REGIONAL INSTITUTIONS IN SOUTHEAST ASIA: THE FIRST MOVERS AND THEIR CHALLENGES

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December 2009

Introduction

The title of this study is "Institutions for Regionalism". The first thing we must do is to be clear about what it is we are studying and talking about. In using the term "regionalism", this paper refers to a group of nations within a certain geographic area cooperating for common purposes or projecting an image of doing so. It also relates to the use of regional linkages, the concept and process of regionalism, or the regional image by a nation and/or its leadership to advance its interests. "Institution" here means a body or organisational structure that the members of the group set up to serve the group's real or stated cooperative purposes. It could be the group's executive body. It is often the entity to which the group turns when an issue needs to be studied, analysed or deferred or when a decision has to be carried out or recommendations are to be made. It is distinct from mere process, such as irregular meetings. As used in this paper, the term conforms to what the Web page of the study defines as "strong institutionalization", that is, "explicit rules and obligations with compliance monitored by a standing body or secretariat".[1] I would add "compliance facilitated and managed", not only monitored.

This paper focuses on the process of Southeast Asia's cooperation, mainly economic, within the Association of Southeast Asian Nations (ASEAN) and on ASEAN's relations with its principal external partners. It also looks into strategic political and diplomatic considerations, cooperation for non-economic purposes, and the promotion of a regional identity and regional identification, all of which are inextricably linked to economic cooperation. The paper examines the institutions (or lack thereof) supporting ASEAN processes and traces the evolution of ASEAN or ASEAN-related institutions. It also deals with Southeast Asian institutions outside of official ASEAN, some involving countries outside Southeast Asia and others smaller than ASEAN in scope.

Undertaken mostly, so far at least, in the ASEAN Plus Three framework, finance cooperation is extensively treated elsewhere, since it is a specialised subject and has its own dynamic, although it is clear that finance is an integral part of economic cooperation in general. Nevertheless, finance cooperation is briefly discussed in this paper from an institutional standpoint. Although ASEAN's role in the ASEAN Regional Forum (ARF) is similarly touched upon here, security cooperation and the building of a regional security community are also dealt with in some detail in a separate paper, even if security cooperation cannot be sharply separated from economic cooperation and development.

This paper proceeds by recalling some attempts, prior to ASEAN, to bring Asians together. It then discusses the founding of ASEAN, analyses the so-called "ASEAN Way", and traces the evolution of the ASEAN Secretariat, an evolution that has been partly in response to the region's awakening to the need for integrating the regional economy and the increase in ASEAN's activities in other areas, touching on the comparisons often made with European institutions and processes. Recent stages of this evolution have involved a major expansion of the Secretariat to meet its expanded mandate, including the functions that the new ASEAN Charter bestows upon it. ASEAN and ASEAN-related efforts at cultivating a regional consciousness, especially among the youth, are explained as essential for ASEAN's stated purposes -- political cohesion, economic integration and regional cooperation. Other ASEAN bodies, that is, the ASEAN Foundation, the ASEAN Centre for Energy (ACE), the ASEAN Centre for Biodiversity (ACB), and the ASEAN University Network (AUN), are described. So are arrangements that are not, strictly speaking, ASEAN bodies but are related to ASEAN, namely, the ASEAN Specialised Meteorological Centre and the Tripartite Core Group set up by ASEAN, the United Nations and the Myanmar government to respond to the ravages caused by Cyclone Nargis in Myanmar. The paper takes a look at the new ASEAN Inter-governmental Commission on Human Rights (AICHR). It examines sub-regional schemes that are not strictly ASEAN but are related to it in some way – the Greater Mekong Sub-region (GMS), the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), and the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA). It describes Southeast Asian bodies outside ASEAN, namely, as examples, the Southeast Asian Ministers of Education Organization (SEAMEO) and the Southeast Asian Central Banks Research and Training Centre (SEACEN). It then goes over the forums and processes involving other parties but centred on ASEAN – the dialogue system, the ASEAN Regional Forum (ARF), the non-regional accessions to the Treaty of Amity and Cooperation in Southeast Asia (TAC), ASEAN Plus Three, the East Asia Summit (EAS), and the Asia Europe Meeting (ASEM) – and how certain functions of some of them illustrate the need for specialised regional institutions. The paper goes on to examine the possible impact of the new ASEAN Charter on ASEAN's current institutions and ways of doing things. It concludes by analysing the distinctive characteristics of ASEAN – and East Asian – institutions and institutionalisation, the efforts to move on from those traits and practices, the constraints on those efforts, and, in general, the specific challenges to further institutionalisation in the region.

Pre-ASEAN Attempts at Getting Together

The end of World War II and the debilitation of the colonial powers of Europe that resulted from that war made possible the process of decolonisation in Asia, which gave impetus to the nationalist independence movements that had begun in various periods before the war. Although actual independence came to ex-colonial Asian countries at widely different times, they all felt, even before independence was achieved by any of them, the need to get together, if not work together, in order, at the very least, to build and project an Asian identity. For many ex-colonial Asian countries, this was an endeavour to seek their Asian roots, from which they perceived themselves to have been cut off for decades, if not centuries, by Western colonial rule. For several, the company of others similarly situated was viewed as a bulwark against attempts by some

colonial powers to regain their political and economic ascendancy. For others, it was aimed at cooperative resistance to what they perceived as the menace of communism. For some, it was all of these at once. None of the early initiatives in regionalism went beyond meetings among Asian nations or loose consultations in international forums like the United Nations. No permanent institutions underpinned these initial efforts.

As an example, in May 1950, the Philippines hosted a "Southeast Asian" conference in Baguio. In August 1949, President Elpidio Quirino had summoned Carlos P. Romulo, then the Philippine Permanent Representative to the United Nations in New York and the first Asian president of the UN General Assembly, asking him to lead the preparations for the Baguio conference. The President's letter of instructions spoke of the aim of the conference as "forging a closer union among the peoples of Southeast Asia". Presided over by Romulo, who had been appointed Secretary of Foreign Affairs 16 days before its start, the conference, however, did not form the projected "Southeast Asia Union", although it had been billed as the union's first meeting. Instead, it issued a number of recommendations to the participating governments – Australia, Ceylon, India, Indonesia, Pakistan, Thailand and the Philippines.[2] A. V. H. Hartendorp, editor of the *American Chamber of Commerce Journal* in the Philippines, was to note the irony in the fact that, although the formation of an anti-communist "union" among "Far Eastern" countries had been proposed during the July 1949 visit to the Philippines of Generalissimo Chiang Kai-shek, the leader of the Nationalist Chinese authorities on Taiwan, Taipei, as well as Beijing, was kept out of the conference.[3]

The Southeast Asia Treaty Organization (SEATO), founded in 1954, was purportedly the Southeast Asian counterpart of the North Atlantic Treaty Organization (NATO). However, unlike the Atlantic Alliance, the Southeast Asia Collective Defense Treaty or Manila Pact, which created SEATO, did not consider, as NATO does, an attack on one member as an attack on all but committed its signatories only to consult on ways to meet the common danger. Like NATO, SEATO had a central headquarters, located in Bangkok, but, unlike NATO, SEATO had no joint command with standing forces, although it conducted joint military exercises every year. Only two countries – the Philippines and Thailand – out of its eight members belonged to the region that it presumed to serve.[4] Unlike NATO's members, which had a common adversary in the Soviet Union, the members of SEATO had diverse motives for joining the alliance. For example, Pakistan, SEATO's third Asian member, evidently saw the alliance as another bulwark and instrument that could be used against India. France and Great Britain still had Interests to protect in Southeast Asia at that time, interests not necessarily shared by the other members. The Philippines and Thailand were worried about communist states' support for their domestic communist insurgencies. The U. S. tried, unsuccessfully, to get SEATO behind its efforts in Indochina. Other countries in Southeast Asia, and in the wider Asian region, regarded SEATO as a force for division and regional confrontation rather than for unity and regional cooperation, looking upon it largely as a tool of the United States' geo-political interests in its global rivalry with the Soviet Union and its regional one with China. Pakistan having withdrawn from SEATO in 1973 and France in 1974, the organisation was formally ended in 1977, although the treaty itself technically subsists and is the official basis for the alliance between Thailand and the U. S.

It was not until the 1960s that countries of Southeast Asia, as the region is currently defined, got together, on their own, to form regional associations among themselves. In the early 1960s, Malaya, the Philippines and Thailand organised themselves in the Association of Southeast Asia, or ASA. It proceeded on the basis of practical cooperation in a number of specific areas. Because its three members were among the five countries that were to establish the Association of Southeast Asian Nations (ASEAN) in 1967, and because ASEAN initially followed ASA's ways of pursuing regional cooperation, ASA can be considered as a precursor to ASEAN. Indeed, in its first nine years, ASEAN, like ASA, did not have a central secretariat and operated mainly through a network of national secretariats. It is interesting to recall that ASA was not formally dissolved and its projects were not turned over to ASEAN until shortly after ASEAN's founding.

It was the proposal to form Malaysia out of the British-ruled territories of Malaya, Sabah, Sarawak and Singapore (Brunei Darussalam opted out) that led to another attempt at regional association in Southeast Asia. Invoking the vision of a coalesced Malay nation theretofore divided by Western colonialism and its legacy, MAPHILINDO – for Malaya, the Philippines and Indonesia – was cobbled together in July 1963 to subsume the projected territories of Malaysia, whose creation was opposed by both Indonesia and the Philippines, into an overarching Malay entity. It broke up as Malaysia's formation went ahead, Indonesia launched its diplomatic and military "confrontation" against the new federation, and the Philippines maintained its claim to Sabah.

It would have been a simple matter for Indonesia and Singapore to join ASA after Indonesia had changed course domestically and internationally and Singapore had separated from Malaysia, both in 1965. However, it would not do for them, especially for Indonesia, Southeast Asia's largest and, in many ways, pivotal country, merely to join an existing regional association, an association, moreover, that was regarded in many quarters as consisting of three pro-Western states. More importantly, an altogether new association would signal to the world that Southeast Asia – at least, the non-communist part of it – was starting afresh and leaving its past divisions behind. Having sought -- and failed -- to bring in neutral Burma and Cambodia, ASEAN made it clear in its founding document, the ASEAN Declaration, that it was open to the membership of all states in Southeast Asia. It would also embrace a new Indonesia, an Indonesia that had transformed its foreign policy from confrontational stances to universal linkages and its economy from largely state-directed to, in greater measure, market-driven.

ASEAN's Early Years

The ASEAN Declaration, signed in Bangkok on 8 August 1967, listed the objectives of regional cooperation in the new association as "economic growth, social progress and cultural development . . . , active collaboration and mutual assistance . . . in the economic, social, cultural, technical, scientific and administrative fields", the sharing of "training and research facilities in the educational, professional, technical and administrative spheres", "the greater utilization of their agriculture and industries, the expansion of their trade, . . . the improvement of their transportation and

communications facilities and the raising of the living standards of their peoples", and the promotion of Southeast Asian studies. The reference to regional security was limited to the promotion of "regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region".[5] This public emphasis on non-security cooperation was evidently motivated by ASEAN's determination to project itself as a benign, neutral and objective association, desiring to be friendly to all, devoted to the economic, social and cultural welfare of its peoples, rather than as a defence pact or military alliance, which some suspected to be its covert nature. Yet, it is in promoting regional peace and stability – without being a defence pact or military alliance, indeed *because* it was neither of those arrangements – that ASEAN has made its singular and most important achievement.

These limited purposes were not deemed to require a central regional institution. Thus, ASEAN did not have a central secretariat in its first nine years, although there were occasional calls for the establishment of one even at that time, notably those made formally by Malaysia in 1969 and 1973. Partly to send a signal that ASEAN was now an international political force to be reckoned with, and partly on account of the need for an institution to manage its increasing activities, particularly its economic cooperation, the ASEAN foreign ministers, in 1973, announced the association's decision to establish a central secretariat. At their first summit meeting, on 24 February 1976, the ASEAN leaders signed the agreement establishing the ASEAN Secretariat.[6] It was perhaps no coincidence that it was also at that first summit that ASEAN decided to pursue regional economic cooperation in formal ways.

