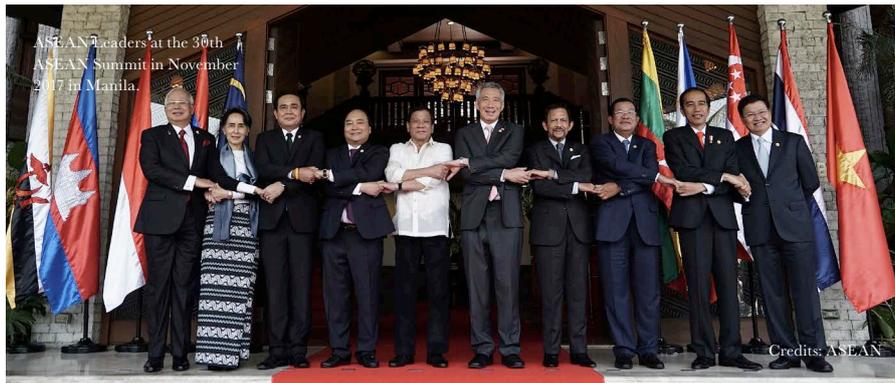


ASEAN Matters

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for all of us



The ASEAN Summit: Origins and Evolution

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INTRODUCTION

Leaders of ASEAN member states gather in Singapore this week for the 32nd ASEAN Summit to decide the ASEAN agenda for the year. They will give policy guidance on the parameters and deliverables of a Resilient and Innovative ASEAN. As is the practice, ASEAN watchers will go through its outcome documents, especially the Chairman's Statement, to gauge ASEAN's positions on important strategic and economic issues affecting the region.

HISTORY AND EVOLUTION

In the first decade of ASEAN after its establishment on 8 August 1967, the ASEAN Foreign Ministers Meeting (AMM) and the ASEAN Economic Ministers Meeting (AEM) were the main forums for discussion on regional issues. Regional cooperation remained limited as

the member states got to know each other, learned to work together and nurtured the newly formed ASEAN organisation through some early mishaps. The mid-1970s came with tectonic geopolitical shocks – the Vietnam War ended in 1975, with a united Vietnam under communist rule. The likelihood of the US, defeated and morally sapped, disengaging from the region was very real. In the face of such headwinds, ASEAN member states were compelled to pull together for collective solidarity and resilience. ASEAN seized the new opportunities to reach out beyond ideology to the Indochina countries to build an enlarged, peaceful and stable Southeast Asia.

In February 1976, ASEAN leaders gathered together for the first time in Bali, Indonesia. They signed the Treaty of Amity and Cooperation laying down the principles of peaceful co-existence and pacific settlement of disputes, providing the foundation for regional peace and stability which remains relevant today. They also adopted the 1976 Declaration of ASEAN Concord, reiterating their commitment to consolidate and expand ASEAN multi-faceted cooperation, strengthen political solidarity through coordinated positions and common actions where possible, and improve ASEAN machinery through the set-up of the ASEAN Secretariat and the convening of ASEAN leaders' meetings when necessary. The Bali Summit – which put the leaders at the helm of ASEAN instead of the foreign ministers – “marked the turning point for ASEAN. From thence on, it passed from the formative stage and became an action-oriented grouping and spokesman for Southeast Asia.”¹

¹ Ranjit Gill, “ASEAN: Coming of Age”, Sterling Corporate Services, 1987

The ASEAN leaders' second Summit was one year later in Kuala Lumpur to celebrate ASEAN's 10th anniversary. This occasion also marked the first time ASEAN leaders collectively met with their Dialogue Partners – the Prime Ministers of Australia, New Zealand and Japan. It was to be another ten years before the leaders met again at their third Summit in Manila in December 1987 to celebrate ASEAN's 20th anniversary.

