?**

**SP:** The South China Sea issues are a litmus test for the efficacy of ASEAN Centrality. In 2002 we issued, together with China, the Declaration on the Conduct of Parties in the South China Sea (the DoC). We have a residual responsibility to see it through to the building of norms for all Parties owning, claiming and using that large body of waters. We need a body of norms that small countries feel comforted, safe and secure under, [and] larger powers are willing to abide by them so that they can pursue their loftier goals in the global arena with legitimacy, respect and dignity. There is a need for ASEAN solidarity on the issue. ASEAN cannot afford to be perceived as being divided. The common objective is a safe, secure and stable neighbourhood. And I would stress the word “common,” claimants and non-claimants alike.

**AF: Some Chinese scholars have dismissed ASEAN’s “virtuous promiscuity” as a useless game of balance of powers, which will diminish ASEAN’s strategic value in the eye of the Chinese leadership. Your thoughts on this ASEAN’s dilemma.**

**SP:** “Virtuous promiscuity” is a positive description for ASEAN’s own attraction to other countries in other regions. We should be proud of our achievements over the past 48 years. We have led the growth of “Emerging Asia,” before the opening up of China and India. Our consistent growth, our geographical location, our collective bargaining power, our “convening power,” and, our “Centrality” are being seen as the nucleus of “the Pacific Century.” We have become more important to the world than we were a couple of decades ago. Our growth has been expected to serve as a new “locomotive of global recovery.” So, big and small powers around the world are attracted towards us. We cannot be blamed for that. And we have been selective in our

“promiscuity.” [We don’t take] just everyone who comes along with a gesture of friendship. We also ask: “What does it add on to what we have achieved?”

But I can see a trap in this promiscuity game. We do not want to fall into that dilemma of being more attractive to outsiders than being useful to our own people. The former Foreign Minister of Singapore, one of the founding fathers of ASEAN, Mr. S. Rajaratnam, used to talk about “A Rooster’s Fallacy.” He said one should not be misled into believing that the Sun rises in the morning because, as the Rooster believes, “I crow.” The world sees utility in ASEAN, not because ASEAN sings its own praises. It will have to be based on ASEAN continuous achievements. We must be measured by our own actions and accomplishments, not by our words alone.

With regard to China, its geographical proximity to ASEAN is an advantage. Other Partners would have to make a lot of effort to be present in the landscape, or seascape for that matter. But China is a neighbour to us. It is here, *physically and naturally*. No amount of “virtuous promiscuity” can compensate for that. We will have to carry our own relationship with China on our own strength and on our own ingenuity and solidarity.

**AF: In your opinion, what are the crucial challenges in ASEAN's political-security community pillar?**

**SP:** A political community will need some re-calibration of our ASEAN structure. New challenges have shown clearly that integration brings both utility and challenges. When we are closer to each other, we are also exposed to each other’s problems. Integration of interests will also need integration of efforts. And the coordinated efforts will need substantive re-alignment of many of the things we do: our laws, our norms, our standards, our procedures, our practices, etc. A higher degree of “shared sovereignty and common responsibility” is needed. Going forward, our borders will not be fully open if we keep all other things closed to each other.

**AF: In order to deliver a viable ASEAN Economic Community, how should the Member States manage the tensions caused in their domestic economies? What is lacking in their efforts now?**

**SP:** An economic community also needs a give-and-take approach. We have agreed on so many things, reduced so many tariff lines among us, but we have also raised many non-obvious barriers between ourselves. Our short-term interests stand in the way of our long-term vision. Governments of ASEAN Member States must take matters into their own hands. If integration is the goal, then smaller and shorter gains must be built upon so that they can stand the test of competition. Longer-term interests and larger regional objectives must be pursued vigorously with adequate care for weaker and smaller players. The world wants to see our success and is ready to share in that success. We cannot leave them waiting for too long.