However, the Secretariat was kept extremely weak and held on a tight leash. For the next 16 years, its head, appointed by the ASEAN foreign ministers for a two-year term, was called the Secretary-General, not of ASEAN, but of the ASEAN Secretariat. The position was to rotate among the members in alphabetical order. The Secretary-General was to attend ministerial and committee meetings and make sure that the committees and other ASEAN bodies were informed of ASEAN directives and other developments in the association. The Secretary-General was to "assist, where required," ASEAN committees and other ASEAN bodies. Despite these apparently limited functions, the Secretary-General, even at that time, was directed not only to "harmonize" and "facilitate . . . the implementation of . . . ASEAN activities", but also to "monitor progress" in it. Just as significantly, he was to "initiate plans and programmes of activities for ASEAN regional cooperation".

The agreement specified the engagement for three years of three bureau directors to take charge, respectively, of economic matters, science and technology, and social and cultural affairs. Other officers were to be nominated, and might even be seconded, by member-states for terms of three years. The agreement was quite specific as to what these other officers would be and do: a foreign trade and economic relations officer, an administrative officer, a public information officer, and an assistant to the Secretary-General. Locally recruited staff was provided for.

In January 1983, with the Secretariat's staff regarded as inadequate to manage the association's growing activities, the agreement was amended to add to its

complement "such other officers as the Standing Committee may deem necessary". The amendatory protocol's title made clear that the additional officers would take care of economic work.[7] This was followed by another protocol, in July 1985, lengthening the term of the Secretary-General to three years, the same as those of the other professional officers of the Secretariat.[8]

A further amendment, in July 1989, added a Deputy Secretary-General, who would be nominated by a member-state, in alphabetical rotation, for a term of three years. It provided for three bureau directors, nine assistant directors, and "such other officers as the Standing Committee may deem necessary", this time without specifying their respective areas of responsibility.[9]

The "ASEAN Way"

From the beginning, observers have ascribed several attributes to ASEAN's way of doing things – dubbed the "ASEAN Way". First is the ASEAN members' insistence on national sovereignty and territorial integrity and their corollary, non-interference in countries' internal affairs. It must be noted at the outset that the so-called "ASEAN Way" is actually the way of the world, the world being, like ASEAN, made up of sovereign states that are not subject to any extra-national authority.

The notions of national sovereignty, territorial integrity and non-interference are neither the inventions nor the monopolies of ASEAN. Practically since the Peace of Westphalia of 1648, those principles have underpinned the entire inter-state system -- in Europe, to begin with -- and are enshrined in the charters of most regional associations of states and in several United Nations General Assembly resolutions. Nevertheless, ASEAN's founding nations held these concepts especially dear for several reasons. They, with the exception of Thailand, had just emerged into independent nationhood when ASEAN was formed. In particular, Indonesia had seen its territorial integrity undermined, first, openly by the Dutch and, then, covertly by the United States, mostly from its bases in the Philippines. They also felt threatened by Chinese support for their domestic communist insurgencies or movements. Malaysia's very existence had been challenged by both Indonesia and the Philippines. The relations between Malaysia and Singapore were fraught with tension and mutual suspicion; some were the result of the tangled relationship between the two sides under British rule, others were the product of the complex ethnic and racial compositions of the two populations. Territorial and other disputes and antagonisms and mutual suspicions between ASEAN members called for mutual reassurance that each was to respect the sovereignty and territorial integrity of the others and refrain from interfering in their internal affairs if the association was to survive.

Although the concepts of "the responsibility to protect", "humanitarian intervention" and "human security" have eroded somewhat the principles of national sovereignty and non-interference and been accepted, at least in rhetoric, by some ASEAN members, the entry of the four newer members into ASEAN in the late 1990s has renewed the resonance of those principles within the association. The newer members have had reason to feel vulnerable to competition from the older, more economically

advanced ones.

The ASEAN members' attachment to national sovereignty largely explains their resistance to anything resembling supranational institutions or powers for the regional association. National sovereignty, territorial integrity and non-interference are not, in the ASEAN and other contexts, "norms" that govern the relations among states but rather intellectual constructs used to rationalise the determination of states to preserve their freedom of action and their autonomy in decision-making. In this, the ASEAN countries are not unique; they share these traits with others elsewhere in the world.

There are also the principle of equality among ASEAN members and consensus as the preferred mode of decision-making. Again, these are neither the inventions nor the monopolies of ASEAN. With the prominent exceptions of the United Nations Security Council, the Nuclear Non-proliferation Treaty, and the international financial institutions, all states are supposed to be equal under international law.

A uniquely ASEAN expression of the principle of equality is the singular system of equal contributions to the ASEAN Secretariat's budget, the ASEAN Fund (which was converted into the ASEAN Development Fund in 2005), the Science Fund, the ASEAN Centre for Energy, and, most recently, the ASEAN Inter-governmental Commission on Human Rights. Proposals to change the system have raised the question as to whether contributions based on capacity to pay would increase the sway of those members that contribute more. They have also brought forth the issue of voting rights. In order to get around the difficulties that ASEAN faces with respect to the inter-related questions of assessment formulas on the one hand and influence and weighted voting rights on the other, member-states have been encouraged to make voluntary contributions for specific purposes. Singapore, for example, has voluntarily pledged a third tranche of S$30 million for 2009-11 for ASEAN's programme for narrowing the development gap in ASEAN; launched an eGovernment and Telecoms Fellowship programme; contributed US$500,000 to the ASEAN Development Fund; and donated US$240,500 for upgrading the information-technology and archival and depository systems of the ASEAN Secretariat.[10] However, such voluntary contributions are for specific projects and purposes rather than for regional institutions.

Another manifestation of the ASEAN insistence on members' equality is the widely noted decision-making by consensus. This also is not unique to ASEAN. Most regional associations and international bodies make decisions by consensus, meaning arriving at a decision without any one dissenting member feeling strongly enough about the majority sentiment to register an official and explicit objection. The alternative to consensus is either the requirement for unanimity, which is more stringent than consensus, or majority vote. Recognising the divisive and contentious nature of voting in international venues, the UN General Assembly, other UN bodies, and several EU forums more often than not arrive at decisions by consensus. In some important instances, the EU even demands unanimity. In any case, most international and regional bodies do make their decisions by consensus.

On the other hand, some ASEAN agreements, like the treaty on the Southeast Asia Nuclear Weapon-Free Zone, the agreement on transboundary haze pollution and some free-trade area agreements, enter into force with less than ten ratifications. Some cooperative activities, particularly in such areas as anti-terrorism and maritime security, are carried out by less than all the ASEAN members, although "blessed" by ASEAN consensus. And, in practice, ASEAN has occasionally resorted to informal voting, whose results are then publicly presented as having been unanimously arrived at. The new ASEAN Charter places decisions on especially important issues in the hands of the ASEAN Summit, where no manner of decision, including voting, is ruled out. However, especially for sensitive political matters, ASEAN members, like those of most regional associations of states, insist on consensus in order to protect what they see as their prerogatives as sovereign nations.

Another attribute ascribed to the "ASEAN Way" is made up of informality, flexibility, pragmatism and reliance on personal networks rather than on binding rules. ASEAN's many meetings in many areas are a way of forming networks and friendships and building mutual confidence. The ASEAN Charter seeks to make the association more rules-bound, as it must increasingly be. This means, in theory and by intention, compliance with the rule of law, with outcomes governed by clear, transparent rules and with minimum arbitrariness or uncertainty. The extent to which it succeeds would depend on the willingness of each member-state to have its freedom of future decision and flexibility in implementation diminished in each individual case. This, of course, remains to be seen.

Re-shaping ASEAN and Its Secretariat

The ASEAN Secretariat was re-shaped more or less in its present form after the January 1992 ASEAN Summit in Singapore. It was at that summit that the ASEAN economic ministers signed the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area. The subsequent expansion, strengthening and increased independence of the Secretariat were evidently meant, at least partly, to enable it to manage the development and implementation of the ASEAN Free Trade Area (AFTA), which was proclaimed as a leading goal of ASEAN economic cooperation.

After years of treating the word “integration” as taboo, ASEAN finally decided to embark on the road to regional economic integration. The Treaty of Asunción setting up MERCOSUR in the southern cone of South America had been concluded. The Uruguay Round of Multilateral Trade Negotiations having been completed, the World Trade Organization (WTO) was largely superseding the General Agreement on Tariffs and Trade (GATT), placing global free trade on firmer institutional footing. Western Europe was moving towards the European Union (EU). Negotiations on the North American Free Trade Agreement (NAFTA) were nearing conclusion. China's economy was surging as a result of economic reforms in that country. India's own reforms were infusing a new dynamism into its economy. Faced with these towering challenges to the competitiveness of their nations and peoples, the six ASEAN leaders agreed to integrate the regional economy. They knew that they had to do this in order to remain competitive in export markets and in the attraction of investments. Regional economic

integration would bring about economies of scale, increase efficiency and productivity, lower costs, reduce prices, attract investments, generate jobs, and raise incomes, while giving consumers wider choices.

The first step in integrating the ASEAN economy was to reduce tariffs on intra-regional trade in time-bound tranches to 0-5 percent and eventually eliminate them. This was provided for in the Agreement on the CEPT Scheme for the ASEAN Free Trade Area. Subsequently, the deadline for lowering tariffs to 0-5 percent was advanced twice, partly in response to the Asian financial crisis of 1997-8. The agreement also provided for the immediate abolition of quantitative restrictions on intra-ASEAN trade and the elimination of other non-tariff barriers to that trade within certain time frames.[11]

The decision to integrate the regional economy required an effective institution to manage the process. Following the signing of the CEPT/AFTA agreement at the January 1992 ASEAN Summit, the ASEAN foreign ministers, at their annual meeting in July that year, agreed to enlarge and strengthen the ASEAN Secretariat, raise its status and expand its authority.[12] The Secretary-General would now be the Secretary-General of ASEAN, with ministerial rank, and not just of the ASEAN Secretariat. Although the foreign ministers would continue to do the selection, the ASEAN heads of government would formally appoint the Secretary-General -- for a lengthened term of five years. Officially, the selection would be on the basis of merit rather than alphabetical rotation. With the decision to convene ASEAN summits more frequently, the amendatory protocol recognised the role of the ASEAN heads of government in assigning duties and responsibilities to the Secretary-General, even as the latter was directed to attend ASEAN summits.

Much has been made of the directive in the 1992 protocol for the Secretary-General to "initiate, advise, co-ordinate and implement ASEAN activities", although, as noted above, from the beginning, in 1976, the Secretary-General had been directed to "initiate plans and programmes of activities for ASEAN regional cooperation". The 1992 protocol also gave him the responsibility of serving as "spokesman and representative of ASEAN" unless restricted from doing so "in respect of a specific subject by the Chairman of the Standing Committee". Significantly, the Secretary-General was directed specifically to “monitor the implementation” of the CEPT/AFTA agreement and serve on and support the AFTA Council.

The protocol changed the basis for the appointment of the Deputy Secretary-General to open recruitment from the previous system of nomination by member-states in alphabetical rotation. The Secretary-General would appoint his deputy after the latter’s selection by a panel of representatives of member-states chaired by the Secretary-General. The protocol provided for four bureau directors, 11 assistant directors, eight senior officers, and “any additional Openly Recruited Professional Staff as the ASEAN Ministerial Meeting may deem necessary”. The directors, assistant directors and senior officers, too, would be recruited openly and on merit in place of the previous system of being nominated by the member-states.

In July 1997, the Secretariat was again enlarged with the addition of another Deputy Secretary-General and the increase in the number of other officers to 15 assistant directors and 15 senior officers. The number of bureau directors remained at four, while further additions would be decided upon by the ASEAN Standing Committee rather than by the ASEAN Ministerial Meeting. Adopted at the same ministerial meeting that saw the admission of Laos and Myanmar (Cambodia's was delayed on account of the political turmoil in that country), the new protocol reverted the basis for the appointment of the Deputy Secretaries-General to alphabetical rotation, evidently in order to ensure that the new members would have their turns in the top positions in the ASEAN Secretariat.[13] The enlargement and professionalisation of the Secretariat were partly in response to the increase in ASEAN cooperation, particularly in the economic area, as well as to help promote the region's political cohesion and its capacity to cooperate on trans-national problems. In 1999, the ASEAN Standing Committee, with the help of the consulting firm PriceWaterhouseCoopers, undertook a review of the "role and functions of the ASEAN Secretariat", which covered salary scales and the organisational structure of the Secretariat but failed to professionalise it further, particularly the positions of the Deputy Secretaries-General.

