



Re-Examining Preventive Diplomacy in Southeast Asia

A Conference Report of
the Workshop on Preventive Diplomacy
in Southeast Asia

By
Jeffrey Ordaniel
Carl Baker

ISSUES & INSIGHTS CONFERENCE REPORT

VOL. 18, CR4 | MAY 2018

SIEM REAP, CAMBODIA



Cambodia Institute for Cooperation and Peace

Founded in 1994, the Cambodian Institute for Cooperation and Peace (CICP) is an independent, non-partisan research institute based in Phnom Penh, Cambodia. CICP is dedicated to the study of political, economic, and social trends in Cambodia and the larger Southeast Asia. The institute offers insightful analyses and critical investigations—under a careful academic lens—in order to enhance public perspectives and facilitate the search for viable policy solutions to the range of challenges that are currently faced by society.

S. Rajaratnam School of International Studies

The S. Rajaratnam School of International Studies (RSIS) was officially inaugurated on January 1, 2007. Prior to this, it was known as the Institute of Defence and Strategic Studies (IDSS), which was established 10 years earlier, on July 30, 1996. Like its predecessor, RSIS was established as an autonomous entity within Nanyang Technological University (NTU). RSIS' goal is to be a leading research and graduate teaching institution in strategic and international affairs in the Asia Pacific.

Pacific Forum

Based in Honolulu, the Pacific Forum (www.pacforum.org) is a foreign policy research institute focused on the Asia-Pacific Region. Founded in 1975, the Pacific Forum collaborates with a broad network of research institutes from around the Pacific Rim, drawing on Asian perspectives and disseminating project findings and recommendations to global leaders, governments, and members of the public throughout the region. The Forum's programs encompass current and emerging political, security, economic, and maritime policy issues, and works to help stimulate cooperative policies through rigorous research, analyses and dialogues.

TABLE OF CONTENTS

ACKNOWLEDGMENTS.....	IV
CONFERENCE KEY FINDINGS	V
CONFERENCE REPORT	1

APPENDICES

APPENDIX A	A-1
APPENDIX B.....	B-1

ACKNOWLEDGMENTS

The Pacific Forum would like to thank the US State Department, East Asia and Pacific Multilateral Affairs Division for their sponsorship of this workshop. A special thank you also goes to the S. Rajaratnam School of International Studies (RSIS) for co-chairing the workshop and Cambodia Institute for Cooperation and Peace for hosting the workshop.

This report was prepared as an account of work partially sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof.

KEY FINDINGS & RECOMMENDATIONS

WORKSHOP ON PREVENTIVE DIPLOMACY

A Workshop on Preventive Diplomacy Feb. 25-27, 2018 was held in Siem Reap, Cambodia. Hosted by the Cambodian Institute for Cooperation and Peace and co-chaired by the Pacific Forum and the S. Rajaratnam School of International Studies (RSIS), the workshop brought together some 35 foreign policy specialists, subject-matter experts and government officials from around the region, all attending in their private capacities. Together, they re-examined preventive diplomacy as a concept, debated its evolution, meaning and practice, and provided policy prescriptions for ASEAN vis-à-vis the region's inter-state, intra-state and trans-state security challenges. Key findings from the workshop's six sessions include:

The concept of preventive diplomacy (PD) remains contested. Dating back to the early 1990s, the fundamental disagreement among scholars has been about the scope of PD. For some, PD is limited to proximate actions taken by diplomats to prevent the escalation of conflict and is specifically distinguished from "crisis prevention," which entails action that "broadly address root causes to build conditions for stability and peace." For others, PD is a much broader framework that entails both structural developments such as norm and institution building as well as operational activities including confidence building, early warning, crisis management, and preventive deployment. Some participants perceived preventive diplomacy as exclusively for inter-state dispute/conflict, while others maintained that it encompasses both inter-state and intra-state issues.

The ARF evolutionary three-stage approach to peacebuilding in which PD is sandwiched between confidence-building measures (CBMs) and conflict resolution was challenged as being an impediment that prevents the ARF from becoming the PD mechanism described in the ARF Concept Paper. When PD is narrowly defined as proximate action taken to prevent violent conflict the concept is easily conflated with unwanted intervention or interference in the internal affairs of the country or countries involved. The alternative is to characterize PD as an overarching concept that includes both CBMs and conflict resolution mechanisms as an approach to promoting peaceful resolution to conflict.

The ASEAN approach to PD has avoided a formalized definition. Instead, it has engaged in functional cooperation on non-traditional security threats that lend themselves to collective action and involve activities included in the broader definition of PD. There is a concern that identifying these activities as PD would hinder progress on addressing the threats.

ASEAN has built up an extensive list of norms and institutions that actually contain many elements of preventive diplomacy. These include the ASEAN Charter, the ASEAN Treaty on Amity and Cooperation, the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre), the ASEAN-China Declaration on the Conduct of Parties in the South China Sea, and the ASEAN Counter Terrorism Convention, ASEAN Vision 2025, among many others. These norms and institutions provide the basis for preventive diplomacy as they include confidence building, early warning, preventive response, and even conflict resolution mechanisms.

A wide range of PD-related institutions have been established in Southeast Asia that

are related to maritime security. Links to human security concerns and demand for rule of law or norms provide the biggest impetus for PD in the maritime realm. These norms and institutions include the quadrilateral Malacca Strait Patrols (MSP), the Sulu-Celebes Sea Trilateral Cooperation Agreement, and the ASEAN Coast Guard Summit, among others.

Practical security cooperation activities under the auspices of the ASEAN Defense Ministers Meeting (ADMM) and the ADMM+ have established early warning and preventive deployment capabilities in Southeast Asia. While couched in terms of “regional responsibility ... to provide for their imperiled neighbors,” these capabilities form the basis for a robust PD program.