The end of the Cold War and the 1991 Paris Peace Accords that settled the Cambodia conflict presented ASEAN with a new opportunity to embrace economic integration to sustain ASEAN's relevance in the new era. The 4th ASEAN Summit in Singapore in January 1992 agreed to establish the ASEAN Free Trade Area (AFTA) with the aim of eliminating all tariff lines in intra-regional trade. The Singapore Summit injected a new sense of purpose for ASEAN with economic cooperation now at the front and centre of regional agenda. At this Summit, ASEAN leaders also agreed to meet formally every three years with informal meetings to be held in between.

Throughout the 1990s, ASEAN cooperation continued apace and expanded in breadth and depth. The need to hold the ASEAN Summit on a regular basis to enable leaders to meet and address emerging challenges facing the region was compelling. Beginning from 2001, the ASEAN Summit was convened annually.

ASEAN CHARTER HIGHLIGHTS IMPORTANT ROLE OF SUMMITS

The ASEAN Charter came into force on 15 December 2008. It required the leaders to hold two ASEAN Summits annually. The intention was to give greater impetus to ASEAN regionalism and deepen regional integration. The first Summit is intended for the leaders to discuss ASEAN community building and set the agenda for the year. On this occasion, ASEAN leaders also meet with representatives of ASEAN youths, civil society, and the ASEAN Inter-Parliamentary Assembly (AIPA), in accordance with ASEAN's goal as a people-oriented, people-centred organisation. The second Summit, usually held in the fourth quarter of the year, focuses on the regional architecture and ASEAN external relations. ASEAN leaders also engage their Dialogue Partners' counterparts at the ASEAN Plus One Summits, ASEAN Plus Three Summit, and the East Asia Summit. Thus, the first Summit has "domestic" agenda while the second Summit is oriented towards ASEAN's external relations. Since 2009, ASEAN leaders have met twice at Summit level annually.

However, the heavy schedules can be taxing on the ASEAN leaders, and some resource-constrained member states, especially in terms of manpower and logistics. Thus, Laos as Chair in 2016 innovatively hosted the 28th and 29th ASEAN Summits back-to-back in Vientiane in September. The Philippines as Chair

in 2017 reverted to convening two separate Summits as envisaged under the ASEAN Charter.

There are other aspects of the Summit which need to be elaborated:

- (a) Under the ASEAN Charter, the Summit is the "supreme policy-making body of ASEAN" (Art. 7.2(a)), presiding over the whole spectrum of ASEAN institutions. It is also entrusted to address emergency situations affecting ASEAN. In this spirit, the leaders convened an emergency meeting in December 2004 to discuss ASEAN's response to the earthquake and tsunami that earlier hit the Indian Ocean Rim countries. The meeting led to the signing of the ASEAN Agreement on Disaster Management and Emergency Response in 2005.
- (b) The Summit is also expected to be the final recourse for a decision when consensus cannot be reached (Art. 20.2), when there is a serious breach of the Charter or non-compliance (Art. 20.4), or when a dispute in ASEAN remains unresolved after other modes of settlement have been exhausted (Art. 26). What kind of decision the Summit would make under these circumstances and how it would come to a decision, i.e. by consensus or otherwise, are open-ended. To date, there has been no such case brought to the Summit for a precedent.
- (c) The Summit, embedded in ASEAN's inter-governmental nature, is not a judicial body. Its role as the "final arbiter" should not be seen from a legalistic lens, but from a nuanced appreciation of its political weight and the personal bonding and friendship among the leaders. The presence and influence of the ASEAN Summit are to the effect that the parties concerned would choose a give-and-take approach and come up with win-win solutions to their problems so as not to affect ASEAN unity and credibility. As remarked by former Indonesian President Susilo Yudhoyono, "as members of the ASEAN family, sometimes we give, sometimes we receive, and sometimes we must be considerate in reaching compromise."

CONCLUSION

Representing the top-level political will and commitment of the member states to ASEAN, the Summit plays a pivotal role in ASEAN's history and institutional spectrum. Its significance and prominence have steadily grown in parallel with the development of ASEAN as a regional organisation. In fact, the evolution of the ASEAN Summit mirrored ASEAN's key milestones and its transformation from a fledging association to a robust organisation that gives shape to and then defines regionalism in Southeast Asia.

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