ASEAN's leaders and ministers recognised that the reduction or abolition of tariffs on intra-ASEAN trade was not enough to integrate the regional economy. They knew that they had to go beyond even the elimination of non-tariff barriers called for in the AFTA agreement. Thus, in 1995, ASEAN agreed to liberalise intra-ASEAN trade in services through packages of commitments negotiated in a number of priority sectors. In 1996, the ASEAN Industrial Cooperation (AICO) scheme was established, under which the products of companies turned out in two or more ASEAN countries enjoy the ultimate CEPT/AFTA tariff rate (currently zero percent). This has encouraged the organisation of production chains in ASEAN, particularly in the automotive and electronics sectors. In 1997, an ASEAN agreement formalised the updated 14-year-old customs code of conduct. In 1998, ASEAN adopted a "framework agreement" for mutual recognition arrangements. Such arrangements, for individual sectors, would avoid the need to test a product in both the exporting and the importing ASEAN countries. In the same year, ASEAN concluded a goods-in-transit "framework agreement" under which goods would be shipped from one ASEAN country to another through a third without hindrance in the third country. After the turn of the millennium, the ASEAN member-states took further steps to integrate the regional economy, harmonising tariff nomenclatures, agreeing on an "ASEAN Single Window" for more expeditious customs clearance, aligning regulatory regimes for electrical and electronic equipment, and committing themselves to the liberalisation of commercial shipments by air.

Legally, almost all intra-ASEAN trade is free of tariffs. Tariff nomenclatures have been harmonised. AICO seems to be doing well, although its incentives have to be adapted to the abolition of tariffs on intra-ASEAN trade. Mutual recognition arrangements for a few product groups and for the credentials of certain professionals have been agreed upon. A dispute-settlement mechanism for ASEAN economic agreements is in place. The foundations for regional economic integration have been laid. Although much has been made of these measures' lack of enforcement mechanisms, as is the case in most international agreements, the possibility is often

overlooked that a leader's signature on an agreement would add pressure on the government to comply with its terms and carry out the domestic reforms necessary to do so. Moreover, if the government placed value on the agreement, it would not violate its terms for fear that the other governments would then feel free to ignore them as well.

Nevertheless, in the specific case of ASEAN, most traders and investors still do not take into account the state of regional economic integration in their trading and investment decisions. Little progress has been made in dismantling non-tariff barriers to intra-ASEAN trade. The single-window system that is supposed to make customs clearance easier is not yet in operation in all countries where it should be, although the decision on it was arrived at in 2005 and its implementation in the ASEAN-6 scheduled for 2008. The goods-in-transit agreement is not carried out because of the lack of accord on a number of its implementing protocols. Commitments to liberalise air cargo services have been made, but some countries have excluded their commercial hubs from the agreement's coverage. After many years of leaving passenger air services to bilateral agreements and general commitments to "open skies", the ASEAN countries in May 2009 concluded a multilateral agreement on air services. The agreement would apparently liberalise the provision of air services by ASEAN countries in other ASEAN countries. How it works out in practice remains to be seen. More generally, business people have difficulty navigating the ASEAN Secretariat's Web site and finding useful business information in it.

The relatively slow pace of ASEAN economic integration -- and of the development of effective institutions and processes to bring it about -- can be attributed to the weakness or absence of the conviction -- not least on the part of the members' decision makers -- that what is good for the region is good for the nation, its regime and/or its leadership, that they would be better off acting together than acting alone, that maintaining the integrity of ASEAN agreements is good for the national interest. It can also be due to the lack or absence of pressure from the business sectors; indeed, many Southeast Asian companies tend to seek national protection from the heightened competition that regional economic integration is expected to bring. Pressures for regional economic integration come not from ASEAN corporations, which have political influence, but mostly from Japanese and American companies, which have less or none. There is the perception that it is the multinational corporations, rather than home-grown small and medium enterprises, that stand to benefit most from market integration. Or all of these together.

The degree of regional economic integration is often regarded as the acid test of the effectiveness of ASEAN as an institution and a process, one of ASEAN's iconic aspirations. However, ASEAN has also embarked on an increasingly wide range of cooperative endeavours. Some are related to economic cooperation, like linkages in transportation, communications, energy and tourism and their role in regional economic integration. Others have to do with working together against terrorism and other transnational crime. Still others are in the social areas, like illicit drugs, the environment, public health, and education. Many of these endeavours, diverse in their effectiveness, have components involving the three Northeast Asian countries -- China, Japan and

South Korea -- together (ASEAN Plus Three) and individually (ASEAN Plus One). These ASEAN and ASEAN-centred bodies not only recognise that many trans-boundary problems can be dealt with only on a regional basis; they are also venues for networking and developing a regional identity, which facilitate cohesion, integration and cooperation. In the case of the ASEAN Plus Three and ASEAN Plus One forums, they signify the strength of the linkages between Southeast Asia and Northeast Asia collectively and individually. Nevertheless, cooperation in these areas is often inadequate, partly on account of the lack of effective regional institutions to move it forward.

Developing a Sense of Region

The pace, depth and effectiveness of regional economic integration and regional cooperation on transnational problems, as well as of political cohesion, and the development of institutions to promote and carry them out depend in large measure on the achievement of a regional consciousness, on the identification of the regional interest with one's own. In developing such a regional consciousness, Europe has a significant advantage over Southeast Asia. Not only do Europeans share a common civilisation, are familiar with the region's common history, and been united in the past under Christendom and the Holy Roman Empire. It has been pointed out that today a European consciousness has developed in that continent because of the direct impact that European integration has had on people's lives. A common European currency is in use in most countries in Europe. There is no such common currency in Asia. People of member-countries of the European Union can live, study and work anywhere in the Union, something that is not true of Southeast Asia or any other part of Asia.

Nevertheless, in ASEAN, a regional consciousness is developing, albeit in smaller ways and at a much slower pace than in Europe. Not only governments but also people and their associations have promoted exchanges and interactions among the region's inhabitants and, in the process, have developed, in some measure, a sense of region, without which political cohesion, economic integration and regional cooperation would not be possible. Thus, ASEAN has seen a multiplicity of ASEAN groups based on hobbies or professional or cultural interests.

For obvious reasons, ASEAN pays special attention to interaction among the region's youth. It must be noted, to begin with, that a 2007 survey of university undergraduates in all ten ASEAN countries disclosed a surprising level of ASEAN awareness among educated young people.[14] The ASEAN Committee on Culture and Information (COCI), largely supported by a Cultural Fund put up by Japan, has been organising annual ASEAN youth camps, which gather together young people from all ten Southeast Asian countries, and sponsoring other events for the region's youth, like song competitions. An ASEAN youth Web portal (www.aseanyouth.org), said to be an initiative of the ASEAN Senior Officials Meeting on Youth and supported by the ASEAN Foundation, provides a platform for social networking among the region's young people. Singapore has set up an ASEAN Youth Fund to finance youth-related joint activities from 2007 to 2011. At the annual ASEAN Youth Day Meeting, awards are conferred on young people for their contributions to regional cooperation and development. Other activities

reflected in the Web portal are workshops on entrepreneurship, a community leadership forum, an extemporaneous speaking competition, a creativity "expo", and a model-helicopter aerobatics competition. Southeast Asian youth also link up with those from China, Japan and Korea in an ASEAN Plus Three context.

Japan has for many years supported programmes that promote mutual knowledge and friendships both among ASEAN youth and between them and those of Japan. One of those programmes is the Ship for Southeast Asian Youth Programme (SSEAYP), which started as early as 1974. This annual event gathers about 30 young people from each ASEAN country and from Japan on board a Japanese cruise ship for about 50 days, calling on a number of Southeast Asian and Japanese ports. Those who have participated in the programme have formed national alumni associations, which, in turn, have coalesced in SSEAYP International, formed in 1987. More than 9,000 youth from ASEAN and Japan have participated in the programme over 35 years and 36 cruises.

Another Japan-supported effort is the Friendship Programme for the 21st Century. To quote myself:

> In 1984, pursuant to a proposal made by Prime Minister Nakasone during his ASEAN tour the previous year, Japan initiated the Friendship Programme for the twenty-first Century, in which young people from ASEAN countries were . . . invited to stay for several weeks in Japan for lectures, study visits, observation tours, home stays, and get-togethers with Japanese youth. From 1984 to 2001, 14,942 young people from ASEAN were recorded as having gone to Japan under the programme. The programme was later expanded to include 120 countries . . . but the core has remained ASEAN.. . . . Alumni have organized themselves into national associations, which since 1988 have been networked In the ASEAN-Japan Friendship Association for the 21st Century. . . .[15]

In April 2009, Japan invited 216 teenagers from the ASEAN countries and Timor-Leste to meet, together, with Japanese youngsters of the same age range. Yoshinori Katori, Japan's ambassador to ASEAN, described the atmosphere at the farewell reception for the young people from Southeast Asia, "The enthusiasm of the young people gave everyone present at the reception optimistic prospect for the realization of the ASEAN Community and a closer and stronger partnership in East Asia."[16] The new ASEAN Centre in Seoul, officially launched in 2009, seems to give priority to cultural, educational and youth exchanges.

Comparisons with Europe

The next significant step in expanding the functions of the ASEAN Secretary-General and the ASEAN Secretariat and strengthening their mandate came with the signing (November 2007) and entry into force (December 2008) of the ASEAN Charter. The charter seeks to strengthen compliance with ASEAN economic and other agreements by investing ASEAN with legal personality, providing for dispute-settlement mechanisms,

authorising the Secretary-General to invite attention to cases of non-compliance with agreements and dispute-settlement decisions, and adopting measures to streamline decision making. The ASEAN economic ministers are devising a scorecard to keep track of compliance with ASEAN economic agreements and, presumably, depending on how much of the scorecard is made public, to shame laggards into complying with their commitments. Nevertheless, despite these and other moves towards a more rules-based organisation, ASEAN remains short of the more formal and more institution-impelled processes of the European Union (EU).

It is both flattering and a burden to ASEAN that it is constantly compared to the EU and measured against the state of the EU's integration and other achievements, real or perceived, and that the ASEAN Secretariat is often compared to and measured against the European Commission. It is flattering, because it means that ASEAN has reached the point where it can be compared to the EU. It is a burden, because ASEAN is quite different from the EU, and Southeast Asia is quite different from Europe. It is not only that Southeast Asia is much more diverse than Europe is in terms of ethnicity, religion, culture, political system, level of development, historical experience and memory, and strategic outlook. It is not only that the Southeast Asian nations are much younger as independent political entities than European ones. It is not only that ASEAN as a regional enterprise is much newer than what has become the European Union; indeed, it has been pointed out that ASEAN-10 is only ten years old, Cambodia having joined ASEAN in 1999.

More important is the continued lack in Southeast Asia of the conviction that the nation's, the regime's and/or the ruler's interests are advanced by stronger regionalism, together with the mutual suspicions that continue to bedevil the Southeast Asian countries' relations with one another. From this arises the willingness of the participants in a regional enterprise to delegate power and authority to regional institutions. In general, such a conviction is stronger in Europe than in Southeast Asia.

Another European institution to which ASEAN and the ASEAN Regional Forum are often invidiously compared is the Organization for Security and Cooperation in Europe (OSCE). The OSCE grew, in December 1994, out of the Conference on Security and Cooperation in Europe, which took place from 1973 to 1975 in Helsinki and Geneva and resulted in a bargain between the commitment to human rights and fundamental freedoms, which were the principal interest of the West, and the freezing of the post-World War II boundaries in Europe, which was the main concern of the Soviet Union and the Eastern European regimes. The OSCE has since evolved into a large and active organisation, the largest regional security organisation in the world, with 56 member-states, including not only European but also North American and Central Asian nations. It has around 450 personnel in various institutions and about 3,000 in 19 missions or field operations all over Eastern Europe, South Caucasus and Central Asia, with a budget of more than €164 million for 2008 and more than €168 million for 2007. With its main headquarters in Vienna and making decisions by consensus, the OSCE categorises its work into politico-military, economic and environmental, and human. The politico-military area covers arms control, border management, anti-terrorism, conflict prevention, military reform, and police matters. It focuses on matters where economic

and security issues intersect, such as money laundering, the financing of terrorism, transport development and security, and migration management. Environmental cooperation covers water, energy, and the disposal of hazardous waste. The human dimension includes human trafficking, democracy-building, education for conflict prevention and post-conflict rehabilitation, elections, gender equality, human rights, media freedom, minority rights, the rule of law, and tolerance and non-discrimination.