There is a widely shared perception that the ARF has been ineffective in institutionalizing PD. The failure can be attributed to the inflexible principles of PD as outlined in the *2001 ARF Concept Paper on PD*. The implication of recognizing the ARF’s failure is to delink the PD agenda from the ARF. The ARF should not be held hostage to the lack of progress in moving toward PD and the regional PD agenda should not be held hostage to the ARF’s inability to pursue it. One solution is formal recognition that ARF activities associated with what is currently termed confidence building related to non-traditional security issues in Southeast Asia actually supports the institutionalization of ASEAN-based PD.

The application of a normative framework is helpful in understanding the institutionalization of PD in Southeast Asia. The interplay between entrenched norms like non-interference, protection of sovereignty, and quiet diplomacy and emerging norms like institutionalization of early warning mechanisms and conflict

resolution mechanisms that ultimately challenge the entrenched norms is an important dynamic that drives the PD institutionalization process.

“

Two emerging norms in Southeast Asia that have an impact on the evolution of preventive diplomacy are a growing sense of regional responsibility for vulnerable populations and a recognition that despite the diversity of political systems in the region, there is a vaguely defined sense of good governance...

”

Two emerging norms in Southeast Asia that have an impact on the evolution of PD are a growing sense of regional responsibility for vulnerable populations and a recognition that despite the diversity of political systems in the region, there is a vaguely defined sense of good governance that underpins regional peace and stability. These norms have played an important part in the development of PD institutions and in resolving several intra-state and inter-state crises in the region.

The issue of great power rivalries in the region is of considerable concern in Southeast Asia. Great powers’ interest in a

security issue reduces the success of any PD initiative crafted to address it. To navigate strategic competition, it is important for ASEAN to foster a regional order that maintains its centrality in defining and responding to regional security threats.

Given that ASEAN states have pursued the elements of a broadly defined concept of PD, it should be recognized that PD is a fundamental part of the ASEAN community building process. The difference between a narrow versus broad definition of PD is one of ends versus means. Either way, there is a need to develop confidence with members of the community through collective action to address commonly perceived threats. More efforts are needed to bridge the gap between conceptual and

operational issues. While conceptual debates about PD continue, ASEAN member states have been instituting functional PD mechanisms, with or without the PD label. Strengthening the links between track I and track II meetings would help reduce the gap.

RE-EXAMINING PREVENTIVE DIPLOMACY IN SOUTHEAST ASIA

CONFERENCE REPORT

A Workshop on Preventive Diplomacy was organized by Pacific Forum on February 25 to 27, 2018 in Siem Reap, Cambodia. Co-chaired by the Singapore-based S. Rajaratnam School of International Studies (RSIS) and hosted by the Cambodian Institute for Cooperation and Peace, the workshop brought together some 35 foreign policy specialists and subject-matter experts from around the region, all attending in their private capacities. Together, they re-examined preventive diplomacy as a concept, debated its evolution, meaning and practice, and provided policy prescriptions for ASEAN vis-à-vis the region's inter-state, intra-state and trans-state security challenges.

The Concept of Preventive Diplomacy

The first session examined preventive diplomacy (PD) as a concept. Jim Rolfe (Victoria University of Wellington) provided an extensive review of literature on PD as a subject of inquiry for academics, and as a subject for aspiration and prescription for policy analysts and policymakers. He provided an extensive list of definitions, beginning with Article 33 of the United Nations Charter, which states, “the parties to any dispute... shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation... or other peaceful means...” As the concept is implicitly enshrined in the UN Charter, PD has become a matter of international obligation. He went on to highlight the definitions provided by two former UN secretary generals, Dag Hammarskjöld and Boutros Boutros-Ghali,

who sought to operationalize the UN charter provision. In 1960 Hammarskjöld defined PD as “actions to prevent disputes from arising and escalating, keep local conflicts from being entangled in superpower rivalry.” Rolfe highlighted Boutros-Ghali's emphasis on identifying, “at the earliest possible stage, situations that could produce conflict, and to try through diplomacy to remove the sources of danger before violence...”

While noting that most definitions imply that PD is something that states do, Rolfe argued that PD can be done by other actors, including non-state actors and multilateral organizations. Rolfe also brought forward the definition provided by Amitav Acharya in 1996, in which PD includes “the diplomatic, political, military, economic and humanitarian action undertaken by governments, multilateral (the UN as well as regional groups) organizations and international agencies (including non-governmental actors) ...”

Rolfe concluded that PD should not be seen as an end in itself but rather a means to an end. Hence, PD needs to be context-relevant depending on the circumstances (Normal times, during disputes, during tension or crisis, at the onset of conflict, or post-conflict). “Different tools will be required for different circumstances. There is no one size that fits all.” Overall, Rolfe argued that the goal of PD is to prevent conflicts, in which confidence-building measures and conflict resolution, among other tools in the toolbox, are parts of PD.

The ASEAN Regional Forum and Preventive Diplomacy

Kwa Chong Guan (S. Rajaratnam School of International Studies) offered the group a review of the ARF's history vis-à-vis the region's PD agenda, which was borne out of the inaugural ARF meeting in Bangkok in 1994. Kwa recalled that that it was the second

ARF meeting in Brunei in 1995 that saw ASEAN accepting the concept paper on PD that established the three-stage evolutionary process, in which PD is sandwiched between confidence-building measures (CBMs) and conflict resolution. With the Asian Financial Crisis serving as the primary distraction, it was only at the ARF's sixth meeting in 2001 that the group agreed to move forward with PD, but at a pace "comfortable to all" and on the basis of consensus.

During the ARF's seventh and eighth meetings, ASEAN underscored the importance of CBMs as the foundation of any future PD initiatives, and regional states encouraged the adoption of more actions geared toward increasing trust and confidence in the region before any meaningful PD actions could take place.

