

**CSCAP**  
**Regional**  
**Security Outlook**  
**2009 – 2010**



**Security Through Cooperation**



**CSCAP**  
COUNCIL FOR  
SECURITY COOPERATION  
IN THE ASIA PACIFIC

The **Council for Security Cooperation in the Asia Pacific (CSCAP)** is the region's leading Track Two (non-official) organization for promoting cooperation and dialogue on regional security issues. CSCAP was established in 1993, and now has 21 national Member Committees and one Observer. (For more information about CSCAP, please visit [www.escap.org](http://www.escap.org).)

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# MESSAGE FROM THE EDITORS

On behalf of the Council for Security Cooperation in the Asia Pacific (CSCAP), we are pleased to present the *CSCAP Regional Security Outlook (CRSO) 2009-10*. Inaugurated in 2007, this is the third annual volume, *Security through Cooperation: Furthering Asia Pacific Multilateral Engagement*.

The *CRSO* is directed to the broad regional audience encompassed by CSCAP itself. Its mandate is to survey the most pressing security issues of today and to provide informed policy-relevant recommendations as to how Track One (official) and Track Two (non-official) actors, working together, can advance regional multilateral solutions to these issues.

2010 looms as a particularly important year for the Asia Pacific states and societies. Key decisions will be required of leaders, in both global and regional fora, concerning cooperation on climate change, halting proliferation of weapons of mass destruction, regulation of global financial markets, response to natural disasters, addressing the plight of displaced populations, and dampening the pace of destabilizing competitive arms build ups. On each of these topics in this edition of the *CRSO*, the reader will find a chapter presenting trenchant analyses, along with factual material in time lines, maps, graphs and charts. Continuing the precedent set in the previous volumes, the editors are pleased to have engaged a diverse and distinguished set of contributors drawn from academe, think-tanks, and NGOs and writing from bases in Asia, North America, and Europe.

This year's *CRSO* departs from previous editions in several important ways:

- As reflected in the title ("2009-2010"), the content of the chapters is focused more specifically on things to watch in the coming year;
- The role of Track Two, and specifically of CSCAP, is highlighted in a separate chapter authored by CSCAP Co-Chairs; and
- The overall tone of articles and recommendations has become more critical, reflecting the Editors' concern that regional multilateral processes and institutions increasingly are failing to respond effectively to the security crises confronting the peoples of Asia.

The Editors appreciate the editorial independence granted to them and the *CRSO*'s contributors by CSCAP's Steering Committee. Accordingly, the views expressed in the *CRSO* do not represent those of any Member Committee or other institution, and are the responsibility of the Editors. In this regard, it should be noted that the charts, figures, and tables are chosen and placed within the text by the Editors for information purposes; their content does not necessarily reflect the views of the chapter authors.

Bringing the *CRSO 2009-10* from concept to reality is largely the result of the exceptional professional service of Ms. Erin Williams, Associate Editor. Special acknowledgements are due to the chapter authors, who have been generous in providing their expertise and time under tight deadlines. In addition, thanks are due to Carolina Hernandez and Tsutomu Kikuchi (*CRSO* Editorial Advisors), and to Brad Glosserman, David Santoro, Wade Huntley, Pascale Massot, Ashley van Damme, and J.D. Yuan for their special assistance.

The *CRSO 2009-10* may be accessed online at [www.cscap.org](http://www.cscap.org).

**Brian L. Job**  
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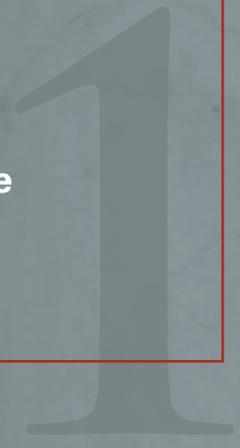
*The current version of this volume reflects minor modifications made on December 1, 2009.*



# 2010:

## Will Regional Multilateralism Meet the Region's Challenges?

Brian L. Job and Erin Williams



**The coming year, 2010, looms as a particularly important year for the Asia Pacific. With domestic considerations dominating national agendas since the latter half of 2008, it is not surprising that little significant progress has been seen in resolving other key regional and global issues.**