**AF: Indonesia and Thailand are seriously considering joining the TPP. How do you see ASEAN's RCEP developing in the future?**

**SP:** I hope the Leaders of ASEAN see the rise of the TPP as an

impetus, not as a threat. But we have to admit that ASEAN is going into its much-heralded Community at the end of 2015 half divided. Four of our Members have joined the TPP, three more are saying they also would like to join that “twenty-first Century Trade Agreement,” as President Barack Obama put it. What about our own AEC and RCEP? The way I see it, joining the TPP or not joining is not the question. Competitiveness is the most critical thing for ASEAN at this critical juncture. What is the use of joining the TPP when we are not prepared and our competitiveness remains low? Joining or not joining, if we are strong, competitive and well-integrated as one prosperous and dynamic market, with an expanding middle class, possessing higher income and equipped with rising purchasing power, we will survive and benefit from any trade bloc emerging on the horizon. So I hope we will get on with our own ASEAN Economic Community (AEC) and the Regional Comprehensive Economic Partnership (RCEP) with our closer Six Dialogue Partners [Australia, China, India, Japan, the Republic of Korea, and New Zealand]. We should not be distracted from our long-nurtured vision of our own “politically cohesive, economically integrated, and socially responsible” Community.

**AF: A large majority of people in ASEAN still do not know what ASEAN is trying to achieve. What should be done to improve public awareness of ASEAN?**

**SP:** I think it has to do with the fact that hitherto ASEAN has been a catch word, a rallying cry for the Leaders and the relevant ministers and the diplomats, not a household name for the people of the region. The daily life of our people has not been measurably improved by the achievements of ASEAN. Intra-ASEAN trade is only 25 percent of our total trade, we trade with the world three times as much.

Our professionals are not yet moving across borders, in spite of the Mutual Recognition Arrangements we have agreed upon for eight professions. Our SMEs are still confined to our national domestic markets. Our youths are not enrolled in our neighbours’ universities, we study each other’s languages less than we do English or Chinese. The majority of 105 million tourists a year visiting our countries are people from outside the region.

Until all these figures improve, we will not have the degree of ASEAN-awareness needed for the ASEAN Community.

**AF: Is an ASEAN identity emerging as ASEAN moves towards a more cohesive Socio-Cultural Community?**

**SP:** I believe the Third Pillar of our ASEAN Community, the Socio-Cultural Pillar, is most critical if we want to create a higher sense of ASEAN identity. Our people need to know more about each other, appreciate what we have in common, respect the differences that exist among us, value our difficult past, but motivated more by our common future. The younger generation and the private sector will have to take ASEAN more seriously. The house is almost complete, now the younger people must move in to rearrange the furniture, if they wish; for this will be their house long into the future. The older generation has built the architecture, now it is the time for the new generation to shape and mould it in their own vision and aspiration. ■



# People-to-People Connectivity in a Post-2015 ASEAN

*There are already several initial measures put in place to facilitate people-to-people connectivity within the emerging ASEAN Community, but what can we expect after 2015?*

BY TERMSAK CHALERMPALANUPAP

## VISA EXEMPTION

Among the first six ASEAN Member States (Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Brunei Darussalam) visa exemption was first applied on a bilateral and reciprocal basis to diplomats and government officials. This privilege has since the 1980s been gradually extended to holders of ordinary passports to promote intra-ASEAN tourism.

Vietnam became a member of ASEAN in 1995, Laos and Myanmar joined in 1997, and Cambodia followed suit in 1999. But bilateral visa exemption arrangements between each of the ASEAN six with each of these CLMV countries were more difficult to do because the latter, particularly Myanmar, had unique security concerns and a list of ASEAN nationals deemed *persona non grata*. Therefore, the visa exemption was given first only to diplomats and officials, and later on to staff of the ASEAN Secretariat on ASEAN missions.

In July 2006, the ASEAN Framework Agreement on Visa Exemption was signed to expand the visa exemption arrangements to include holders of ordinary passports. The Agreement commits each Member State to provide on a bilateral reciprocal basis visa exemption to ASEAN nationals wishing to enter an ASEAN country for tourism for up to 14 days.

As things stand now, seven Member States have completed visa exemption bilateral arrangements with their ASEAN colleagues. Indonesia and the Philippines even generously allow nationals of eight ASEAN Member States to stay for up to 30 days; but limit the visit of tourists from Myanmar to 21 days.