Kwa noted that the 1999 East Timor crisis was the first serious test of the ARF PD mechanisms. He recalled that when Australia stepped in to take action and restore order, there were doubts raised about the capabilities of the ARF to initiate a meaningful response to a crisis.

Kwa emphasized the relevance of CSCAP in shaping the regional PD agenda recalling the March 1999 workshop in Bangkok chaired by Pacific Forum President Ralph Cossa and Professor Amitav Acharya that developed the original draft of the *2001 ARF Concept Paper on PD*. The paper re-emphasized PD as part of a three-stage evolutionary process and reflected a "lowest common denominator" approach to the definition and principles of PD. The final version gave significant deference to sensitivities on sovereignty, limited ARF PD to inter-states conflict, and was devoid of any reference to domestic affairs. Kwa concluded by saying that the issue now is to evaluate the ARF's PD achievements.

The presentation by Ralf Emmers (S. Rajaratnam School of International Studies) focused on the published paper he co-authored with See Seng Tan, entitled, "The ASEAN Regional Forum and Preventive Diplomacy: Built to Fail?" that tried to answer the question of why the ARF had been unsuccessful in implementing PD. He argued that when the ARF's large membership, weak institutional structures, strict adherence to sovereignty and non-interference norms, and divergent strategic outlooks were combined with the 'formalization' of ASEAN Way, the ARF became highly inflexible, which in turn inhibited the evolution of the various CBMs into PD.

Emmers made clear that when separated from the last variable, the other factors were insufficient to explain the ARF's failure. For instance, strict adherence to sovereignty principles hasn't precluded forums like the Six-Party Talks and ASEAN-China dialogue process on the South China Sea from engaging in PD. He stressed that, when kept informal and flexible, the ASEAN Way can and has in fact facilitated PD in other non-ARF multilateral arrangements in the region.

ASEAN Community Building and Implementation of Preventive Diplomacy in Southeast Asia

Huong Le Thu (Australian Strategic Policy Institute) provided a theoretical overview of norms, which led the discussion to the normative frameworks that have been developed within ASEAN that provided the bases for PD. Huong began by explaining the concept of a norm's life-cycle, highlighting its various stages. When a norm emerges, it undergoes norm-entrepreneurship and cascade phases, which requires persuasion of stakeholders. The norm is then either diffused or refused. Should the norm prevail and be adopted, it enters a consolidation phase whereby it is fully or partially enforced,

or rejected. The dominance of rejection would mean the norm dies.

The speaker then connected the theoretical discussion of norms to the eight key principles that guide the practice of PD in the ARF:

- 1) Diplomatic and peaceful methods
- 2) Non-coercive
- 3) Should be timely
- 4) Requires trust and confidence
- 5) Operates on the basis of consultation and consensus
- 6) Voluntary
- 7) Applies to conflicts between and among states
- 8) To be conducted in accordance with the universally recognized basic principles of international law and inter-state relations

With all these principles, Huong emphasized that PD should be perceived as a counter-coercive framework.

Raymund Quilop (De La Salle University) examined how the ASEAN Defense Ministers Meeting (ADMM) and the ADMM-Plus, as ASEAN-centered institutions, could contribute to PD while also highlighting the challenges of undertaking PD in the region through the ARF. He noted that if the assumption was for CBMs to be a manifestation of PD, then the ARF, ADMM and ADMM Plus have many achievements.

For the latter two, Quilop argued that they have been quite successful in undertaking and promoting CBMs among the states involved. The ADMM has been promoting and building confidence and trust through the various initiatives such as the ASEAN Defense Communication Infrastructure (ADI) launched in October 2017. The ADI is a hotline mechanism that enables any two defense ministers to directly contact each

other in times of crises or emergencies. Other initiatives include the ASEAN Defense Interaction Program (ADIP), and the ASEAN Peacekeeping Center Network (APCN). Both of these are intended to build and deepen ties among junior defense and military officials and among those directly involved in peacekeeping operations, respectively.

Indeed, senior defense officials have built personal ties through the ADSOM while the ministers have done the same through the ADMM. For Quilop, who used to be a part of the Philippine delegations to both ADSOM and ADMM, these institutions are evidence that these types of mechanisms can promote confidence and trust in the region. Nevertheless, he also noted that because of deepened personal ties, officials would hesitate to contradict each other or propose alternative initiatives. This partly explains the proliferation of programs and projects under the ADMM.

Likewise, the ADMM-Plus has also been successful in carrying out confidence-building measures through practical cooperation initiatives agreed upon during the meetings of its seven expert working groups. These working groups tackle some of the region's most pressing security issues – maritime security, counter-terrorism, peacekeeping, humanitarian assistance/disaster relief, military medicine and humanitarian mine action, and cybersecurity. Similarly, trust and confidence in the region have also been pursued by the ADSOM-Plus Working Group leaders, the ADSOM-Plus Senior Officials and the ADMM-Plus defense ministers through their various meetings and interactions that have been established.

Quilop also emphasized the downside of having too many meetings. “If there are just too many initiatives and activities, the states may simply send a participant for the sake of

sending someone, without due regard whether the participant being sent is the right person for the topic.” He then brought up the proposed ARF Defense and Security Policy Conference (ADSPC), a Philippine proposal that would be the result of the merger of the Defense Officials Dialogue and the ARF Security Policy Conference (ASPC), the two platforms for dialogue among defense officials of the ARF countries. The goal, Quilop added was to streamline meetings within the ARF, and consequently synergize and revitalize the dialogue platforms.

He concluded by underscoring the inability of the ARF or the lack of progress in the region in moving towards PD beyond the CBMs. Under the current setup and considering the pace of talks in the past, nothing much is expected to change until and unless the ARF changes its approach to PD.