That being said, 2009 is ending with positive signals on economic, political, and security fronts. It remains to be seen whether or not these prove sufficient foundations for achieving meaningful progress on global regimes (at Copenhagen, the G8 and G20, and the 2010 NPT Review Conference) and resolution of regional issues (the Korean Peninsula and transnational conflict in Southeast Asia). In 2010, the Asia Pacific's existing regional multilateral institutions, Track one and Track two (see Chapter 7), will face critical tests of relevance as ad hoc institutional forms assume greater roles and alternative regional architectures are increasingly debated.

### 2009 – RESPONDING TO ECONOMIC, POLITICAL AND SECURITY PRIORITIES

*Preoccupation with economic recovery:* Unlike a decade ago, when the financial crisis emanated from Asia to the global level, in 2008 it was the collapse of Western, developed economies that brought distress to the region, particularly to its heavily export-dependent states. Throughout 2009, attention in Beijing, Tokyo, Seoul and Southeast Asian capitals focused on stimulating recovery and managing unemployment and hardship. With an economic imperative for the maintenance of peace and stability on both domestic and regional dimensions, Asian leaders (with the exception of North Korea's) appear to have been cautious not to create or revive any

disturbances that might interfere with gradually rebuilding regional economic confidence. Indeed, their strategies have proven remarkably successful, with the Asian Development Bank (ADB) now characterizing Asia's growth as "surprisingly buoyant" and having experienced a V shaped recovery. However, the Bank also cautioned that "The outlook for developing Asia's recovery is encouraging, but it is likely that growth will remain well below attainments of recent years," thus pointing to the continued regional attention in 2010 to ensuring uninterrupted peaceful growth (see Chart 1).

*New leadership in Washington and Tokyo:* The Obama Administration's "reaching out" to the Muslim world, commitment to nuclear disarmament, promise to address climate change, and endorsement of multilateralism as the preferred route to problem-solving, have all dramatically altered the perception of Washington as a cooperative global and regional player. Hilary Clinton's statement, "The United States is back", has been supported by the more active dialogue with regional leaders (particularly China), the visible presence of US officials in the region, and important symbolic steps such as the signing of the ASEAN Treaty of Amity and Cooperation (TAC). In Tokyo, the DPJ's victory comes with promises, indeed demands, for dramatic domestic policy changes along with PM Hatoyama's stated intentions to re-orient regional priorities and alliance

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#### November 2008

Barack Obama is elected the 44<sup>th</sup> President of the United States, pledging to make multilateralism a more prominent part of US foreign policy.

#### November 2008

Kashmir-based militants launch multiple terrorist attacks against targets in Mumbai, India's financial heart. A total of 175 people perish in the incident.

#### February 2009

ASEAN Secretary-General Surin insists in an interview with Al Jazeera that the ASEAN Charter is "more than just a piece of paper."

relations with the US. However, the extent to which these leaders' regional visions will be realized in 2010 remains to be seen, as both must first attend to deep domestic economic crises, and as Washington struggles to redefine its Afghanistan mission.

*Traditional security concerns:* The danger of proliferation of nuclear weapons and associated technologies continues to haunt the region—North Korea remains at the top of the list, but Iran's enrichment programs, the safety of Pakistan's nuclear arsenal, and the possibility of Burma's interest in nuclear development all draw concern. Negotiating with the regimes in question and gaining their adherence to Non-Proliferation Treaty (NPT) obligations and UN resolutions proved especially frustrating in 2009. However, Pyongyang's recent positive signals suggest the possibility of progress in 2010, a year of special importance for the global nonproliferation regime with the scheduled 5-year Review Conference meeting (see Chapter 5).

The global financial crisis notwithstanding, defense

While inter-state relations within the Asia Pacific remain relatively calm, intra-state warfare took a significant toll on Asian citizens in critical areas, including Southern Thailand, the Philippines, and Pakistan. (See Chapter 3 and terrorism and insurgencies in Southeast Asia update.) In 2009, governments, found themselves distracted from external relations by the outbreak of localized civil conflict, usually involving minority-majority tensions. (Hu Jintao, for example, cut short his G20 visit to address internal upheaval in Xinjiang province.)