ASEAN, the ARF or any other ASEAN-related construct would not even think of embarking upon many of these functions of the EU, the OSCE or both, now or in the foreseeable future. The situations and inter-country relationships -- not to mention the size of their staffs and budgets -- are just too different. What the states and peoples of ASEAN, East Asia and the Asia-Pacific can strive for at this time is the recognition that they would be better off, in many areas, including economic integration, acting together than acting alone. This would, in turn, require that they overcome the mutual suspicions and animosities that currently keep so many of them apart. This will take both time and difficult negotiations, as elsewhere, even in Europe.

In the meantime, despite falling short of the European achievement in terms of the fulfillment of commitments, the visibility of activities, and the operation -- and size -- of institutions, policy-makers around the world look upon ASEAN as more advanced than similar enterprises in other developing regions and its secretariat as more functional than most regional institutions outside Europe. Not much is publicly known about it, but ASEAN, for the first time, has a small office in Yangon coordinating international assistance to the victims of Cyclone Nargis in Myanmar.

The Charter

On the subject of the ASEAN Charter, ASEAN's leaders, evidently seeking to move ASEAN to a more rules-based structure, place It under a legal regime, provide a new rallying point for support for ASEAN, and advance the process of community building, declared in December 2005 their commitment to the promulgation of an ASEAN Charter, something that had been sporadically proposed before. In their declaration, they specified the principles, purposes and Ideals that would inform the proposed charter. For this purpose, they established an Eminent Persons Group (EPG) to make recommendations for the contents of the charter and asked the ASEAN foreign ministers to set up a High Level Task Force (HLTF) to draft it. The distinction must be made clear between the EPG and the HLTF. The EPG was made up of prominent personalities, one from each ASEAN country. Some were serving in their governments; others had retired or did not hold government positions. Each was supposedly discharging his work (all were men) as an Eminent Person in his private capacity. On the other hand, the HLTF drafted the charter in a process of inter-governmental negotiations, its members being negotiators for their governments. The EPG could only recommend elements of the charter and its positions on them. The HLTF had the power to accept or reject the EPG recommendations; its text was the definitive one that the foreign ministers would approve and the leaders would sign.

Most of the EPG's recommendations were adopted by the HLTF; a few others were not. Among the recommendations that the officials included in the draft charter were not only the norms for governing inter-state relations in ASEAN but also those that had to do with the behaviour of states towards their people -- democracy, human rights and fundamental freedoms, the rule of law, constitutional government, good governance and social justice. Others were the same country-chairmanship for all ASEAN bodies, the additional mandates and expanded role of the ASEAN Secretary-General, and the centrality of ASEAN in the security and economic schemes of the Asia-Pacific. The system of ASEAN member-states' permanent representatives to ASEAN, which had been proposed as early as 1982-3, was another EPG recommendation included in the charter. However, the special fund for narrowing the development gap in ASEAN, the possibility of suspension or expulsion of members in "serious" breach of the charter, the establishment of an ASEAN institute, and the goal of an ASEAN Union were not adopted. On the other hand, the regional ASEAN human rights body provided for in the charter had not been recommended by the EPG.

Other ASEAN Institutions

Separate from but closely linked with the ASEAN Secretariat is the ASEAN Foundation. Upon Indonesia's initiative, the foundation was established by a Memorandum of Understanding signed by the ASEAN foreign ministers on the occasion of the ASEAN Summit of December 1997.[17] It would promote ASEAN awareness, interaction among ASEAN people, their participation in ASEAN activities, human resource development, "mutual assistance, equitable economic development and the alleviation of poverty". The foundation was to be governed by a Board of Trustees, each to be appointed by and represent an ASEAN member-state. Partly for reasons of economy, the member-states, except, initially, the Philippines, Singapore and Thailand, as well as Indonesia, appointed their respective ambassadors to Indonesia to the Board of Trustees. Within a few years, all the ASEAN countries other than Indonesia had designated their ambassadors in Jakarta as trustees of the foundation. After the ASEAN Charter went into effect and the member-states appointed their Permanent Representatives to ASEAN, the Permanent Representatives took the place of their ambassadors to Indonesia on the Board of Trustees.

The original concept was that the foundation would raise funds from private corporations, other foundations and individuals, as well as well as ASEAN and Dialogue-Partner governments, and, with those funds, finance activities in the pursuit of the foundation's objectives. "(P)rominent individuals of high stature in the region", to be appointed by the Board of Trustees for three-year terms, would form a Council of Advisers and, presumably, help in raising private funds. However, the ASEAN Directors-General, then constituting the ASEAN Standing Committee, proposed themselves as their countries' representatives to the Council of Advisers. The ASEAN Foundation thus became another ASEAN inter-governmental body controlled by the ASEAN member-states. In the light of the changes that the ASEAN Charter has made to the functions of the ASEAN Directors-General and the appointment of the Permanent Representatives in Jakarta to the Board of Trustees, the Council of Advisers has apparently ceased to exist.

Upon its establishment, Brunei Darussalam and Indonesia pledged US$1 million each to the foundation, Myanmar and Singapore US$500,000 each, the Philippines US$500,000 over three to five years, Laos US$500,000 over five years, and Thailand and Vietnam US$100,000 each. The foundation's activities have been sustained largely by the Japanese contribution of US$20 million, given a few weeks after the foundation's establishment and called the Solidarity Fund. China and Korea have given much smaller amounts, as have Canada and France. More recently, some private corporations, like Microsoft and Hewlett-Packard, have extended support to the foundation's scholarships and corporate social responsibility activities.

Today, the foundation has three types of funds -- an endowment, the operational fund and the projects account. Its functions now focus on promoting ASEAN awareness and regional identity, enhancing interaction among ASEAN's "stakeholders", human resource development and capacity building, and narrowing socio-economic disparities in ASEAN.

The foundation's MOU was amended in 2000 to reflect the realities that had developed.[18] The MOU has to be amended again partly to give effect to Article 15 of the Charter, whose second paragraph provides that the "ASEAN Foundation shall be accountable to the Secretary-General of ASEAN". One issue is whether the ASEAN Foundation in this context means the Board of Trustees, who represent the member-states, or the Executive Director.

The January 1992 summit called on ASEAN to "help hasten the development of a regional identity and solidarity and promote human resource development by considering ways to further strengthen the existing network of the leading universities and institutions of higher learning in the ASEAN region".[19] Accordingly, in November 1995, the ministers in charge of higher education in the then-six ASEAN member-countries signed the charter of the ASEAN University Network. The heads of eleven leading universities from those countries then signed an agreement establishing the AUN. In the middle of 2007, the AUN had 21 universities from all ten ASEAN countries.

Located in Chulalongkorn University in Bangkok, the AUN's small secretariat is funded by the Thai government. The network conducts a variety of events -- an annual "educational forum" that includes a young speakers contest, an annual youth cultural forum, faculty and student exchanges, scholarship grants, collaborative research, and distinguished lectures. Although the AUN charter envisions the "expansion" of ASEAN studies in the region, only the University of Malaya grants degrees in ASEAN studies. The AUN also undertakes cooperative activities with the European Union, South Korea, Japan, India, China and Russia.

A sub-network of the AUN, established in 2001, is the Southeast Asia Engineering Education Development Network (SEED-Net). Supported mainly by the Japanese government and partially by the ASEAN Foundation, SEED-Net has an autonomous secretariat, also at Chulalongkorn University. It funds research, short-term visit programmes, doctoral and other scholarships, and regional conferences and workshops.

An outgrowth of a joint ASEAN enterprise with a Dialogue Partner is the ASEAN Centre for Energy. ACE was established after the ASEAN-EC Energy Management Training and Research Centre, set up in January 1999, came to an end. ACE is now funded by the Energy Endowment Fund, to which all ASEAN member-states make equal contributions. However, ASEAN and the EC have continued to cooperate on energy, specifically through the co-generation programme funded by the EC-ASEAN Energy Facility. The programme's activities have included projects demonstrating energy technologies, organising expositions and conferences, maintaining databases, and conducting business forums.

Like ACE, the ASEAN Centre for Biodiversity grew out of an ASEAN-EC project, the ASEAN Centre for Biodiversity Conservation, a five-year (1999-2004) endeavour to help protect Southeast Asia's vast biodiversity through cooperation within ASEAN and between ASEAN and EU institutions. Again like ACE, the ASEAN Centre for Biodiversity has taken some of the workload off the shoulders of the ASEAN Secretariat's staff, in this case the environmental unit. Financed by voluntary contributions to the ASEAN Biodiversity Fund, the centre is governed by a board made up of the ASEAN Senior Officials on the Environment (ASOEN) and the ASEAN Secretary-General. According to the centre, although Southeast Asia accounts for only three percent of the earth's land surface, it has 20 percent of the planet's known species. Out of the 64,800 known species, 1,312 are endangered. If the present rate of deforestation continues, three-fourths of the forests and 42 percent of biodiversity could be lost by 2100. Eighty percent of the world's coral reefs are at risk. The ASEAN Centre for Biodiversity focuses its work on coordination, information sharing, monitoring and assessment, capacity building, the development of a common understanding of biodiversity issues, the promotion of public awareness, and resource generation and mobilisation.

The ASEAN Charter provides for the establishment of "an ASEAN human rights body", the consideration of which was called for more than 15 years before, in the joint communiqué of the 1993 ASEAN Ministerial Meeting.[20] In July 2009, the ASEAN foreign ministers adopted the body's terms of reference, which had been negotiated and drafted by a panel of senior government officials. The adoption paved the way for the appointment by the member-states of their representatives to the commission and for the commission’s formal launch at the October 2009 ASEAN Summit. Being the result of inter-governmental negotiations, the terms of reference, like most international agreements, are full of apparent contradictions. One is in the very name of the body -- the ASEAN Inter-governmental Commission on Human Rights (AICHR). It is a commission and is, therefore, expected to act independently; it is also inter-governmental, which means that it is to have no authority over ASEAN's member-states. It is supposed to respect both "international human rights principles" and "the independence, sovereignty, equality, territorial integrity and national identity of all ASEAN Member States” and non-interference in their internal affairs. The AICHR is to be a “consultative body” but is asked to undertake specific tasks, including developing strategies, drawing up an ASEAN Human Rights Declaration, promoting public awareness, capacity building, advisory services and technical assistance, obtaining information from ASEAN member-states, developing common approaches and positions on human rights, preparing studies and submitting reports. The ASEAN member-states

are to appoint their representatives to the commission, who are both to be "accountable" to their respective governments and to "act impartially".[21] Such ambiguities can either result in frequent deadlocks or leave ample room for maneuver on the part of the members of the commission or their governments. In which direction the commission goes will be determined by how it actually operates and by the character and behaviour of the representatives to it and the dynamics of the relations among them. The members of the commission have been appointed, reflecting a wide range of backgrounds. Significantly, the commission is to meet alternately at the ASEAN Secretariat and in ASEAN's chair-country.

Another type of ASEAN-related arrangements is the use for ASEAN purposes of national facilities. The outstanding example of this is the ASEAN Specialised Metereological Centre, which is located in and run by the Meteorological Services Division of the National Environment Agency of Singapore. It trains staff from the nine other ASEAN countries. On its Web site, one can find on satellite maps on any given day the locations of the "hot spots" and fires that cause the haze problem in Southeast Asia.