Implementation of Preventive Diplomacy in ASEAN

The fourth session focused on practical issues, and discussed how PD is being applied within ASEAN and ASEAN-based organizations in response to perceived security threats in non-traditional security issues such as HA/DR, terrorism, piracy, and proliferation of WMD, as well as in maritime security which has elements of traditional security (inter-state) and non-traditional security (intra-state and trans-state).

Mely Caballero-Anthony (S. Rajaratnam School of International Studies) highlighted what she perceives as mechanisms of PD. These are confidence building mechanisms, which include initiatives that promote transparency and bases for information sharing; institution-building, or the establishment of formal and informal arrangements to meet common challenges and shared objectives; early warning systems that allow for monitoring of developments;

preventive humanitarian actions aimed at managing and mitigating humanitarian costs of political conflicts and/or humanitarian and political consequences of natural disasters; fact-finding missions; good offices and goodwill missions; crisis management; and preventive deployment.

PD is an important element in achieving the goals of the ASEAN’s Political and Security Community. These goals include: raising the level of cooperation to a “higher-plane”; ensuring a rules-based and inclusive community where everyone’s human rights, fundamental freedoms, social justice, and safety and security are guaranteed; and ensuring an environment with enhanced capacity to respond effectively to emerging challenges.” The speaker stressed that these goals are akin to the operational and structural elements of PD, especially in that prevention is ASEAN’s foundational approach to regional security and community building, as stated in the ASEAN Political-Security Community Blueprint 2025.

The speaker underscored how that blueprint recognized the importance of transnational security challenges to Southeast Asia – environmental degradation, infectious diseases, migration, and transnational crimes – problems that cannot be resolved unilaterally by any single ASEAN state. Indeed, considering these challenges are trans-national, effectively responding to them will require regional cooperation, and for Caballero-Anthony, an “ASEAN state of mind.” Nevertheless, domestic capacity-building is still needed so that every ASEAN member could contribute to regional capacity.

PD is being institutionalized in the APSC Blueprint through several conventions, treaties, and organizations: the ASEAN Convention on Counter-Terrorism (ACCT); ASEAN Plan of Action to Combat Transnational Crime; the ASEAN Work Plan

on Combating Illicit Drug Production, Trafficking and Use (2009- 2015); the ASEAN Agreement on Disaster Management and Emergency Response (AADMER); the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre), which the speaker highlighted as the very first treaty instrument ever crafted in the world about HADR; and the Standard Operating Procedure for Regional Standby Arrangements and Coordination of Joint Disaster Relief and Emergency Response Operations (SASOP).

The speaker highlighted how HA/DR in ASEAN has helped develop PD capacity. The AHA Center, as a PD mechanism, facilitates regional cooperation for disaster management and joint emergency preparedness and response, operationalizes regional coordination mechanisms, and supports member-states in developing and strengthening their own capacities in institutionalizing the ASEAN Agreement on Disaster Management and Emergency Response (AADMER).

Still within the ambit of the AHA Center are other smaller PD initiatives designed to prepare ASEAN member states to cope with disasters. These include the Emergency Rapid Assistance Team (ERAT), which supports the national disaster management offices (NDMO) of the affected member-state/s in the initial phases of disaster by conducting rapid assessment, coordinating mobilization and deployment of regional disaster relief; and the Web-based Crisis Information Management (WebEOC), which is a crisis information management system used to transmit and share ASEAN disaster-related information in real-time between the AHA Centre and the member-states' respective NDMOs, the United Nations and other approved organizations.

Aside from HA/DR, ASEAN has also put forward several PD mechanisms to address other security issues. The 1995 Southeast Asia Nuclear Weapon-Free Zone Treaty has been prohibiting member states from developing, manufacturing, and possessing nuclear weapons, while also promoting regional norms on nuclear security, safety, and safeguards as provided for by the guidelines and standards of the International Atomic Energy Agency (IAEA). SEANWFZ as a PD measure also upholds the international non-proliferation system through strict adherence to the Treaty on the Non-Proliferation of Nuclear Weapons by ASEAN members. The ASEANATOM signed in 2013 was another PD measure that came out of ASEAN that proactively supports the international nuclear nonproliferation regime. ASEANATOM provides for the sharing of best practices and exchange of experiences in regulating nuclear and radioactive materials and related activities; capacity building by focusing on human resources development through training courses and technical collaboration; assisting ASEAN member states to implement their relevant commitments to the IAEA standards and guidelines; mutual exchange of information on nuclear activities in each country, which serves as a confidence-building measure; forging regional cooperation in the areas of nuclear emergency preparedness and response, environmental radiation monitoring, and nuclear security, including, measures to combat illicit trafficking, unauthorized transfer of nuclear and radioactive materials, and the return of recovered materials to the country of origin.

Overall, the argument presented is that PD is an integral part of ASEAN community building process, and that the concept is continuously being constituted by ASEAN member-states, and other non-state actors in Southeast Asia. The latter highlights the idea that PD can no longer be seen as a state-

centric endeavor. Nevertheless, multiple challenges remain, especially in the areas of implementation, capacity, and resource-constraints, which should be addressed along the way.

Jeffrey Ordaniel (Pacific Forum) echoed a similar perspective on PD in Southeast Asia, arguing that ASEAN dialogue institutions and other existing “minilateral” arrangements in the region are themselves PD mechanisms. Ordaniel’s presentation centered on how Southeast Asian countries have operationalized PD in response to maritime security threats. PD is seen more as an instrument for institutionalizing rules/governance in problematic maritime spaces, and as a response to urgent concerns on human security. Ordaniel provided an extensive list of maritime-related PD initiatives that have been pursued in the region and demonstrated how demand for rules/norms/governance and/or urgent concerns on human security have brought them about.