*Troubles on the periphery:* The security "footprint" of Asia continues to expand due to the conflicts and tensions on East Asia's periphery. In particular, the situation in Afghanistan spills over across borders with the intervention of foreign forces and insurgents, the flow of refugee and IDPs, the trafficking of drugs, weapons, and persons, and the fomenting of ethnic tensions and extremist groups. In addition, there are the prospects of Iran becoming a nuclear weapons state and of North Korea's continuation of weapons

***“ In 2009, governments, found themselves distracted from external relations by the outbreak of localized civil conflict, usually involving minority-majority tensions. ”***

expenditures of Asian countries continued to rise dramatically in contrast to other regional trends. The Asian naval market, in particular, is characterized as “buoyant”, with a projected \$US 25 billion to be spent within the next two years, \$US60 billion within the next five years.<sup>1</sup> Analysts are increasingly concerned that the acquisition of air and sea power projection capabilities, deployment of potentially destabilizing weapons systems, and developments in cyber-warfare and military exploitation of space raise the risk of confrontation, hostile incidents, and escalation (see Chapter 4).

*Asian people at risk—conflict, displacement, and natural disasters:* Millions of Asians continue to suffer through human security crises. Moreover, they suffer disproportionately compared to other regions, both as refugees and internally displaced persons (IDPs), and as victims of natural disasters. While 2009 was a dangerous and damaging year, it was not out of line with the regional trend of increasingly frequent and severe natural disaster events. (See natural disasters update and Chapter 6.)

sales and transfer of WMD technology. Indeed, with the deployment of Asian navies, including in 2009 the People's Liberation Army Navy, off the coast of Africa to protect critical sea lanes from piracy, the “area of concern” for regional security now stretches fully through and across the Indian Ocean. (See map this chapter and Chapter 4).

**LOOKING TOWARDS 2010 AND BEYOND**

National governments in the Asia Pacific are increasingly aware of their inability to address the broad spectrum security agenda noted above through their individual efforts. This, one might note, is despite their increased spending on military hardware. Multilateral cooperation, to address both traditional and non-traditional security agendas, is a necessity, not an option. The dilemma, however, is that the Asia Pacific lacks adequate multilateral institutional infrastructure and that existing institutions continue to perform below expectations.

*Regional institutions—“Stepping back from the plate”:* The region's major formally constituted

**March 2009**

South Korean President Lee announces a “New Asia Initiative,” by which Korea will try to represent Asian interests in the international arena.

**April 2009**

Najib Razak becomes the new Malaysian Prime Minister after Abdullah Badawi resigns.

**May 2009**

India's general election results in a resounding victory for incumbent Prime Minister Manmohan Singh and his Congress Party.

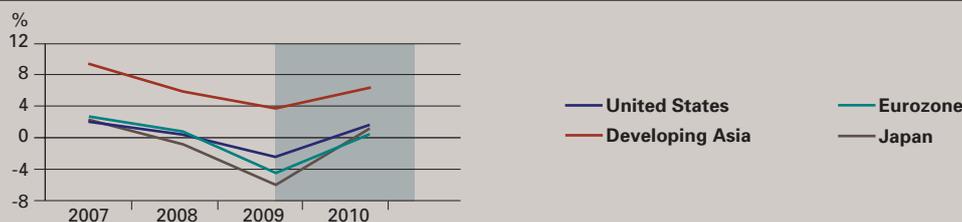
multilateral organizations—APEC, the ARF, and ASEAN—did not shine in 2009. For APEC, the nature and magnitude of the financial crisis were global, requiring actions and resources beyond the scope of a regional forum that has historically sought to avoid building institutional capacity. Still, there was little, if any, coordination of policy among APEC economies; nor was the Chiang Mai Initiative mobilized. The ARF’s “talk-shop” appellation continues to apply with its agenda constrained by members continuing to avoid movement towards meaningful preventive diplomacy. ASEAN, having formally established itself through its Charter, gave little indication that this would be the impetus towards more proactive institutionalization. ASEAN’s constructive engagement policy towards Burma has been an embarrassment; its failure to mediate in intra-ASEAN conflict situations is notable (see Chapter 3). ASEAN has lost its role in dictating the path of regional institutional development; it is no longer “in the driver’s seat”.<sup>2</sup> Indeed, key states expressed their frustration of ASEAN’s being held hostage by its most conservative members by issuing a call to “move beyond ASEAN.”