ASEAN has earned international praise for its leadership in forming the Tripartite Core Group of the ASEAN Secretariat, the United Nations and the Myanmar government for the purpose of mobilising international resources and otherwise coordinating the international response to the damage done by Cyclone Nargis to large swathes of Myanmar and the rehabilitation needs of the affected areas. The Secretariat continues to maintain a small office in Yangon for this purpose.

Sub-regional Programmes

There are at least three sub-regional development programmes that are actively promoted by the ASEAN governments involved. These are the Greater Mekong Sub-region (GMS) of the mainland Southeast Asian countries -- Cambodia, Laos, Myanmar, Thailand and Vietnam -- and Yunnan Province and Guangxi Zhuang Autonomous Region of China; the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) covering Sumatra, northern peninsular Malaysia and southern Thailand; and the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA) among Brunei Darussalam, eastern Indonesia, East Malaysia, and southern Philippines. All are linked in one way or another to ASEAN or are at least taken cognizance of by ASEAN. All have the support, in varying degrees, of the Asian Development Bank.

The GMS is unique among ASEAN-related sub-regional groups in that it includes a non-ASEAN state, China. It takes a comprehensive approach to development, from infrastructure to tourism, from the environment to human resource development. In ASEAN eyes, the GMS enterprise is complementary to the Initiative for ASEAN Integration (IAI), the programme for narrowing the development gap between the ASEAN-6 and the ASEAN-4. The ASEAN-4, or CLMV, see the construction of infrastructure as vital to their development and hence to the goal of the IAI. However, the ASEAN member-states do not have the resources to fund it and thus leave it to the international and regional development banks -- that is, the World Bank and the Asian Development Bank -- and certain developed countries to do so. This is where the ADB's

GMS programme comes in, although it definitely is about more than pouring concrete and asphalt to make roads and bridges for carrying goods to ports and markets -- and although it includes Thailand and a province and a region of China. The GMS project is made up basically of three "corridors". The East-West Economic Corridor connects southern Myanmar on the Gulf of Martaban in the Andaman Sea through northeast Thailand to Mukdahan on the Mekong and on to Savannakhet in Laos and from there to the Vietnamese coast at Dong Ha and Da Nang. The North-South Economic Corridor links Bangkok through northern Thailand and parts of Laos and Myanmar to Kunming, Hanoi, Nanning and Chinese ports. The Southern Economic Corridor connects Bangkok to Savannakhet in Laos and the ports of Quy Nhon, Ho Chi Minh City and Vung Tau in Vietnam through Cambodia. These entail not only the construction of roads and other infrastructure to ease commerce but also the development of the areas that they traverse, specifically those in Cambodia and Laos. Otherwise, the people in those places would not benefit from the projects.

The ADB -- and the World Bank -- should be unapologetic for their support for infrastructure development, as they are the only multilateral institutions that have the capacity and resources to extend such support, while, of course, making sure that the human, ecological and social dimensions of development are taken into account. Both institutions, however, are constrained by the policies of certain powerful members from extending assistance to Myanmar.

What the ASEAN-6 have committed to is mostly the development of the human resources of the ASEAN-4. However, coordination seems to be lacking within and among the suppliers of the training, workshops and so on, among and within the recipients, and between suppliers and recipients. The third component of the ASEAN-4's development is the adoption and implementation of appropriate policies to attract investments and otherwise promote economic and human development. The ASEAN-4 will have to work this out themselves, with advice upon request. It is important for all three components -- infrastructure, human resource development and economic policy -- to be coordinated and complementary, with, for example, HRD efforts and the adoption of appropriate policies supporting the infrastructure projects.

Partially related in function to the Greater Mekong Sub-region programme is the work of the Mekong River Commission (MRC). An outgrowth of the Mekong Committee, which had been founded by the UN Economic and Social Commission for Asia and the Pacific in 1957, the MRC was established in 1995 among Cambodia, Laos, Thailand and Vietnam. In 1996, China and Myanmar became MRC Dialogue Partners, a kind of observer status that gives them access to information but without obligations or responsibilities. The MRC focuses on matters related to the Mekong River itself. Its headquarters rotates every three years among the member-states. Its relationship to other programmes for the development of the Mekong Basin ought to be looked into.

The IMT-GT is said to be basically driven by the Malaysian business sector seeking to exploit the natural resources of Sumatra, although it has been pointed out that Malaysians have not needed the sub-regional scheme to have access to Sumatran resources. The idea of the growth triangle seems to be the facilitation of the flow of

goods and services within the sub-region to lower costs and the better to exploit the complementarities of the units within it. Business is less active in the border area between northern Malaysia and southern Thailand because of the political volatility, atmosphere of violence, and occasionally tense Malaysian-Thai relations in that area. IMT-GT was originally headquartered in the Malaysian state of Selangor, which undertook to fund it. However, when, as a result of the March 2008 elections, Selangor's state government fell to the opposition, the headquarters was forthwith moved to the Economic Planning Unit in the Prime Minister's Department in Putrajaya, Malaysia's federal capital, with the federal government offering to fund it for five years.

BIMP-EAGA is premised on the proposition that the underdeveloped regions of Indonesia, Malaysia and the Philippines could somehow achieve progress by being linked together across national boundaries with external support. BIMP-EAGA was initially presented as largely driven by the private sector, the central governments being unable or unwilling to make the political decisions -- or lacking the resources -- necessary to bring about the faster development of the border areas. However, it soon became apparent that the liberalisation of transportation and communications services across national boundaries and the reform of customs and immigration procedures called for in ASEAN agreements could be decided upon only by the central governments in Jakarta, Putrajaya and Manila, as well as Bandar Seri Begawan. Moreover, the business people, as well as the governments, are caught in a familiar chicken-and-egg situation: infrastructure and facilities for transportation and communications would not be economically viable without a sufficient level of economic activity, while economic activity would not take place without adequate infrastructure and facilities. They realised this, as attempts to operate ferry services between Zamboanga and Sandakan and scheduled airline flights using small aircraft around the region floundered. A tiny BIMP-EAGA secretariat called a facilitation centre operates out of Kota Kinabalu, Sabah's capital, which the Sabah government is funding, initially with US$32,500. The ADB has undertaken to provide the scheme US$15 million over three years.

In recent years, representatives of these three sub-regional groups have met on the sidelines of ASEAN meetings at various levels, including the summit. However, there is no formal mechanism for ASEAN to discuss, much less oversee, the activities of the groups.

Other Southeast Asian Institutions

Antedating ASEAN was the Southeast Asian Ministers of Education Organization (SEAMEO), which was founded in 1965, two years before ASEAN. Its charter, however, was signed in 1968, the year after ASEAN's creation. SEAMEO was born at the height of the Cold War, with Laos, Malaysia, the Philippines, Singapore, Thailand and South Vietnam as the founding members and a "special adviser" of the President of the United States in attendance. With varying levels and kinds of support from the host governments, SEAMEO began setting up regional centres for training and research, the first ones, established in 1966, being the Regional Centre for Education in Science and Mathematics in Penang, Malaysia, and the Regional Language Centre in Singapore. There are now 15 such centres all over Southeast Asia, specialising in different

disciplines, like tropical medicine, public health, education innovation and technology, science, agriculture, vocational training, and archaeology and fine arts. In 1973, SEAMEO initiated its system of associate memberships, which is analogous to the ASEAN system of Dialogue Partnerships (see below), with France as the first associate member, followed by Australia and New Zealand the next year. In addition to the first three, five other countries have become associate members -- Canada, Germany, The Netherlands, Norway and Spain. Since the early 1970s, Japan has been a leading donor to SEAMEO endeavours. However, it is not an associate member, but is instead referred to as a "partner country". With a small secretariat of less than 15 professionals in Bangkok, SEAMEO now has all ASEAN countries as members, plus Timor-Leste.

The ASEAN ministers of education met in December 1977. They did not meet again in that context until almost 30 years later, partly because they were already meeting as the SEAMEO Council. Nevertheless, they decided to meet as ASEAN and called the event, in March 2006, the First ASEAN Ministers of Education Meeting. To avoid meeting twice a year -- once as ASEAN Ministers of Education and another time as SEAMEO Council -- they decided to hold both meetings on the same occasion and at the same venue. Moreover, the same senior officials were assisting both gatherings. The two meetings have thus coincided since 2006.

Another regional organisation outside ASEAN is the Southeast Asian Central Banks Research and Training Centre (SEACEN). Despite its name, SEACEN membership extends beyond Southeast Asia as defined today. Indeed, SEACEN was founded, in 1982, by central banks from Southeast and South Asia – Burma (now Myanmar), Indonesia, Malaysia, Nepal, the Philippines, Singapore, Sri Lanka and Thailand. It is now made up of the central banks of these countries plus South Korea, Taiwan, Mongolia, Brunei Darussalam, Fiji, Papua New Guinea, Cambodia, and Vietnam. Located in Kuala Lumpur, SEACEN conducts training, primarily in monetary policy, banking supervision, and payments and settlement systems, and does research on economic and financial developments in the region. There are no formal links between SEACEN and ASEAN, and even informal interaction between them appears to be minimal.

ASEAN and Its Dialogue Partners

From the beginning, one of the characteristics of ASEAN – and of its member-states – has been their openness to mutually beneficial linkages with outside powers. By the time of ASEAN's first summit, Dialogue Partnerships had been formed with the European Economic Community, Australia, New Zealand and Japan. After ASEAN demonstrated its increasing cohesion and seriousness in 1976 by holding its first summit, establishing a central secretariat, rudimentary though it was, concluding its first binding treaty (the Treaty of Amity and Cooperation in Southeast Asia), and initiating the ASEAN Economic Ministers meetings, the United States and Canada followed suit, in 1977. In the same year, the UN Development Programme (UNDP) also officially became an ASEAN Dialogue Partner. Four other countries have since joined the system of ASEAN Dialogue Partners -- South Korea in 1991 and China, Russia and India in 1996. From 1980 to 2003, the ASEAN foreign ministers met their counterparts from the Dialogue Partners both together and individually, right after the annual ASEAN Ministerial Meeting. In 2004

and 2005, the so-called Post-Ministerial Conference (PMC) 10+10 plenary was transformed into less formal "retreats" among ministers, evidently in the light of the overlaps between the discussions in the PMC plenary and those in the ARF, ASEAN+3 and the EAS, although early in the ARF's life the ministers had attempted to divide the coverage between the agendas of the PMC plenary and the ARF. In 2006 and 2007, the PMC 10+10 convened in "working lunches", and in 2008 and 2009, the collective discussions were done away with altogether. Throughout all this time, however, the meetings between the ASEAN ministers and those of the individual Dialogue Partners continued to take place. Until the PMC plenary was discontinued, the UNDP took part in it, but not in the political discussions.

At the beginning, in the 1970s, ASEAN's interests in its relations with the Dialogue Partners revolved around market access for the member-countries' exports, the attraction of direct investments from the Dialogue Partners, and the acquisition of official development assistance (ODA) from them. Since the early 1990s, ASEAN's interests have expanded to embrace strategic concerns, even as the Dialogue Partners' interests in ASEAN have always been strategic in nature. Accordingly, in the 1990s the Dialogue system was extended beyond the leading developed countries. Nevertheless, all the Dialogue Partners extend, through different vehicles, support and assistance to projects intended to advance ASEAN's collective purposes.

These relationships have been managed basically not by the ASEAN Secretariat, which has no formal supranational authority, but by the "country-coordinator" of each dialogue, except that the secretariat has always been the coordinator for the dialogue with UNDP. However, in recent years the role of the secretariat in the dialogues has somewhat expanded if only on account of the increased and more complex workload entailed. Country-coordinators are rotated every three years in the usual ASEAN alphabetical order.

The ASEAN Regional Forum

In response to the end of the Cold War and the uncertain configuration of power in the Asia-Pacific region that resulted from it, ASEAN, in cooperation with some of its Dialogue Partners, pushed for the initiation of a forum among ASEAN, which had admitted Brunei Darussalam in 1984, its then-seven (South Korea having been added in 1991) Dialogue Partners, China and Russia, then "consultative partners", and ASEAN observers, then Vietnam and Laos as well as Papua New Guinea. The forum's purpose was, and essentially remains, dialogue and consultations on political and security issues affecting the Asia-Pacific region. The first ministerial meeting of what was called the ASEAN Regional Forum convened in Bangkok in 1994. The ARF now has 27 participants.

