



## **ASEAN at 40: Coming of Age or Mid-Life Crisis?** by Ralph A. Cossa

The Association of Southeast Asian Nations (ASEAN) turned 40 this summer. Is it facing a mid-life crisis? Or, is it on the verge of maturing into a more cohesive, more relevant organization capable of promoting peace and stability not only within Southeast Asia but beyond, given its self-proclaimed “driver’s seat” role in East Asia community building?

Only time will tell, but there are some encouraging signs that ASEAN may be coming of age, beginning with the creation of an ASEAN Charter to manage “the key challenges of regional integration, globalization, economic growth, and new technologies.” A formal Charter would add a “legal personality” and a greater degree of cohesiveness and clarity to earlier efforts to build an ASEAN Community (or more precisely, three interrelated communities: an ASEAN Security Community, an ASEAN Economic Community, and an ASEAN Socio-Cultural Community).

ASEAN’s Eminent Persons Group (EEP) provided the assembled leadership a draft Charter at the 2006 annual ASEAN Summit (which was weather-delayed until January 2007) in Cebu, Philippines. Since then, an ASEAN High-Level Task Force (HLTF) has been hard at work, refining (read: toning down) some of the more dramatic suggestions – the controversial section recommending sanctions (including expulsion from ASEAN) for those violating the Charter has reportedly already been dropped. The EPG also recommended that ASEAN relax its full consensus decision making style; it remains to be seen if this suggestion, and one opposing “extra-constitutional” methods of changing government, will make the final cut.

One controversial provision that apparently did make the cut when ASEAN’s foreign ministers reviewed the HLTF’s work last month was the establishment of a Human Rights Commission, over initial objections by Myanmar (Burma), among others. While the final version has not yet been seen – it is scheduled to be unveiled and approved at the November 2007 ASEAN Summit in Singapore – the Charter is expected to “accelerate ASEAN integration” while making it a more “rules-based” organization. As one ASEAN senior official noted, the Charter “would also help put into place a system in which more ASEAN agreements would be effectively implemented and enforced long after the symbolic signing ceremonies.” To those who have long accused ASEAN of valuing form over substance, this will be a welcome development.

More good news came in the naming of former Thai Foreign Minister Surin Pitsuwan as ASEAN’s next Secretary General, effective January 1, 2008. Dr. Surin, a Muslim, is seen as a proactive supporter of greater “constructive

engagement” both within ASEAN and between ASEAN and its neighbors. He will, according to incumbent Secretary General Ong Keng Yong, “have a clear direction and more of a mandate” as a result of the Charter. There is no questioning his energy, enthusiasm, and commitment – what remains to be seen is how much of a collective voice he will be able to employ, and to what end.

As part of its “coming of age” process, ASEAN is also developing a “Plan of Action” to further enhance its 10-year old Treaty of the Southeast Asia Nuclear weapons Free Zone (SEANWFZ), which prohibits the development, testing, or basing of nuclear weapons within its territories, while permitting nuclear energy for peaceful purposes. I would offer a suggestion to those tasked with drawing up the implementation plan; namely, an amendment to the SEANWFZ that would prohibit reprocessing or enrichment activities within the region, thus closing one of the current Nuclear Non-Proliferation Treaty (NPT) “loopholes” that has contributed to the current difficulties with North Korea and Iran. This should increase the Treaty’s attractiveness to those non-states parties (including the United States) that have not yet acceded to the Treaty.

Meanwhile, Washington’s relations with ASEAN have never been deeper while appearing more shallow. Deputy Secretary of State John Negroponte, at last month’s annual ASEAN Regional Forum (ARF) meeting, applauded the effort to develop a charter that “strengthened democratic values, good governance, the rule of law, and respect for human rights and freedom.” He also marked the 30th anniversary of U.S.-ASEAN relations by further refining and strengthening the Enhanced Partnership Plan of Action signed between Secretary of State Condoleezza Rice and her ASEAN counterparts during the July 2006 ARF meeting. This action plan grew out of the Enhanced Partnership Joint Vision Statement announced by President Bush and assembled ASEAN leaders during the first ever U.S.-ASEAN Summit along the sidelines of the November 2005 Asia Pacific Economic Cooperation (APEC) Leaders Meeting.

The Plan of Action guides cooperation as ASEAN advances toward its goal of political, economic and social integration while enhancing cooperation on critical transnational challenges such as terrorism, narcotics trafficking, infectious diseases, and protecting the environment. It complements the August 2006 U.S.-ASEAN Trade and Investment Framework Arrangement that established a regular and formal dialogue on trade and investment matters and a joint work plan to further enhance two-way trade that exceeded \$168 billion last year. Collectively, ASEAN is America’s fourth largest trading partner; to date, U.S. companies have invested nearly \$90 billion in ASEAN countries.

That's the good news! Unfortunately, when it comes to U.S.-ASEAN relations, form has not matched substance. Secretary Rice this year missed her second ARF meeting (out of three opportunities) and President Bush canceled the full U.S.-ASEAN Summit which had been planned by Singapore after this year's APEC Summit. As a result, President Bush's third summit with the "ASEAN Seven" – the ASEAN members of APEC (less Cambodia, Laos, and Myanmar) – appears to be a consolation prize, rather than another significant step forward, and one frequently hears the accusation that Washington is "neglecting" Southeast Asia, despite the above-cited significant advancements.

To correct this perception, and given the fact that President Bush has yet to make his first trip to Asia this year, serious consideration should be given to arranging a Bush visit to Asia coincident with this year's Singapore-hosted East Asia Summit (EAS), in order to underscore Washington's support for ASEAN's coming of age process. It would further permit President Bush to be invited as a special guest to the EAS (while skirting tricky membership questions), thus showing support for East Asia community building as well.

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