Some credit can be given for minor steps forward: The ARF did orchestrate a collective live field exercise (see natural disasters update); ASEAN’s Secretary General Surin Pitsuwan continued his proactive diplomacy (see Chapter 3) and ASEAN did take steps towards creation of a human rights mechanism.

Overall, however, existing institutions fail to meet regional needs. In other words, they fail to facilitate full and inclusive discussion of regional and global issues, to orchestrate preventive strategies and effective action in response to economic, political, and security crises, and to build legitimacy for regional multilateralism in Asian civil society.

*Global institutions and Asia Pacific powers:* It can be argued that the global dimensions of the problems of climate change, regulation of financial markets, proliferation of weapons of mass destruction, spread of disease, and population displacement situate the mandate of institutional architecture at the global level. This has two regional consequences: To the extent that existing global regimes fail to recognize and incorporate Asian states, they cannot be expected to assume major responsibilities in the

**CHART 1: GDP GROWTH, DEVELOPING ASIA AND G3 ECONOMIES**



Sources: Asian Development Outlook database, staff estimates.

**OPTIMISM FOR A V-SHAPED RECOVERY**

Although Asian countries have not been immune from the effects of the global financial crisis, the region’s leaders, particularly in developing countries, have good reason to be optimistic about a rebound. The Asian Development Bank’s (ADB) September 2009 update predicts a “V-shaped recovery” for the region’s newly industrialized countries. Based on recently revised growth projections, “Developing Asia” as a whole is expected to grow by 3.9% in 2009 (adjusted from an initial projection of 3.4%), and 6.4% in 2010 (up from an original estimate of 6.0%). These average figures mask significant individual country variance, with revised percentage growth projections for 2009 ranging as follows: China (8.2), India

(6.0), Vietnam (6.5), Indonesia (5.4), Malaysia (4.4), Philippines and Singapore (3.5), Thailand (3.0), South Korea (-2.0), and Japan (-5.8).

This does not mean that Asian leaders are breathing easy; the region’s more export-oriented economies in particular have suffered from a collapse of external demand, which has caused a rise in unemployment in places such as Hong Kong, China, and Singapore. Moreover, the “extreme volatility” in global commodity markets has provoked a sense of unease and uncertainty about the near future. However, they can take comfort in the ADB’s positive forecasts for the coming year.

Source: Asian Development Bank, *Asian Development Outlook 2009 Update: Broadening Openness for a Resilient Asia*, September 2009, <http://www.adb.org/Documents/Books/ADO/2009/Update/part1.pdf>.

**July 2009**

Elections in Indonesian return incumbent President Yudhyoyono to another five-year term. Yudhyoyono wins amidst a context of improved security and economic growth.

**July 2009**

An Australian newspaper reports that Myanmar has plans to build a nuclear weapons program. The allegations are based at least partly on defectors’ statements.

**July 2009**

The US and China hold their first Strategic and Economic Dialogue, the largest ever gathering of leaders of the two countries.

management of these issues. Second, without overarching, effective global frameworks, regional institutions cannot be expected to cope or compensate.

In this regard, 2010 becomes a keynote year in which achieving global bargains and institutional mechanisms on climate change, on non-proliferation, and on global financial regulation are essential. No agreement is possible on climate change without Chinese and Indian engagement. On non-proliferation, a meeting of the minds among the P5 is requisite to resolving the dilemmas posed by nuclear aspirants such as North Korea and Iran, for example, before the Six-Party Talks process can expect success. On global financial regulation, institutional reform to give appropriate weight and voice to China and the emerging developing state economies of India and Brazil is a must. Key to this will be finding the appropriate rationalization of the roles of the G8 and G20 or, more likely, the evolution of an effective

continues its successful economic and strategic dialogue with China, follows on its accession to the TAC by engaging the Asian Economic Summit process, and can extend its START nuclear disarmament logic to engage China. Experience, especially when dealing with Asia's most recalcitrant regimes, suggests that this path will not be smooth and that the vagaries of unexpected events and US domestic politics may halt or divert progress. Still, the prospects for 2010 are brighter than in previous years.