The clearest example of maritime-related PD that was brought about by demand for norms and good governance, as well as urgent concerns on human security was the Malacca Straits Patrols (MSP), a quadrilateral PD initiative between and among the littoral states surrounding the interconnected Malacca Strait and Singapore Strait. Indeed, while the straits have always been within national jurisdiction, there was a breakdown of governance for some time in the early 1990s as incidents of armed robberies increased, and as kidnapping and risks of maritime terrorism escalated in the early 2000s. This was initially complicated by the differing views of Singapore, Malaysia and Indonesia on foreign involvement, even as international maritime organizations and user states like Japan and the United States called for international cooperation to tackle the problem. Washington even proposed the Regional Maritime Security Initiative (RMSI),

which envisaged the US partnering with regional states in policing of the strait in 2004, a direct external intervention. The three littoral countries responded to the breakdown in governance by establishing MALSINDO to ensure the safety of vessels traversing the strait and their crews. MALSINDO proved to be insufficient however. Several high-profile incidents still highlighted a greater demand for effective governance in the strait while also underscoring the lingering danger to human lives. For instance, in March 2005, Japanese-owned tugboat *Idaten* was attacked and several of its crew were kidnapped. Pressure mounted against the three ASEAN states as Tokyo proposed to dispatch a Japan Coast Guard vessel to help patrol the strait, an intervention that Kuala Lumpur thwarted. Four months later, a Thai product tanker was attacked, as the Lloyd's Joint War Risks Committee re-classified the strait as a “high-risk war zone.” So in 2006, MALSINDO evolved further and became MSP, with Thailand joining later on as the fourth member.

MSP has incorporated many PD elements - The Malacca Strait Sea Patrols (MSSP) whereby parties conduct coordinated patrols within their own waters and have set up several control points; the Eyes-in-the-Sky (EiS) that provides combined and coordinated aerial surveillance of the Singapore and Malacca Straits and the Intelligence Exchange Group that supports the sea and air patrols through the Malacca Strait Patrols Information System (MSP-IS) used by air and sea assets deployed on scene to pass information of an unfolding incident to all Monitoring and Action Agencies (MAA) on a real-time basis - clearly an early warning mechanism. MSP reduced the number of incidents in the Malacca Straits that by August 2006, the Lloyd's Joint War Risks Committee dropped the “high-risk war zone” tag.

Other examples that Ordaniel mentioned as among the many maritime-related PD initiatives include the Philippines-Indonesia Coordinated Border Patrols (CORPAT PHILINDO) in the Sulu and Celebes Seas, since 1986, the Indonesia-Philippines-Malaysia Trilateral Cooperation Agreement (TCA) since mid-2016, and the Sino-Vietnam Gulf of Tonkin Joint Working Groups that existed from March 1994 to December 2000, culminating in the 2000 delimitation agreement (53.23 percent of the Gulf's total area to Vietnam, and 46.77 percent to China). ASEAN Maritime Forum (annual since July 2010), and later, the Expanded ASEAN Maritime Forum (annual, since Oct 2012), Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), with its Information Sharing Center headquartered in Singapore, the ASEAN Forum on the IMO, ASEAN China Maritime Consultation Mechanism since 2010, and the ASEAN-China Declaration for a Decade of Coastal and Marine Environmental Protection in the South China Sea (2017-2027).

Many larger PD mechanisms that have been established under the auspices of ASEAN also contained provisions that relate to maritime security. Among them are the ASEAN Convention on Counter Terrorism of 2007, the ASEAN Transport Action Plan 2005-2010, the ASEAN Declaration on Transnational Crimes 1997, and the ASEAN Centre for Biodiversity, established in 2005.

In his conclusion, Ordaniel re-emphasized that demand for governance/rule of law and/or human security concerns provide the strongest impetus for maritime-related PD. Hence, it is important for policymakers to emphasize the need for effective maritime governance while also highlighting the links between preventive diplomacy initiatives and human security concerns (e.g. protection of vulnerable population in coastal zones,

ensuring livelihood of fishermen, safeguarding safety of maritime workers, etc).

The Future of Preventive Diplomacy in the ARF and ASEAN

Carl Baker (Pacific Forum) examined the status of PD implementation in the ARF and ASEAN beginning with a review of the *ARF Work Plan Implementation 2011*. The work plan contains 11 action lines that are based on recommendations from the *2008 Joint Study on Best Practices and Lessons Learned in Preventive Diplomacy* conducted by the Pacific Forum and the S. Rajaratnam School of International Studies, the ARF Experts and Eminent Persons Group memorandum on PD, and the 2010 Hanoi Plan of Action to Implement the ASEAN Regional Forum Vision Statement. These are: strengthen concrete cooperation in non-traditional security, continue to implement and enhance CBMs, conduct workshops on PD, review/analyze state input to ARF Annual Security Outlook, develop standardized formats and reporting criteria for CBMs, identify potential organizations to partner with for capacity building/ training/sharing of best practices, strengthen ARF Unit, EEPs, CSCAP and ASEAN ISIS to monitor/identify potential flashpoints, consider establishing a Regional Risk Reduction Centre, develop PD mechanisms (based on consensus, voluntary measures), and explore mediation, dialogues and conciliation.

Considering the lack of consensus on what constitutes PD, Baker also examined the *ARF Concept Paper on Moving Towards Preventive Diplomacy* as approved by the ARF in 2014. The paper adopted the 2001 ARF definition and principles of PD as given, which again sandwiched the concept in between CBMs and conflict resolution, in a three-stage evolutionary process. That paper also spelled out the phases through which PD could be

pursued with phase 1 being learning, sharing and understanding. That meant holding workshops and training programs to familiarize with PD, and sharing best practices and information on non-sensitive issues. Phase 2 would include exploring or developing PD tools, which was understood to mean designing PD mechanisms. The final phase would be to actually explore PD opportunities (upon invitation), which was understood as implementation of a PD measure in case a potential for violent conflict arises, as well as strict adherence to ARF PD guiding principles, namely consensus and consent.

