



ASEAN-China Relations Turn the Corner

by Mely Caballero-Anthony

ASEAN-China relations have come a long way in the past decade and there have been remarkable advances in economic, political, and security cooperation this year. Relations between China and ASEAN were initiated only in July 1991 when Beijing began to attend the ASEAN Post-Ministerial Conference (ASEAN PMC) as a consultative partner. This was significant since until 1990 some ASEAN members did not even have formal diplomatic ties with China. At the 24th Asean Ministerial Meeting in Kuala Lumpur, then Chinese Foreign Minister Qian Qichen expressed China's interest in strengthening cooperation with ASEAN. This was received warmly by ASEAN and a series of milestones have followed. They include:

- The establishment of the ASEAN-China Joint Committee on Economic and Trade Cooperation and the ASEAN-China Joint Committee on Science and Technology in July 1994;
- China became a member of the ASEAN Regional Forum (ARF) upon its launch in July 1994 and ASEAN and China agreed to have consultations on political and security issues of common concern;
- China became a full dialogue partner of ASEAN in July 1996 and attended the PMC for the first time;
- China participated in the ASEAN Plus Three summit upon its inauguration in July 1997 paving the way for ASEAN-China summits.

The ASEAN-China summit has become an annual event since the first informal meeting in Kuala Lumpur in 1997. This provided the framework for both sides to discuss economic as well as political and security issues of common concern. The ASEAN-China summit held after the Eighth ASEAN summit in Phnom Penh in November was particularly productive. During the meeting, several landmark agreements were signed. The most important was the Framework Agreement on ASEAN-China Economic Cooperation, which would lead to the creation of an ASEAN-China Free Trade Area in 10 years. China is the first dialogue partner to sign such a pact with ASEAN. In addition to the FTA, ASEAN and China signed a memorandum of understanding on agricultural cooperation.

In the political and security field, ASEAN and China signed two important declarations: one on the Conduct of Parties in the South China Sea, the other on Cooperation in Non-traditional Security Issues. Moreover China expressed interest in acceding to the ASEAN Treaty of Amity and Cooperation in Southeast Asia, and to work toward signing the Southeast Asia Nuclear Weapon-Free Zone (SEANFWZ).

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advances in what was once a trouble-ridden relationship between the region and China; they therefore merit closer analysis to see the extent of rapprochement between the two political and economic entities.

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ASEAN has been eager to engage China on political and security issues in the region. This is despite past mistrust and animosity between the two parties, largely a product of China's support for communist parties in ASEAN countries. For its part, China has been receptive to ASEAN initiatives. Hence developments on political and economic issues need to be carefully watched, particularly those relating to potential areas of friction or conflict.

A good example is territorial disputes in the South China Sea. These disputes remain the single largest issue in ASEAN-China relations, even though ASEAN as a corporate entity is not a party to the disputes - only some of its members. Despite China's previous adamant stance that such issues could only be discussed bilaterally with claimant states, ASEAN was finally able to convince China to discuss South China Sea problems on a multilateral level. Thus, the signing of the Declaration on the Conduct of Parties in the South China Sea was no mean feat. It signaled a mutual desire to move forward after three years of futile discussion on a code of conduct.

Some observers have dismissed the Declaration for falling short of expectations and not addressing the question of sovereign jurisdiction. In addition, they claim that ASEAN has been divided by China's bilateral talks with claimant parties and Beijing's insistence on the exclusion of territorial jurisdiction in the document. These criticisms do not take account of fundamental issues.

First, it was never the intention of ASEAN or China to include the question of sovereignty or territorial jurisdiction in negotiations for a regional code of conduct. It would be unrealistic to expect states to budge on issues of sovereignty, let alone negotiate them with multiple parties. Had this been the

objective, China as well as other claimant states would have refused to even agree to talk.

Second, territorial disputes are not handled multilaterally; these are always resolved bilaterally, particularly if international legal arbitration is required.

Third, it is not within the means of ASEAN to resolve territorial disputes; it does not have mandate to do so.

Finally a code of conduct promotes trust and confidence; it is a confidence-building measure, a norm-setting exercise that modestly aims to encourage self-restraint in activities that could spark disputes. This relies greatly on the good faith of parties and cannot be binding.

Weighed against these considerations the fact that a Declaration was finally created, a signal of the parties' intention to work toward a regional code of conduct. This is a breakthrough for all concerned. Even the Philippines, which initiated the idea of a regional code of conduct in 1998, was relieved that an agreement was finally reached.

In doing this, ASEAN and China have agreed to put sovereignty issues aside in order to tackle the intractable multiple claims in the South China Sea. This has also been the basis for promoting the idea of joint development zones (JDZ) as a practical approach to manage territorial disputes, to advance profitable economic uses of maritime resources, and to promote peace and security, discussions that started in the early 1990s upon China's initiative.

When considering current security challenges confronting the region, one must also note the collaborative efforts between China and ASEAN to address new security issues. In this regard cooperation in fighting illegal production and trafficking of drugs has intensified under the ASEAN-China Cooperative Operations in Response to Dangerous Drugs (ACCORD). Since it was established in 2002, there have been ministerial conferences on drug control cooperation between China, Laos, Myanmar, and Thailand, and bilateral cooperation between ASEAN member countries and China.

The ASEAN-China Joint Declaration on Cooperation in the field of non-traditional security issues builds on this mechanism. The new agreement would serve to coordinate efforts in addressing, in addition to illegal drugs, the growing problems of smuggling people and arms, sea piracy, money-laundering, international economic crimes, cyber crime, and terrorism.

While difficult issues confront China and ASEAN, one needs to take a broader view of the unfolding events. In taking stock of the progress and prospects of ASEAN-China relations, one could see the glass as half full rather than half empty. Then, we can identify opportunities for advancing mutual interests while being mindful of the challenges that exist.

Mely Caballero-Anthony is Assistant Professor at the Institute of Defence and Strategic Studies in Singapore.