### AN INSTITUTIONAL CONUNDRUM

These shorter-term steps do not address the larger issue of Asia Pacific's multilateral, institutional deficit. Longer-term developments concerning regional security architecture could take one of three paths: reenergizing and rebuilding existing formal institutions; increasing reliance on purpose-focused, ad hoc mechanisms; and creating a new

**“ ...the “area of concern” for regional security now stretches fully through and across the Indian Ocean. ”**

hybrid that includes necessary players but is not so large as to paralyze decision making.

In this regard, it is interesting to note the emergence in 2009 fora of the Asian 6 within the G20 (China, India, Japan, South Korea, Indonesia, and Australia) or a slightly larger “G10 of the Asia Pacific” (the six noted plus Canada, Russia, Mexico, and the US) as potentially important drivers of institutional reform.<sup>3</sup>

### SOME POSITIVE SIGNS FOR REGIONAL MULTILATERALISM FOR 2010

Most observers see the general prognosis for regional peace and stability as positive if constructive attitudes on both sides of the Pacific can be sustained. On the Asian side, this involves broadening the impact of economic recovery and sustaining the current tone of political equanimity among the major regional powers: China, South Korea, and Japan. But much also depends on delivery of the promise of a constructively engaged United States. For instance, the regional security environment would be markedly changed if the Obama administration pursues and achieves results in its “new approach” to the Burmese regime, is willing to engage North Korea bilaterally (albeit within the framework of the Six-Party Talks),

Asia Pacific institution or institutions. Critical and positive arguments are made about each one.

*Institutional refurbishment:* Analysts are increasingly skeptical of the prospects for the institutional revitalization of the ARF, ASEAN, and APEC. The sovereignty-protectionist logic of the first two, recently reinforced by the ASEAN Charter, provides little basis for expecting ASEAN-influenced institutional invigoration and creative preventive diplomacy. At the same time, however, those making the case for new institutions are advised of the necessity to build upon existing foundations.

*“As-needed” Ad hoc multilateralism:* Advocates point to the successes that have been achieved on agreed functional goals by coordinating the action of states while also foregoing institutional baggage. The Proliferation Security Initiative (PSI) is a case in point. , The Six-Party Talks, with their sporadic activity, irregular meetings, and evolving format are also viewed as better suited to the idiosyncrasies of the Korean Peninsula than would be a formally-established Northeast Asian institution. In turn, critics of ad hoc multilateralism point to its reactive character, the lack of regularized interaction, and the absence of institutions that can act to prevent

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#### August 2009

US Senator Jim Webb visits Myanmar and becomes the first high-level American politician to meet with leading General Than Shwe.

#### August 2009

Indonesia says it supports Myanmar's interest in a nuclear energy program, adding that the issue should be kept separate from that country's human rights issue.