Only Malaysia and Myanmar, and Myanmar and Singapore have yet to put in place their bilateral visa exemption arrangements for holders of ordinary passports. Consequently, Malaysians and Singaporeans wishing to visit Myanmar for tourism purposes still need to obtain a visa in advance before arrival. Likewise, Myanmar nationals who intend to enter Malaysia or Singapore for tourism also need an advance visa. The concern of Malaysia and Singapore seems to be to prevent an influx of job seekers from Myanmar. Likewise, in the case of Myanmar-Thailand visa exemption, the arrangement is applicable only to Thai or Myanmar tourists arriving by air. Thailand also wishes to maintain some control on the number of unskilled workers from Myanmar who can otherwise easily cross the land border to look for work in Thailand.

The continuing success of tourism in ASEAN can be partly attributed to the expanding visa exemption arrangements, limited though they may be. In 2014, ASEAN saw the arrival of about 105.08 million tourists; 49.22 million of them (or nearly 47%) were ASEAN nationals doing intra-ASEAN tourism.

The ASEAN body in charge of immigration cooperation is the Directors-General of Immigration Department and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs, or the ASEAN DGICM.

## NO FREEDOM OF RESIDENCY

In ASEAN, there is no official recognition of freedom of residency outside one's own home country. Each ASEAN member government closely controls and regulates the presence of other

ASEAN nationals working in its territory and job market. ASEAN nationals wishing to work in any other ASEAN country than their own need either to register as foreign workers, or obtain work permits if they are professionals. While there as a tourist, one cannot seek a job in another ASEAN country. There is no such freedom of job-hunting in ASEAN just yet.

### MUTUAL RECOGNITION AGREEMENTS

ASEAN has eight mutual recognition arrangement (MRA) agreements (engineering services since 2005; nursing services since 2006; architectural services since 2007; surveyors since 2007; accountancy services since 2009; medical practitioners since 2009; dental practitioners since 2009; and tourism professionals since 2012). However, these do not necessarily provide ASEAN nationals in these professions the right to move around looking for jobs freely in other ASEAN countries.

National implementation of these agreements in each ASEAN country depends very much on national laws, regulations and professional accreditation and licensing registration. Consequently the MRA agreements have not actually led to any significant movement within ASEAN of professionals in the eight categories.

### COMMON ASEAN VISA?

Authorities in ASEAN have been discussing the idea of a Schengen-like common ASEAN visa for tourists from outside the ASEAN Community. With one common ASEAN visa, a non-ASEAN tourist would then be able to visit all 10 ASEAN countries and be free from the need to acquire an individual visa to enter each ASEAN country. The idea is of course to sell ASEAN as one integrated tourist destination, and encourage non-ASEAN tourists to visit as many ASEAN countries as possible in one extended trip.

So far, this idea remains on the drawing board. One difficulty that cannot yet be overcome is the question of how to share the visa revenue. For example, among the 10 members in ASEAN, Indonesia has the most number of embassies around the world. It is thus expected to issue many such common ASEAN visas, and thinks it logical that its embassies should keep all the visa fees to offset their operating costs. However, a few other members in ASEAN would prefer some sharing of the visa fees. Another difficulty is the need for a common database – to include for example the list of *persona non grata* of each member government – that is regularly updated and made accessible to

all embassies of all ASEAN member governments.

So far, only Cambodia and Thailand have agreed to a common visa arrangement. A non-ASEAN tourist wishing to visit Cambodia and Thailand needs only one common visa from either a Cambodian Embassy or a Thai Embassy. This initiative is part of the Ayeyawady-Chao Phraya – Mekong Economic Cooperation Strategy (ACMECS). Three others in ACMECS (Laos, Myanmar, and Vietnam) have not yet joined the arrangement.

Also under discussion in ASEAN are new ways and means of facilitating intra-ASEAN travel for business people. Within APEC, there is the APEC Business Travel Card. However, Cambodia, Laos and Myanmar are not members of APEC. The ASEAN DGICM agreed at their meeting in Phnom Penh last September to meet on this issue in Malaysia in 2016. Ideally, such an ASEAN business travel card should also be open for application by non-ASEAN nationals working in any ASEAN country.