At its second ministerial meeting, in 1995, the ARF issued a "concept paper" prescribing three stages of the forum's progression: confidence building, preventive diplomacy and the "elaboration of approaches to conflict", the last being a formulation watered down from the original "conflict resolution". So far, the ARF has not moved from confidence building to preventive diplomacy. The clash of interests of rival major powers within the ARF has been, in my view, the principal obstacle to the exercise of

preventive diplomacy as well as to the development of substantial institutions. Indeed, this conflict of interests has kept the ARF from even arriving at a common definition of "preventive diplomacy", although possible definitions have been attempted. Yet, it is of the very essence of the ARF that powers with different strategic interests participate in the forum, the hope being that their participation in a multilateral setting could help build mutual confidence between them. Thus, the ARF has such powers as the United States, China, Japan, India, Pakistan, Russia and North and South Korea engaging in dialogue and consultations under ASEAN's benign auspices.

Still, the ARF cannot forever remain at the confidence-building stage without undermining its usefulness and credibility in the public's eyes. One way of moving to the next stage is to shift its focus to so-called non-traditional security issues as the primary objects of preventive diplomacy. Examples of such issues are potential pandemics, disaster relief, search and rescue, the environment, and transnational crime. As has been demonstrated in the numerous "inter-sessional" activities that the ARF conducts year-round, all have a common interest in dealing with these issues, provided they are properly defined and the measures to deal with them agreed upon beforehand.

Treaty of Amity and Cooperation

At their first summit meeting in February 1976, ASEAN's leaders signed the Treaty of Amity and Cooperation in Southeast Asia (TAC). That treaty lays down basic norms for inter-state behaviour in the region, including, most importantly, the rejection of the use or threat of force, the peaceful settlement of disputes, and non-interference in countries' internal affairs. It also provides for a High Council of government ministers. Contrary to popular impression, the High Council is *not* a dispute-settlement mechanism. It is merely empowered to "take cognizance" of a dispute in the region and to recommend measures for settling it.[22] It was not until 2001 that the ASEAN foreign ministers adopted the High Council's rules of procedure.

In 1987, the ASEAN countries had amended the treaty to allow "States outside Southeast Asia" to accede to it and lay down the conditions for such states to participate in the High Council. In 1998, the treaty was amended again, this time enumerating by name the states of Southeast Asia. Starting with China and India in 2003, all ARF state participants, except Canada, have acceded to the treaty, the latest to do so being the United States, in July 2009. The EU as a regional organisation has officially expressed its intention to accede to the treaty. The amendment necessary to allow a non-state entity such as the EU to do so is now in the process of ratification by the non-ASEAN parties to the treaty, the ASEAN countries having already done their own ratification. France acceded separately in 2006-7. Sixteen countries outside ASEAN are now parties to the treaty.

Non-ASEAN states seek accession to the treaty in order to signal to Southeast Asia and the rest of the world the importance that they give to their links with the region and with ASEAN and their desire to strengthen those linkages. ASEAN welcomes such accessions as manifestations of the association's and the region's importance in the world and for the assurances that they give of the acceding states' benign intentions in

the region, including the non-use of force and non-interference. To both sides, the treaty serves as another element in the bond between them.

ASEAN Plus Three

ASEAN is nothing if not pragmatic, both in its internal progress and in its external relations. Thus, in order to strengthen the fabric of East Asia's stability and promote its economic integration and prosperity, ASEAN has formed a special relationship with its Northeast Asian neighbours, China, Japan and South Korea, collectively and individually. The process started with an inaugural summit meeting in Kuala Lumpur in December 1997. The framework and process are called ASEAN Plus Three with a view to emphasising ASEAN's central role and as a measure of reassurance to the three neighbours, whose relations among themselves are not entirely trouble-free. ASEAN Plus Three now has cooperative activities in 20 areas, facilitated by 40 mechanisms, in varying degrees of intensity and effectiveness.

The centrepiece of the ASEAN Plus Three process is the so-called Chiang Mai Initiative (CMI). Launched partly in response to the 1997-98 financial crisis, the CMI consists of three parts. One is the network of bilateral currency swap and repurchase agreements to discourage currency speculation and shore up the foreign-currency reserves of a country that runs into balance-of-payments difficulties. Another is a system of surveillance and peer review of East Asia's regional and national economies. The third is the training of personnel of the countries involved in research and analysis in support of the initiative. The Asian Development Bank, in cooperation with the ASEAN Secretariat, has been giving staff support to these functions. An Asian Bond Market Initiative, meant to mobilise the region's considerable hard-currency reserves for the region's own needs, including infrastructure, has also been launched.

Certain difficulties weakened these initiatives in their initial form. One often cited was the small amount to which a party to a swap arrangement could resort in case of need, since it could use only what was made available in the bilateral arrangements to which it was a party; indeed, the total amount involved in the network, until the initiative was recently multilateralised and the pooled amount increased, was only US$90 billion. Another weakness was that the surveillance reports were not independently prepared but were reviewed by the participating countries' senior finance officials before they reached the finance ministers.

In May 2009, however, the ASEAN Plus Three finance ministers decided to multilateralise the swap arrangements, so that a country with balance-of-payments problems can dip into the entire pool, which the ministers agreed should amount to a total of US$120 billion. They also agreed on the distribution of contributions to the pool and on the allocation of voting rights. China, Japan and Korea are to fund 80 percent of the pool, with Japan and China contributing 32 percent, or US$38.4 billion, each and Korea 16 percent, or US$19.2 billion. Significantly, of the total Chinese contribution, Hong Kong is to chip in US$4.2 billion – with no separate voting rights for the Hong Kong Special Administrative Region. The ten ASEAN countries are to contribute the remaining 20 percent, divided equally among them. With the currency pool

multilateralised and the amount that could be made available substantially increased, the larger contributors – that is, China, Japan and Korea – may be expected to demand that the economic surveillance system be made more independent and trenchant.

Within the ASEAN Plus Three framework, ASEAN relates to its Northeast Asian neighbours individually, as well as collectively, holding separate summits, annual and “commemorative”, conducting meetings of ministers and officials, and seeking to form business and other forums. The most prominent symbols and expressions of these relationships are what are generally referred to as free-trade area (FTA) agreements that the three Northeast Asian nations have concluded with ASEAN as a group. They cover the liberalisation and facilitation of trade in goods and services, investments and economic cooperation. As in the case of the non-ASEAN accessions to the (TAC), ASEAN's partners in these agreements enter into them in order to underline the importance of their relations with ASEAN and its members and signal their intention to strengthen those relations.

In November 2000, China's Premier Zhu Rongji proposed a free-trade agreement between China and ASEAN. An "expert group" subsequently undertook a study of the proposal's feasibility and, in 2001, submitted its finding that, not surprisingly, such an agreement was feasible. The next year, the ASEAN countries and China signed a Framework Agreement on Comprehensive Economic Cooperation calling for the elimination of tariffs and non-tariff barriers to trade among them, the liberalisation of trade in services, an open and competitive investment regime in the area, trade and investment facilitation, and other forms of economic cooperation. In 2004, they concluded the trade-in-goods component, in which the ASEAN countries, unlike certain major WTO members, recognised China as a market economy for WTO purposes. At the same time, they signed an agreement providing for a mechanism to settle disputes arising from the Framework Agreement. The trade-in-services component was signed in January 2007, and the one on investments in August 2009.

The Republic of Korea followed a pattern similar, although not identical, to that taken by China, agreeing with ASEAN in 2004 to negotiate a FTA. It concluded in 2005 a Framework Agreement on Comprehensive Economic Cooperation containing the "core elements" and other details of more specific agreements to be negotiated later and an agreement on dispute settlement. The trade-in-goods component was signed in 2006, and those on trade in services and investments were concluded in 2007 and 2009, respectively. Thailand deferred its signature on the goods and services agreements to early 2009.

Japan took a different approach, concluding individual FTA or Comprehensive Economic Partnership (CEP) agreements with Singapore, Malaysia, the Philippines, Thailand, Brunei Darussalam and Indonesia before signing a CEP agreement with all ASEAN countries in April 2008. (Tokyo signed one with Vietnam in December 2008). ASEAN and Japan had committed themselves in 2002 to taking the subsequent steps before signing a Framework for a CEP in 2003.

Since as early as 1981, Japan has largely funded and operated an ASEAN Centre in Tokyo, which promotes ASEAN exports to Japan, Japanese investments in ASEAN, and travel of Japanese to ASEAN. The head of the centre and its administrative officer are always Japanese, while the heads of the trade, investments and tourism divisions are rotated among the ASEAN countries. An ASEAN centre was inaugurated in Seoul in 2009 and is now in the midst of a flurry of activities, particularly in the area of people-to-people and cultural exchanges. In addition to the annual ASEAN "expo" in Nanning, the Chinese provincial capital closest to ASEAN, an ASEAN centre is being set up in Beijing as well.

The leaders of the three Northeast Asian countries used the occasion of the annual meeting of ASEAN Plus Three in 1999 to meet among themselves, considered a historic occasion in the light of the troubled relations among the three countries. In December 2008, they met in Fukuoka, for the first time without ASEAN. Some commentators have observed that such separate Northeast Asian summit meetings could push ASEAN towards "irrelevance" or at least towards becoming less important, which should be a source of concern for ASEAN. On the contrary, ASEAN should welcome those meetings and the agreements to which they may lead, since any improvement in the relations among the three Northeast Asian powers would contribute to the stability of East Asia, including Southeast Asia.

Perhaps uniquely, ASEAN has become a venue for China-Japan cooperation. The two countries are now in the second year of their “policy dialogue”, in which they have agreed to cooperate in the development of the Mekong region, another circumstance that should be welcomed as a manifestation of the improvement in Sino-Japanese relations.[23] At the same time, Japanese Prime Minister Taro Aso in May 2009 invited the five Southeast Asian Mekong region countries – Cambodia, Laos, Myanmar, Thailand and Vietnam -- to a summit meeting in Japan later in the year.[24] The meeting took place in Tokyo in early November 2009, hosted by the new Japanese Prime Minister, Yukio Hatoyama. Committing themselves to cooperation in a wide range of areas, including the development of the economic corridors, coordination with other Mekong-related programmes, and people-to-people exchanges, the leaders agreed to meet in Japan every three years "and on the occasion of multilateral meetings in other years".[25]

East Asia Summit

In 2001, the Korea-led East Asia Vision Group of prominent individuals recommended the establishment of an East Asia Summit, generally taken at that time to mean a summit meeting among the ASEAN Plus Three countries. The East Asia Study Group of ASEAN Plus Three senior government officials and the ASEAN Secretary-General endorsed the proposal. However, with the support primarily of Indonesia, Japan and Singapore, the scope of East Asia in this context was expanded to include Australia, India and New Zealand.

The ASEAN foreign ministers laid down the criteria for participation in the expanded East Asia Summit: Dialogue Partnership with ASEAN, accession to the TAC, and "substantive relations with ASEAN".[26] The first EAS subsequently endorsed the

criteria. The inclusion of accession to the TAC among the criteria put Australia under pressure to sign the treaty, which it had been reluctant to do, in order to take part in the EAS, which it was eager to do. The first two criteria, Dialogue Partnership and accession to the TAC, are factual enough. However, the third -- substantive relations with ASEAN -- is more subjective and can be used to justify admitting or keeping out an aspiring state for political reasons. Thus, Russia, which has made its desire for participation clear from the beginning, has remained out of the EAS. The signing of the TAC by the U. S. was a reassurance that Washington would not, in Southeast Asia, resort to force in settling disputes or interfere in other countries' internal affairs. It has also raised questions about the U. S.' future participation in the EAS. However, neither Washington nor ASEAN has publicly made the linkage.