The paper was specific in providing examples for each phase. For phase one, sharing of defense white papers, expenditures and regional security outlooks, conducting joint military exercises to promote mutual trust and not target other participant, and encouraging early notification, on a voluntary basis, to inform in advance and/or invite others to observe joint military exercises, were among the examples given. The Treaty of Amity and Cooperation (TAC) as well as a possible Terms of Reference for Friends of the ARF Chair were mentioned as good examples for phase two, while cooperation on transnational issues of concern and the using of sideline meetings during ARF events for dialogue were examples for phase three.

Despite these rather specific action lines, the fact is that PD activities carried out under the ambit of the ARF from 2014 to 2017 were limited to Chairman statements praising the progress being made and workshops that clearly fall well within the framework described as Phase 1 in *ARF Concept Paper on Moving Towards Preventive Diplomacy*. Other problems raised were the lack coherence in the ARF PD activities, the lack of an established training curriculum, narrow focus on mediation and negotiation training, lack of follow-through with attendees at the many symposia, workshops, and training courses,

and lack of effort to build a “community of experts.”

Baker attributed the lack of progress on PD within the ARF to the fact that it has been too committed to an excessively narrow definition of PD. This has led to the perception that PD is limited to a reaction to specific inter-state conflicts, without any recognition of the ASEAN institutions and mechanisms that provide early warning and a framework for response. The ARF has also been rigid in perceiving PD as simply a part of a three-stage process while discouraging collective actions by focusing on the regional norms of consensus, consultation, and non-interference.

Baker provided several policy recommendations to enhance the ARF’s role in carrying out the region’s PD agenda. He argued that there is a need for the ARF to refocus its efforts around supporting ASEAN institutionalization process and to underscore the ASEAN centrality in defining security threats and the role of PD in Southeast Asia. By doing so, the ARF does not become a venue for external powers to push for their own security agenda. For instance, fundamental disagreements between partner countries have at times, prevented progress on PD in the ARF while ASEAN countries, among themselves, have moved forward with an implicit understanding of shared values and concerns, and acceptance of cooperation.

There is also a need to recognize that non-traditional security issues are perceived as the primary threat in Southeast Asia and to understand that in ASEAN, the norms of good governance and the protection of vulnerable populations are the strongest basis for PD in the region. Specifically, ASEAN dialogue partners should focus their PD efforts on facilitating capacity building for the strengthening of ASEAN institutions, and develop and coordinate early warning

mechanisms related to threats where there is an intersection between ASEAN concerns and partner interests. Finally, Baker argued for the need to reconceptualize the three “stages” of implementation to reflect interaction of components of PD rather than view them as a linear progression.

Suriya Chindawongse (Thai Foreign Ministry) provided an insider view of the PD agenda in ASEAN. He observed that for the ARF, there is usually a big disconnect when it comes to what is happening during the inter-sessional period and during the ARF Ministers’ Meeting. The latter would usually reflect the urgency of issues that vary from time to time, and discussions would begin from a broader perspective considering the large number of participants. The ministers would also not discuss the next steps. Meanwhile, during the former, participants are pursuing other things not discussed in the ARF Foreign Ministers’ Meeting, while also still limiting efforts to non-traditional security issues that can be pursued with relative ease.

Chingdawognse acknowledged that the ARF has come to be perceived as a platform for dialogue and consultation, and that the expectation is for actual PD to happen elsewhere. He argued that there is a need for countries in the region to be realistic about ARF. The bottom line is that it is important for the ARF-related track 1.5 and 2 processes to proceed as they lay the groundwork for ideas to emerge that track 1 processes can pick up on.

Despite the overwhelming perception that ARF has fallen short in advancing the region’s PD agenda, Chindawongse was quick to underscore that ASEAN is in itself a PD success. From 1967 to today, there has been no violent conflicts among member states. For him, it was because of the Charter, among other institutionalized mechanisms in the region coupled with the habit of dialogue

when there is a brewing problem. He challenged the participants to imagine a Southeast Asia without ASEAN. The alternative could not possibly project a better outcome for the region. Southeast Asia, he said, is still transitioning to a rules-based order. ASEAN is a “capitals-driven” multilateral organization, not a secretariat-driven one. Policies are mostly conceptualized and decided upon in the capitals of Southeast Asian countries, not at the Secretariat in Jakarta. While admitting that ASEAN is not perfect, he argued that it has served as a circuit-breaker when the situation was on the verge of violence.

The Future of Preventive Diplomacy in Southeast Asia

The final session of the workshop was focused on key takeaways from the panel sessions, as well as a comprehensive open discussion on the future of PD in Southeast Asia. A lot of time was spent on the normative frameworks, definitions, scopes and limitations, and meanings of PD, which in turn, underscored the lingering conceptual debates. Some argued that PD should be limited to initiatives taken by diplomats to prevent the escalation and expansion of conflict and is distinguished from “crisis prevention,” which entails actions that “broadly address root causes to build conditions for stability and peace.” For others, PD is a much broader framework that involves not just structural developments, such as fostering regional norms of accepted state behaviors and building institutions, but also includes operational activities, such as confidence-building measures, early warning functions, crisis management, dispute resolution mechanisms, and preventive deployment.

Another debate focused on the scope of PD with some participants insisting that it is exclusive to addressing inter-state dispute/conflict and should not involve local

conflicts and security issues that fall within the ambit of national governance and sovereignty. Others argued that PD is applicable to:

- disputes between and among sovereign states (i.e. inter-state): disputes over land territories and maritime boundaries;
- disputes inside the states (intra-state) that have potential to affect other states such as humanitarian crises resulting from natural disasters, civil unrest and internal insurgency; and
- disputes that affect two or more states (trans-state), such as environmental pollution and fish stocks degradation.