### NEW CONNECTIVITY MASTER PLAN

Promoting people-to-people connectivity will continue to be an important priority as ASEAN advances toward ASEAN 2025. Among other things, ASEAN aspires to facilitate and create “*greater employment opportunities and quality jobs as well as... mobility of skilled labour and talents... improved access and connectivity*”.

ASEAN is revising and updating the Master Plan on ASEAN Connectivity to take into account recent developments such as the Chinese Belt and Road Initiative and the establishment of the AIIB, which all the 10 in ASEAN have joined. One of the three major components of the Master Plan is about people-to-people connectivity. The revised new Master Plan, along with the third Work Plan for the Initiative on ASEAN Integration (IAI) will be presented for approval of ASEAN Leaders when they meet in Laos in 2016.

How far ASEAN and its Member States can go to promote people-to-people connectivity remains to be seen, especially if the development gaps remain as far apart as they are now. ■

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## Did You Know?

**According to the International Coffee Organisation, Vietnam is the second largest coffee-exporting country in the world after Brazil. In 2014, it exported 1.5 million metric tonnes of coffee, capturing 22% of the global export share.**

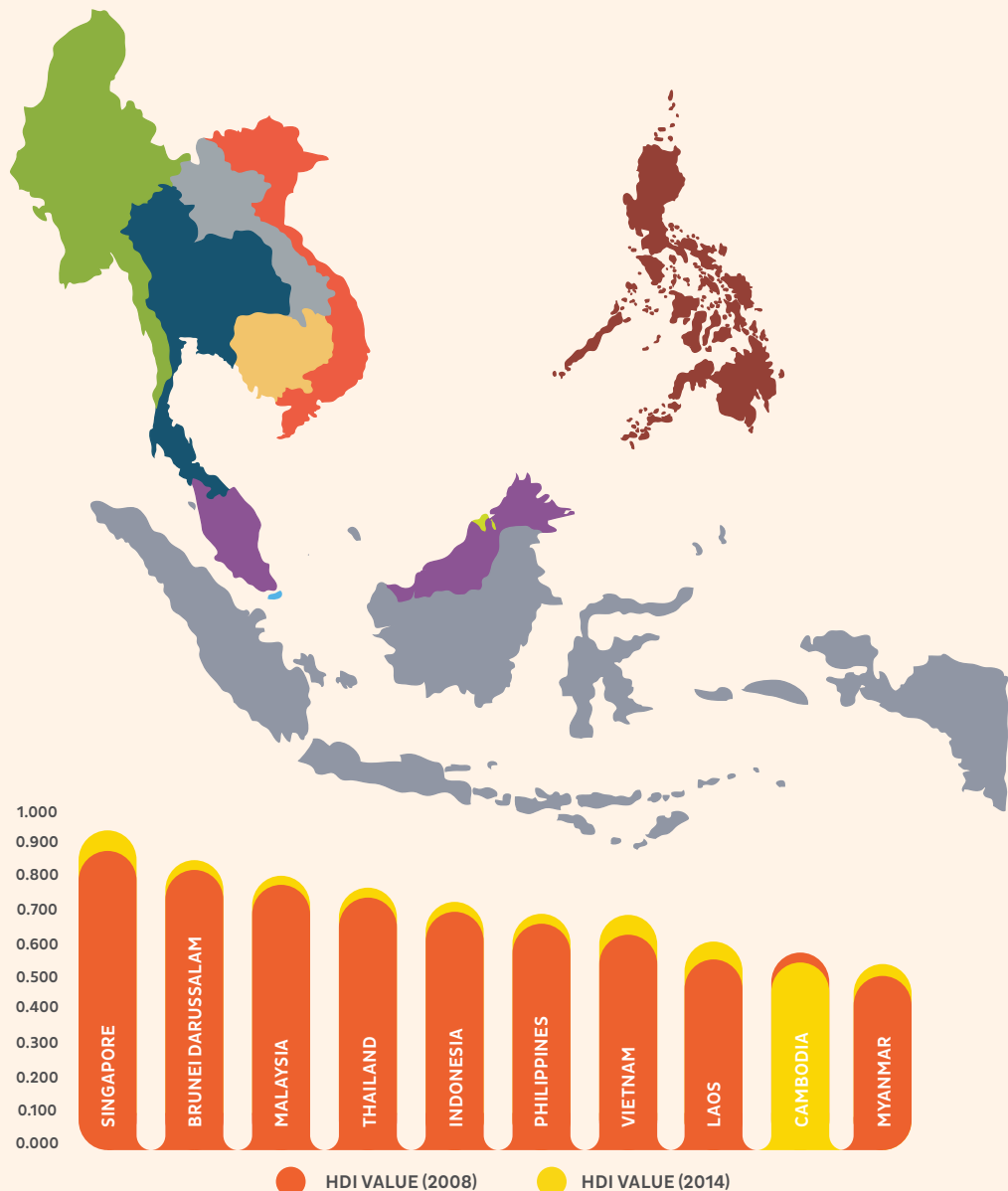


# Human Development in 2015

According to the Human Development Report 2015 released by the UNDP on 14 December 2015, Singapore, Brunei Darussalam and Malaysia lead the rankings among the ten ASEAN member states in terms of the Human Development Index, (HDI) placing at the 11<sup>th</sup>, 31<sup>st</sup>, and 62<sup>nd</sup> positions respectively.

While the ASEAN region has shown progress in terms of the broader HDI which rose from 0.669 in 2008 to 0.696 in 2014, a huge development gap still exists between CLMV countries and other ASEAN member states. Despite gains made on the economic front, Vietnam, Laos, Cambodia are ranked in the medium human development category (116<sup>th</sup>, 141<sup>st</sup> and 143<sup>rd</sup>) while Myanmar is ranked in the low human development category (rank 148<sup>th</sup>).