The parallel processes of ASEAN Plus Three and the EAS have raised the issue of the division of labour and coverage between them. So far, the EAS is presented as a leaders-led consultation on broad strategic questions, while ASEAN Plus Three is a multi-level system of cooperation in a wide variety of sectors. However, the ASEAN Plus Three process includes an annual summit that discusses strategic issues, while EAS foreign ministers and energy ministers have begun to gather among themselves, with EAS environment ministers soon to follow. There are also several EAS initiatives related to climate change and biofuels and moves towards EAS cooperation in disaster management, financial matters, and education. The Chairman's Statement of the November 2007 EAS said, "Reaffirming our common desire to see continued progress in the various areas of cooperation under the EAS while maintaining the EAS' 'leaders-led' and strategic nature, we recognised the practical need to coordinate such cooperation and ensure follow-up on our discussions. We tasked our officials, working with the ASEAN Secretariat, to consider possible structures to better coordinate the EAS process."[27]

One can discern hints of competing visions of regional free trade between ASEAN Plus Three and the EAS. On the occasion of the ASEAN Summit of January 2007, the ASEAN Plus Three leaders "welcomed" the East Asia Free Trade Area among the 13 countries "as a fruitful avenue of integration". It also welcomed "the outcome of the feasibility study by the Expert Group on the EAFTA, which was spearheaded by China", while not ruling out "other possible FTA configurations such as the East Asia Summit".[28] The very next day, on the same occasion, the EAS, made up of the same ASEAN Plus Three leaders plus those of Australia, India and New Zealand, agreed to launch a study on a Comprehensive Economic Partnership in East Asia (CEPEA) among the 16 countries.[29] Both studies have been completed and are now under scrutiny and, presumably, debate by officials.

The ASEAN countries have concluded a detailed, comprehensive economic partnership agreement with Australia and New Zealand. India has signed with the ASEAN members a framework agreement on economic cooperation and its trade-in-goods component. India meets with ASEAN in annual summits. Australian and New Zealand trade ministers have been meeting their ASEAN counterparts for many years. India has an annual summit with ASEAN. All this, of course, takes place outside the EAS framework, the negotiations and other processes having started well before the EAS was

conceived. However, the EAS serves to tie them all together.

Serving mainly the EAS is the Japan-funded, Japan-led and internationally staffed Economic Research Institute for ASEAN and East Asia (ERIA), based in Jakarta. It undertakes economic analyses and research, conducts capacity-building activities, and organises symposiums and seminars. Its Governing Board is made up of a representative from each EAS member-country.

Asia Europe Meeting

For a number of years, ASEAN Plus Three happened to constitute the Asian side of the Asia-Europe Meeting (ASEM). The senior foreign-ministry officials of ASEAN Plus Three, in fact, first met in preparation for the first ASEM. Revolving around and impelled by the summit meeting between Asian and European leaders, ASEM has taken place every two years since 1996, the year before the first summit of ASEAN Plus Three. Although participation in ASEM is supposed to be by individual countries, the Europeans have always insisted that their side consist of -- and be limited to -- members of the European Union; indeed, the President of the European Commission has taken part from the beginning. It was this insistence, particularly at the time of the entry of ten new members into the EU in 2004, that enabled ASEAN, in turn, to insist, successfully, on the participation of Cambodia, Laos and Myanmar. The three countries had been initially excluded, because they were not yet ASEAN members when ASEM was inaugurated. However, EU objections to Myanmar were obviously a factor in keeping them out even after they became ASEAN members (Laos and Myanmar in 1997 and Cambodia in 1999). ASEM's major enlargement in 2004 seems to have opened the floodgates to the entry of other participants. In the seventh ASEM, in Beijing in October 2008, India, Mongolia and Pakistan, none of which is either an ASEAN member or part of ASEAN Plus Three, as well as the two new EU members, Bulgaria and Romania, took part for the first time. Thus, the 27 EU members and 16 Asian countries are now part of ASEM. Partly redressing the imbalance, the ASEAN Secretary-General finally attended ASEM for the first time also in 2008. According to a 28 May 2009 media release from Australia's foreign minister, the ASEM foreign ministers, meeting in Hanoi, had approved Australia's inclusion in the 2010 ASEM in Brussels.[30]

Although ASEM has spawned many ministerial and other inter-governmental forums, it does not have a secretariat. Indeed, the second ASEM, in 1998, observed that, "as an informal process, ASEM need not be institutionalised". At the 2004 ASEM, however, the leaders very cautiously asked their foreign ministers and senior officials "to study and submit their recommendations on the continued improvement of ASEM institutional mechanism, including the possibility of moving towards an ASEM Secretariat at an appropriate time".[31] Up to now, the closest thing to a secretariat that ASEM has is the Asia Europe Foundation (ASEF), which was set up in 1997, very shortly after the first ASEM. Headquartered in Singapore, ASEF, whose head alternates between Europe and Asia every three years, undertakes numerous activities promoting and organising people-to-people, cultural and intellectual exchanges between the two regions.

The United States

The U. S. has been a Dialogue Partner of ASEAN for 32 years. Most, if not all, ASEAN members place value on America's strategic presence in the region and on its role as a leading market and source of investments. However, until recently, the U. S. government has not had a coherent programme for developing relations with ASEAN as a group, apparently preferring to concentrate on its bilateral relationships with individual countries. For many years, the U. S.-ASEAN Business Council has been the strongest link between the U. S. and ASEAN, the most articulate advocate of ASEAN in the U. S., and almost the sole conduit of technical cooperation between the two sides.

However, in recent years, Washington has been seeking to strengthen its ties to ASEAN as an association. In the administration of the younger Bush, Washington hosted the ASEAN-U. S. Dialogue, during which both the Secretary of State and the National Security Adviser received all the ASEAN senior officials involved, including that of Myanmar. The Bush administration initiated the ASEAN Development Vision to Advance National Cooperation and Economic Integration (ADVANCE), which seeks, through a private contractor, to assist ASEAN in building capacity in specific areas of regional economic integration, including trade facilitation, the "Single Window" for simpler customs procedures, and production chains. Upon ASEAN's instance, the U. S. concluded a Trade and Investment Framework Agreement (TIFA) with ASEAN as a group after signing a FTA agreement with Singapore and individual TIFAs with six other ASEAN countries and shortly before concluding a TIFA with Vietnam. The U. S. was the first country to appoint an ambassador to ASEAN. Beginning in the APEC leaders meeting in Los Cabos, Mexico, in 2002, Bush arranged to meet with the leaders of ASEAN countries who took part in APEC. Barack Obama has done him one better in terms of the U. S.' relations with ASEAN by meeting with the leaders of *all* ASEAN countries on the occasion of the APEC leaders' meeting in Singapore, apparently an outcome of the U. S.' review of its policies towards Myanmar as well as Southeast Asia and ASEAN as a whole. The U. S. and ASEAN leaders indicated in Singapore that they would continue the practice. Meanwhile, the U. S. has announced a support programme for what it calls the Lower Mekong Basin.

As in the case of ASEAN cooperation with several other Dialogue Partners, U. S. assistance is now aimed at strengthening the capacity of the ASEAN Secretariat and of the member-states to move forward ASEAN's pursuit of regional economic integration and of regionalism in general.

Need for Institutions

ASEAN countries have diverse outlooks and policies towards the further institutionalisation of ASEAN and of its external relations. The degree of aversion may differ, but all seem to be generally averse to the development of what might be perceived as supranational institutions to which they are to delegate power and authority. However, as we have seen, ASEAN and Southeast Asia, true to their pragmatic nature, have not hesitated to establish institutions that have specific functions but are definitively and clearly circumscribed as to their power and authority. More such

individual targeted institutions are called for, since some specific ASEAN or ASEAN-related functions cannot be effective without some measure of institutionalisation, that is, the existence and operation of some kind of executive. Three examples should suffice – the multilateralised Chiang Mai Initiative, ARF cooperation in dealing with "non-traditional" security threats, and the strengthening of the ASEAN Secretariat.

Now that the available currency reserves of ASEAN Plus Three have been pooled under the multilateralised Chiang Mai Initiative, an independent institution or institutions may be required to manage the pooled fund in accordance with the guidelines agreed upon and, not least, conduct the objective economic surveillance necessary for the management of such funds and for their release in case of need. An institution may also be eventually needed to run the Asian bond market that has been initiated.

Similarly, if the ARF is to move to its preventive-diplomacy stage – and this, I contend, is possible only if the focus of preventive diplomacy is to be the non-traditional security threats – a central institution or executive will be needed to carry out this function or, at least, to ensure that it is put into operation. A separate institution may not be required. A more efficient, economical and acceptable measure might be to strengthen the ARF Unit in the ASEAN Secretariat. Here, the question of who pays – and thereby controls – arises. It must also be recalled that it took ten years for the ARF to agree to an ARF Unit in the Secretariat, and 11 years to have its own Web site and set up a tiny ARF Fund (which is to finance individual projects and not the operation of the ARF Unit or another ARF institution). Participants must also be reassured that preventive diplomacy is not used as a cover for efforts by rivals or by actual or aspiring hegemons to undermine regimes or otherwise interfere in their internal affairs.

Finally, the ASEAN Secretariat itself needs to be strengthened if the association is to rise in credibility and effectiveness. It has to be enabled to conduct independent analyses of economic, environmental, public-health, and terrorism and other transnational-crime issues. To be sure, ERIA is now operational, but its work is geared largely to the East Asia Summit, its focus is largely limited to economic subjects, and its operations are funded almost entirely by Japan.

Most public ASEAN positions on major regional and international issues have been largely reactive to specific events as projected by the mass media and to the political concerns of the major powers. The formulation of such positions is usually left to an individual member-state, usually the ASEAN chair-country for the year, to draft, subject to the consent of all. A strengthened Secretariat should be able to produce draft statements, for the approval of the member-states, on outstanding issues on the basis of the region's strategic interests, realities and outlooks and with a view to the long term. Such issues might include Myanmar, North Korea, democracy and human rights, and the global economic crisis. It has been a long time since ASEAN adopted basic, balanced and long-term positions on issues like Vietnam's incursion into Cambodia in late 1978 and its occupation of that country for most of the 1980s, the situation of the Indochinese asylum seekers in the same period, and human rights in 1993. ASEAN could also increase its intellectual contribution to such ASEAN-plus forums as the ARF, ASEAN Plus Three and the East Asia Summit, thus earning for itself the right to lead and be the

hub of these regional arrangements instead of being content with simply hosting and managing the processes. If the ASEAN chairmanship is to remain – and earn its place – in the Group of 20 leading developed and emerging economies, it has to articulate common ASEAN positions on the issues that the group deals with, such as ways to recover from the global economic crisis and the reform of the international financial institutions. For this, the Secretariat needs enough personnel who are trained in and have the time for analysis and the formulation of policy while mindful of the sensitivities of each member-state as well as of ASEAN as a group.

The ASEAN Charter prescribes three new functions for the Secretary-General. One is to "facilitate and monitor progress in the implementation of ASEAN agreements and decisions". Another is to "monitor the compliance with the findings, recommendations or decisions resulting from an ASEAN dispute settlement mechanism". The third is to "provide good offices, conciliation or mediation" when requested by parties to a dispute.[32] In addition, ASEAN has designated the Secretary-General as its coordinator for humanitarian endeavours, infrastructure and logistics. For the Secretary-General to be ready to perform these functions, he needs sufficient trained staff.

Challenges to Institutionalisation

Strengthening the ASEAN Secretariat again raises the issue of funding. The ASEAN system of absolutely equal contributions to the operational budget of the Secretariat not only is unique among international associations of nations but also holds back any substantial increase in the budget to the level of the poorest members' capacity to pay. This is in addition to the fear of several, if not all, members that strengthening the ASEAN Secretariat too much would give rise to an unwanted supranational institution. The Secretariat has been granted a significant increase in it's annual operational budget, from below US$10 million to US$13-14 million, enabling the Secretariat to hire more officers than it has ever had. It is expected that most of these officers will be dealing with matters of economic integration and cooperation. However, even the additional resources may be insufficient for the Secretariat to do its work properly, as the Charter and increasing demands require. The problem is not only the availability of funds. It is also the difficulty of finding personnel who know ASEAN. Another is the lack of clarity and permanence of the privileges and immunities granted Secretariat personnel, especially by the Indonesian government. The issue of length of tenure of employment -- continuity and security of tenure vs. the injection of new blood -- has to be resolved.