Finally, there was a debate on the value of maintaining the three-stage approach as prescribed by the *2001 ARF Concept Paper*, in which PD, as frequently noted during the workshop, is framed between CBMs and conflict resolution. Some argued that the evolutionary three-stage approach has become an impediment that constrains the ARF from becoming the PD mechanism described in the ARF Concept Paper. When PD is narrowly defined as proximate actions taken to prevent violent conflict, the concept is easily conflated with unwanted intervention or interference in the internal affairs of the country or countries involved. The alternative is to conceptualize PD as an overarching concept that includes CBMs, early warning, preventive action, and conflict resolution mechanisms.

All these conceptual and definitional issues raise the question of the need for a clearer, more specific and commonly accepted working definition of PD for everyone in the region. The paradox is that the current narrow definition adopted by the ARF has led to considerable angst over its inability to implement PD and seems to be counter-productive. Meanwhile, ASEAN has avoided a formal definition, focusing instead on

functional cooperation that could qualify as PD with or without the label, and has been more successful in institutionalizing relevant norms, early warning mechanisms, and response capabilities. Perhaps formalizing PD definitions and normative frameworks should be left with academics to argue and discuss, while policy analysts and policymakers should simply focus on “doing” PD – instituting mechanisms that prevent conflicts/crises or limit the expansion of existing conflicts/crises.

There was general agreement within the group that the ARF has been ineffective in institutionalizing PD. One suggestion offered was that ASEAN and the ARF should continue developing PD-related norms and mechanisms in non-traditional security areas as a basis for moving forward with addressing more sensitive traditional security issues. Others proposed that the ARF move away from the three-stage process approach to PD and simply focus on what ASEAN can actually do – institutionalize norms and promote security cooperation.

The ARF’s failure to institutionalize PD raises the broader issue of possibly delinking the PD agenda from the ARF, altogether. The ARF should not be held hostage by the lack of progress in institutionalizing PD in the same way that the regional PD agenda should not be held hostage by the ARF’s inability to pursue it. If ASEAN is more effective at institutionalizing PD, then the ARF should focus on facilitating ASEAN activity and be freed up to work on other regional security challenges.

In the context of the discussion on ASEAN engagement in institutionalizing PD, the group identified several relevant ASEAN-based norms and institutions. These include the ASEAN Charter, the ASEAN Treaty on Amity and Cooperation, the ASEAN Counter Terrorism Convention, the

ASEAN-China Declaration on the Conduct of Parties in the South China Sea, and the ASEAN Humanitarian Assistance Centre, among many others. While not formally linked to PD – due in large part to the narrow ARF definition of the term and the avoidance of term within ASEAN) each of these mechanisms deal with confidence-building, PD-related norms, early warning, and preventive action in response to a perceived security threat.

There was also a lengthy discussion on the role of PD in preventing power rivalries in the region. Some argued that the primary rationale for retaining PD as primary focal point for the ARF is that this facilitated ASEAN centrality in moderating strategic competition in Southeast Asia. Indeed, as one presenter noted, great powers' interest in a security issue reduces the success of any PD initiative crafted to address it. One participant suggested that to successfully navigate China-US strategic competition, and the inevitable problems generated by the changing balance-of-power in the region, it is important for ASEAN to foster a rules-based regional order that maintains its centrality in defining and approaching regional security threats.

Given the widely shared recognition among the participants that ASEAN states have pursued PD without the label, some suggested that a more *minilateral* approach to PD be pursued. In other words, to address security concerns or prevent future conflicts or crises, parties directly involved can meet among themselves in or out of ASEAN, and pursue preventive diplomacy. This is consistent with the suggestion to delink the region's preventive diplomacy agenda from the ARF.

Finally, the workshop made it clear that there is a gap between the perceived lack of progress in moving toward PD within the ARF and implementation of PD-related

activity in the region. Indeed, while the debate over how to move the process forward within the ARF continues, ASEAN states have been instituting mechanisms as part of the ASEAN community-building process that form the basis for a capacity to implement the type of PD activity anticipated in the narrow definition of PD adopted in the *2001 ARF Concept Paper on PD*. Recognizing the connection between the ASEAN community-building effort and PD would help reduce the gap.

Carl W. Baker is executive director at Pacific Forum.

Jeffrey Ordaniel is a resident Vasey fellow at Pacific Forum.

APPENDIX A



Workshop on Preventive Diplomacy Siem Reap, Cambodia

FEBRUARY 25-27, 2018

AGENDA

SUNDAY, FEBRUARY 25, 2018

18: 30 WELCOME RECEPTION

19: 00 OPENING DINNER

MONDAY, FEBRUARY 26, 2018

8: 30 REGISTRATION

9: 00 OPENING REMARKS

Agenda Setting: Carl Baker, Pacific Forum

Welcome Address: Pou Sothirak, Cambodian Institute for Cooperation and Peace

Keynote Speech: H.E. Kan Paridh, Ministry of Foreign Affairs, Cambodia

9: 30 SESSION 1: THE CONCEPT OF PREVENTIVE DIPLOMACY

This session will examine preventive diplomacy as a concept. What are the origins of the term? What is the context of its development? How has the concept evolved since it was introduced in the early 1990s? What are the key components of preventive diplomacy? Are there significant differences in the way the concept is applied by the UN and other regional organizations? What is the relationship between preventive diplomacy and the concept of the conflict cycle? What is the relationship between preventive diplomacy and confidence building and conflict resolution?

Presenter: Jim Rolfe

**11: 00 SESSION 2: THE ASEAN REGIONAL FORUM AND
PREVENTIVE DIPLOMACY**

This session will examine the evolution of preventive diplomacy in the ASEAN Regional Forum (ARF) and the development of the ARF Preventive Diplomacy Concept. Particular attention will be given to the concept and principles of PD that have been adopted by the ARF and the impact they have had on shaping the ARF approach to PD. What are the principles and key components of the ARF PD concept? What are the primary influences that shaped underlying principles? How has the adoption of the “three-stage process” and the decision in 2001 to adopt the ARF Concept and Principles of Preventive Diplomacy influenced the practice of PD in East Asia?