The Human Development Index is a key indicator of citizens' state of health, education and income among others. Among ASEAN member states, Singapore ranks highest in all the HDI components, including life expectancy at birth, mean years of schooling, expected years of schooling and Gross National Income (GNI) per capita (83.0; 10.6, 15.4, 76,628). Although placed in the medium human development category, Vietnam comes third among ASEAN member states on life expectancy at birth component (75.8) while the Philippines ranks third on mean years of schooling (8.9).





**Life expectancy at birth (years)**

*Hong Kong, China (SAR)\**

**84.0**

*Singapore*

**83.0**

*Brunei Darussalam*

**78.8**

*Vietnam*

**75.8**

**Expected years of schooling (years)**

*Australia\**

**20.2**

*Singapore*

**15.4**

*Brunei Darussalam*

**14.5**

*Thailand*

**13.5**

**Mean years of schooling (years)**

*Germany and the U.K.\**

**13.1**

*Singapore*

**10.6**

*Malaysia*

**10.0**

*Philippines*

**8.9**

**Gross national income (GNI) per capita (PPP\$)**

*Qatar\**

**123,124**

*Singapore*

**76,628**

*Brunei Darussalam*

**72,570**

*Malaysia*

**22,762**

*\*TOP WORLD RANKED*

COUNTRY	HDI rank 2015	HDI	HDI	Life expectancy at birth	Expected years of schooling	Mean years of schooling	Gross national income (GNI) per capita
		Value	Value	Years	Years	Years	2011 PPP\$
		2008	2014	2014	2014	2014	2014
Singapore	11	0.868	0.912	83.0	15.4	10.6	76,628
Brunei Darussalam	31	0.843	0.856	78.8	14.5	8.8	72,570
Malaysia	62	0.760	0.779	74.7	12.7	10.0	22,762
Thailand	93	0.704	0.726	74.4	13.5	7.3	13,323
Indonesia	110	0.654	0.684	68.9	13.0	7.6	9,788
Philippines	115	0.648	0.668	68.2	11.3	8.9	7,915
Vietnam	116	0.617	0.666	75.8	11.9	7.5	5,092
Laos	141	0.533	0.575	66.2	10.6	5.0	4,680
Cambodia	143	0.564	0.555	68.4	10.9	4.4	2,949
Myanmar	148	0.500	0.536	65.9	8.6	4.1	4,608

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