The ASEAN Charter appears to have taken a step backward in making explicit the alphabetical rotation of the position of Secretary-General. To be sure, the position has always rotated alphabetically, but this was not, until the Charter, mandated in writing; it was only followed in practice. The previous system thus left open the possibility of competition for the position among the member-states, providing an incentive for member-states to nominate the best candidates that they can recruit. With the alphabetical rotation system codified in writing, that incentive is removed. The formation of a search committee to look for the most suitable Secretary-General should help.

One of the factors that prevent the strengthening of the central secretariat is the fear on the part of member-states that a supranational institution might develop with too much independence, one that would restrict their freedom of decision and their control of the regional process, or, worse, would be used on behalf of the interests of other individual members or those of external powers. Until such fears are overcome, ASEAN or any of its related undertakings will not have institutions of the strength that may be necessary to carry out their purposes. More fundamentally, a much stronger and more independent secretariat, it is feared, would go to the heart and very nature of ASEAN and Southeast Asia – an association and a region of sovereign, independent states cooperating with one another for common purposes but resistant to encroachments on their autonomy by others, including regional institutions.

It is important to remember that institutions are only means to ends. ASEAN's economic goals are indicated in the 1997 ASEAN Vision 2020, and measures to attain them are spelled out in the Hanoi Plan of Action of 1998. The 2003 ASEAN Summit adopted the recommendations of the High-level Task Force on ASEAN Economic Integration for implementation as a "first step towards the realization of the ASEAN Economic Community". Such measures are further elaborated upon or amended in the Vientiane Action Programme of 2004. The ASEAN Economic Community Blueprint, which ASEAN's leaders adopted at their November 2007 summit, is the latest compendium of measures for integrating the regional economy. Most of the measures agreed upon are specific, with definite deadlines and timelines. The question is: Are the member-states serious enough about them to carry them out and, therefore, create the institutions required for them to do so? On the other hand, some agreements are so ambiguously or flexibly formulated that one cannot but suspect that this is deliberately done so as to preserve the parties' autonomy in implementing them. Yet, AFTA and the Economic Community Blueprint are essentially ASEAN's "iconic" endeavours, just as the multilateralised Chiang Mai Initiative is the "iconic" project of ASEAN Plus Three. Not attaining their objectives -- and a measure of institutionalisation may be required for achieving them -- would strike at the efficacy and credibility of ASEAN and of its nature and processes.

While ASEAN governments, for reasons given above, are generally averse to a strong, overarching regional supranational institution, they are pragmatic enough to agree to some institutions with limited and specific mandates and functions. Within ASEAN, there are the ASEAN Foundation, the ASEAN Centre for Energy, the ASEAN Centre for Biodiversity, the ASEAN University Network, and now the ASEAN Inter-governmental Commission on Human Rights. There are other arrangements like the ASEAN Specialised Meteorological Centre. Outside ASEAN but within or including Southeast Asia, we have SEAMEO and SEACEN. The ASEAN Regional Forum has what is, in effect, a small, rudimentary secretariat in the ARF Unit of the ASEAN Secretariat. ASEM has to some extent a *de facto* secretariat in ASEF. EAS, on the other hand, has ERIA, which functions not as a secretariat but as an economic think-tank. Malaysia at one time pushed for an ASEAN Plus Three secretariat. Such a proposal would probably not gain much traction anytime soon, but, as suggested above, an ASEAN Plus Three institution might be required for the CMI and related endeavours.

For the foreseeable future, then, what is possible in Southeast Asia seems to be the establishment of institutions to enable an enlarged CMI to be operationally effective and the ARF to deal with non-traditional security problems under the rubric of "preventive diplomacy". It would also be possible, with some difficulty, to strengthen the ASEAN Secretariat so as to empower it to carry out its expanding mandate and authority but not to the extent of becoming a supranational institution. Similarly, within their limited spheres, the ASEAN Foundation, the ASEAN Centre for Energy and the ASEAN Centre for Biodiversity could be strengthened in order more effectively to carry out their mandates. It is still uncertain how the AICHR will work out.

For regional institutionalisation to go beyond these would require a deeper and firmer commitment to regionalism on the part of Southeast Asia's policy makers. This would, in turn, demand a stronger conviction on their part that the interests of the nation and their own are served by regional cohesion, cooperation and economic integration. It would be a conviction on the part of the participants -- in ASEAN, the ARF, ASEAN Plus Three or the EAS -- that they would each be better off acting together than acting alone. It would be a conviction strong enough for them to delegate as much power and authority and devote as much resources to such common institutions as are required by the common good.

Networking among people, particularly the youth, is valuable in cultivating such a conviction. At the same time, the strengthening of regional institutions, incremental though it may be, could help promote a sense of region. On the other hand, weak institutions could help maintain the sceptical, even cynical, view of the region, while the lack of a sense of region could perpetuate the weakness of institutions. In order to ensure that the cycle is virtuous rather than vicious, institutions ought to be strengthened where they are necessary and helpful, as well as possible and realistic, for promoting cooperation and integration but short of building an overarching supranational structure, which would be rejected by the states involved.

The difficulty of building a supranational structure should not deter Southeast and East Asian states from strengthening existing institutions and creating new ones where regional needs require them. After all, the history of ASEAN shows that substantial progress can be made. However, the process will probably be not only gradual, incremental and fragmented, but long.

GLOSSARY OF ACRONYMS, INITIALS AND ABBREVIATIONS

ACE	ASEAN Centre for Energy
ADB	Asian Development Bank
ADVANCE	USAID's ASEAN Development Vision to Advance National Cooperation and Economic Integration
AFTA	ASEAN Free Trade Area
AICHR	ASEAN Inter-governmental Commission on Human Rights
AICO	ASEAN Industrial Cooperation scheme
ARF	ASEAN Regional Forum
ASA	Association of Southeast Asia
ASEAN	Association of Southeast Asian Nations
ASEAN-4	Cambodia, Laos, Myanmar and Vietnam
ASEAN-6	Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand
ASEAN Plus Three	ASEAN and China, Japan and the Republic of Korea
ASEF	Asia Europe Foundation
ASEM	Asia Europe Meeting
ASOEN	ASEAN Senior Officials on the Environment
AUN	ASEAN University Network
BIMP-EAGA	Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area, a sub-regional concept linking Brunei Darussalam, eastern Indonesia, East Malaysia and southern Philippines
CEPEA	Comprehensive Economic Partnership in East Asia
CEPT	Common Effective Preferential Tariff for AFTA
CLMV	Cambodia, Laos, Myanmar and Vietnam
CMI	Chiang Mai Initiative
COCI	ASEAN Committee on Culture and Information
CSCE	Conference on Security and Cooperation in Europe
EAFTA	East Asia Free Trade Area
EAS	East Asia Summit of ASEAN countries, Australia, China, India, Japan, the Republic of Korea and New Zealand
EC	European Community or European Commission
EEC	European Economic Community
EPG	Eminent Persons Group
ERIA	Economic Research Institute for ASEAN and East Asia
EU	European Union
GATT	General Agreement on Tariffs and Trade
GMS	Greater Mekong Sub-region
HKSAR	Hong Kong Special Administrative Region
HLTF	High Level Task Force
HRD	Human resource development
IAI	Initiative for ASEAN Integration
IMT-GT	Indonesia-Malaysia-Thailand Growth Triangle among Sumatra in Indonesia, northern peninsular Malaysia and southern Thailand
MAPHILINDO	Malaysia, Philippines, Indonesia
MERCOSUR	Mercado Común del Sur (Common Market of the South)

MRA	Mutual recognition arrangement
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
ODA	Official development assistance
OSCE	Organization for Security and Cooperation in Europe
PMC	Post-Ministerial Conferences between ASEAN and its Dialogue Partners
SEACEN	Southeast Asian Central Banks Research and Training Centre
SEAMEO	Southeast Asian Ministers of Education Organization
SEANWFZ	Southeast Asia Nuclear Weapon-Free Zone
SEATO	Southeast Asia Treaty Organization
SEED-Net	Southeast Asia Engineering Education Development Network
SSEAYP	Ship for Southeast Asian Youth Programme
TAC	Treaty of Amity and Cooperation in Southeast Asia (1976)
UN	United Nations
UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
US	United States of America
WTO	World Trade Organization

NOTES

[1] http://aric.adb.org/ifr/docs/IFR%20Keywords.pdf.
[2] Related in A. V. H. Hartendorp: *History of Industry and Trade of the Philippines* (Manila: American Chamber of Commerce of the Philippines, Inc., 1958), page 333.
[3] Ibid., page 334.
[4] The other members were Australia, France, Great Britain, New Zealand, Pakistan and the United States.
[5] http://www.aseansec.org/1212.htm.
[6] Agreement on the Establishment of the ASEAN Secretariat, Bali, 24 February 1976 (http://www.aseansec.org/1265.htm).
[7] Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat (Economic Officers), Bangkok, 27 January 1983 (http://www.aseansec.org/1266.htm).
[8] Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat (Term-of-Duty of the Secretary General), Kuala Lumpur, 9 July 1985 (http://www.aseansec.org/1267.htm).
[9] Protocol Amending the Agreement of the Establishment of the ASEAN Secretariat, Bandar Seri Begawan, 4 July 1989 (http://www.aseansec.org/847.htm).
[10] Chairman's Statement of the 13th ASEAN Summit (http://www.asean.org/21093.htm), paras. 14 and 15.
[11] Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area (http://www.asean.org/12375.htm).
[12] Protocol Amending The Agreement On The Establishment Of The ASEAN Secretariat, Manila, Philippines, 22 July 1992 (http://www.asean.org/1198.htm).
[13] Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat, Subang Jaya, Malaysia, 23 July 1997(http://www.asean.org/1878.htm).
[14] Eric C. Thompson and Chulanee Thianthai: *Attitudes and Awareness Towards ASEAN: Findings of a Ten-Nation Survey*, Report No. 2, ASEAN Studies Centre (Singapore: Institute of Southeast Asian Studies, 2008).
[15] Rodolfo C. Severino: *Southeast Asia in Search of an ASEAN Community* (Singapore: Institute of Southeast Asian Studies, 2006), pages 299-300.
[16] Yoshinori Katori, Japanese ambassador to ASEAN: *ASEAN: An Indispensable Partner for Japan*, lecture given at the Institute of Southeast Asian Studies, Singapore, 1 July 2009, page 23.
[17] Memorandum of Understanding on the Establishment of the ASEAN Foundation (http://www.asean.org/5217.htm).
[18] http://www.aseanfoundation.org/index2.php?main=mou.htm.
[19] Singapore Declaration Of 1992, Singapore, 28 January 1992 (http://www.asean.org/5120.htm), para. 7.
[20] http://www.asean.org/2009.htm, para. 18.
[21] http://www.aseansec.org/Doc-TOR-AHRB.pdf.
[22] Treaty of Amity and Cooperation in Southeast Asia, Indonesia, 24 February 1976 (http://www.asean.org/1217.htm).
[23] Yoshinori Katori: op. cit., pages 21-2.
[24] http://www.mofa.go.jp/region/asia-paci/future/speech0905.html.
[25] Tokyo Declaration of the First Meeting between the Heads of the Governments of Japan and the Mekong region countries (http://www.mofa.go.jp/region/asia-paci/mekong/summit0911/declaration.html).
[26] Remarks to the media by Singapore Foreign Minister George Yeo following the ASEAN foreign ministers' retreat in Cebu, the Philippines, 11 April 2005.
[27] Chairman's Statement of the 3rd East Asia Summit, Singapore, 21 November 2007 (http://www.aseansec.org/21127.htm), para. 20.
[28] Chairman's Statement of the Tenth ASEAN Plus Three Summit, Cebu, Philippines, 14 January 2007 (http://www.asean.org/19315.htm), para. 9.
[29] Chairman's Statement of the Second East Asia Summit, Cebu, Philippines, 15 January 2007 (http://www.asean.org/19302.htm), para. 12.
[30] http://www.foreignminister.gov.au/releases/2009/fa-s090528_asem.html.
[31] ASEM 5 Chairman's Statement, Hanoi, October 2004 (http://www.aseminfoboard.org/content/documents/chairmans_statement_asem_5.pdf), para. 6.3.
[32] *The ASEAN Charter* (Jakarta: ASEAN Secretariat, January 2008), Articles 11 (2b), 27 (1), and 23 (1).