Presenters: Kwa Chong Guan and Ralf Emmers

**14: 00 SESSION 3: ASEAN COMMUNITY BUILDING AND
PREVENTIVE DIPLOMACY**

This session will examine the normative framework that has been developed within ASEAN that provides the basis for PD. The focus of this session will be on the development of ASEAN-centered norms and institutions that provide a basis for PD in Southeast Asia. The session will also examine the relationship between ASEAN norms related to good governance and protection of vulnerable populations and the evolution of PD in ASEAN.

Presenters: Raymund Quilop and Huong Le Thu

**15: 30 SESSION 4: IMPLEMENTATION OF PREVENTIVE
DIPLOMACY IN ASEAN**

This session will examine how ASEAN has integrated elements of preventive diplomacy into its vision for a political-security community in 2025. This session will include presentations on how PD is being applied within ASEAN-based organizations in response to perceived security threats in maritime security, HA/DR, terrorism, piracy, and proliferation of WMD.

Presenters: Mely Caballero-Anthony and Jeffrey Ordaniel

17: 00 END OF DAY 1

TUESDAY, FEBRUARY 27, 2018

**9: 00 SESSION 5: THE FUTURE OF PREVENTIVE DIPLOMACY IN
THE ARF AND ASEAN**

This session will examine the status of PD implementation in the ARF and ASEAN. The basis for the assessment will be the 2011 ARF Work Plan on Preventive Diplomacy and the ASEAN Blueprint for the Political-Security Community in ASEAN 2025: Forging Ahead Together.

Presenters: Carl Baker and Suriya Chindawongse

**10: 30 SESSION 6: KEY FINDINGS AND THE FUTURE OF
PREVENTIVE DIPLOMACY IN SOUTHEAST ASIA**

This session will be an open discussion on key findings from the workshop and implications for the future development of PD in Southeast Asia.

12: 30 LUNCH

13: 30 WORKSHOP ENDS

APENDIX B



Workshop on Preventive Diplomacy Siem Reap, Cambodia FEBRUARY 25-27, 2018

PARTICIPANT LIST

Qamaruzzaman AMIR

PhD Student, Institute of Religion, Culture and Peace
Payap University

Carl BAKER

Executive Director
Pacific Forum

BITH Chankhan

Vice Chief of Procurement Office
National Committee for Sub-National Democratic
Development Secretariat

Mely CABALLERO-ANTHONY

Associate Professor and Head of Centre for Non-
Traditional Security Studies
S. Rajaratnam School of International Studies

Termsak CHALERMPALANUPAP

Lead Researcher for ASEAN Political & Security Affairs
ISEAS-Yusof Ishak Institute

CHANG Chung Young

Professor
Fo Guang University

Suriya CHINDAWONGSE

Deputy Director-General, Dept. of ASEAN Affairs
Ministry of Foreign Affairs, Thailand

Ralf EMMERS

Associate Dean and Head of Centre for Multilateralism
Studies
S. Rajaratnam School of International Studies

HAN Intaek

Research Director
Jeju Peace Institute

HING Phorpminea

Deputy Governor of Kampong Chhnang Municipality,
Cambodia

Huong Le Thu

Senior Analyst
Australian Strategic Policy Institute

KAN Paridh

Under-Secretary of State and ASEAN SOM Leader of
Cambodia
Ministry of Foreign Affairs and International
Cooperation

KWA Chong Guan

Senior Fellow
S. Rajaratnam School of International Studies

Kyaw Myaing

Member
Myanmar Institute of Strategic and International
Studies

Fale Andrew LESA

Programme Officer
UNESCO

Muhamad Arif

Researcher, ASEAN Studies Program
The Habibie Center

Riefqi MUNA

Researcher in Security Studies, Centre for Political Studies
Indonesian Institute of Sciences

NEM Sowathey

Deputy Chief of Department, Department of Policy-Planning, General Department of Policy and Foreign Affairs, Ministry of National Defence, Cambodia

NGUYEN Thi Bich Ngoc

Research Fellow, Institute for Foreign Policy and Strategic Studies
Diplomatic Academy of Vietnam

Nnin Wint Nyunt Hman

Researcher
Myanmar Institute of Strategic and International Studies

Jeffrey ORDANIEL

Research Fellow
Pacific Forum

Piyaporn PUTANAPAN

Counsellor, Political and Security Division, Department of ASEAN Affairs,
Ministry of Foreign Affairs, Thailand

POU Sovachana

Deputy Executive Director in Charge of Research and Publication
Cambodian Institute for Cooperation and Peace

POU Sothirak

Executive Director
Cambodian Institute for Cooperation and Peace

Raymund QUILOP

Assistant Professor
De La Salle University

Jim ROLFE

Senior Fellow
New Zealand Centre for Strategic Studies

NGOR Sopheap

Deputy-Director, Department of ASEAN Affairs
Ministry of National Defence, Cambodia

Georgy TOLORAYA

Professor, MGIMO University
Head of the Asian Strategy Center,
Institute of Economy, Russian Academy of Sciences

Rachelle VILLALUNA**Staff****CHARADINE Pich**

Assistant
Cambodian Institute for Cooperation and Peace

Jesslyn CHEONG

Senior Program Manager
Pacific Forum

CHHORN Sotheara

Administration and Conference Assistant
Cambodian Institute for Cooperation and Peace

NETH Chantha

Deputy Executive Director and Chief of Finance and Administration Unit
Cambodian Institute for Cooperation and Peace

KEA Chork

Assistant
Cambodian Institute for Cooperation and Peace

OUK Phally

Admin. Assistant
Cambodian Institute for Cooperation and Peace