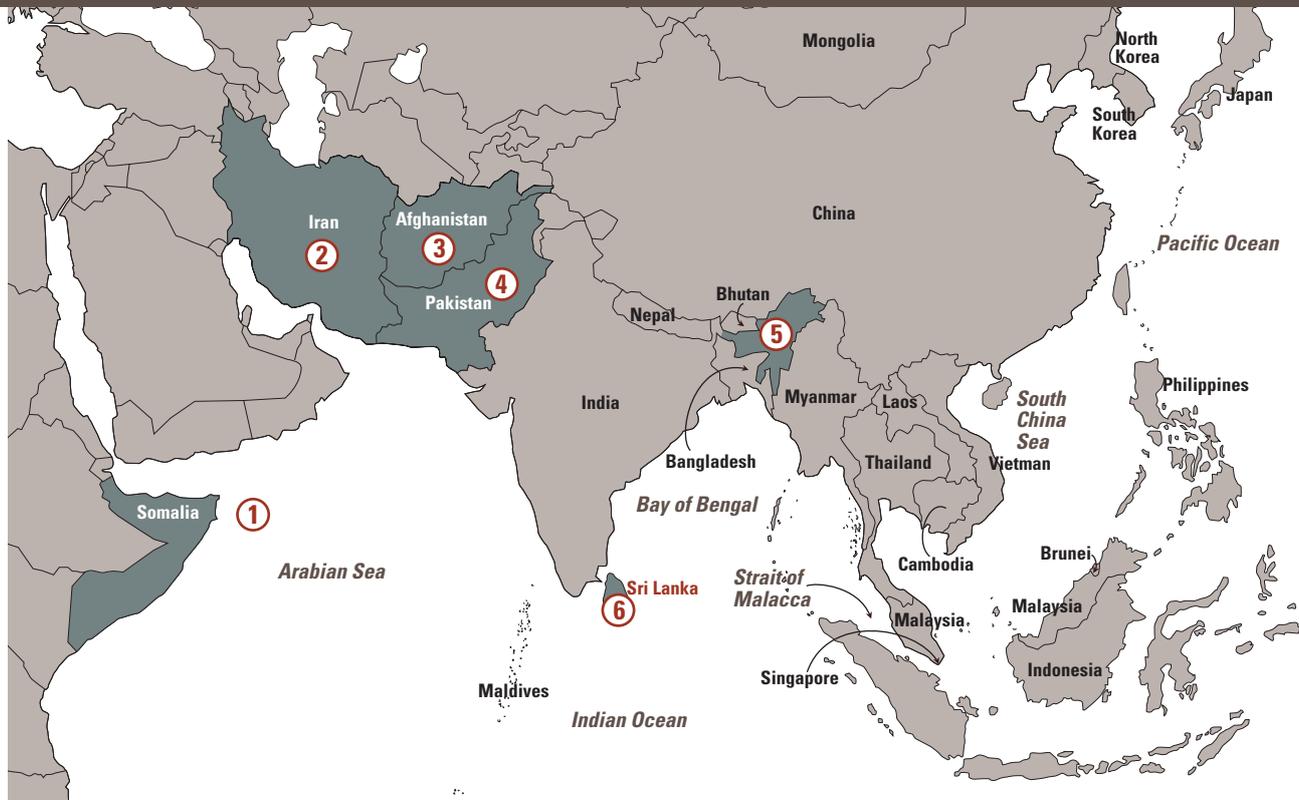
#### August 2009

The Democratic Party of Japan (DPJ) wins a landslide victory, ending nearly five decades of Liberal Democratic Party (LDP) rule.

crises from breaking out. Much-favored during the 1990s and by the previous US administration, this approach appears largely out of favor in regional security architecture debate.

*New institutions for new regional visions:* Three competing visions of Asia Pacific regionalism and their realization through multilateral institutions are in contention today. Each, if adopted by its key

### ASIA'S WIDENING SECURITY FOOTPRINT



Several internal and cross-border security issues along Asia's western periphery could have regional spillover effects in 2010.

- ① **Piracy off the Horn of Africa:** The shipping lanes off the Horn of Africa are vital in linking Asia to Africa and Europe. These lanes are also vulnerable to Somali pirate attacks, which doubled in 2009 over the previous year.
- ② **Nuclear Proliferation Concerns in Iran:** In September, the UN Security Council questioned Tehran's suspected nuclear weapons program. In October, talks appeared to move things in a constructive direction, but whether they produce concrete and verifiable results remains to be seen.
- ③ **Pivotal Point for Afghanistan:** A US policy review will determine whether tens of thousands more American troops will be sent to bring stability to the country. A further deterioration of the security situation would be a serious setback for global counter-terrorism efforts.

- ④ **Intensified Counter-insurgency in Pakistan:** Government forces recently ramped up efforts to flush out terrorists in South Waziristan. The country has seen a series of devastating bomb attacks, and some worry that the insurgents are spreading deeper into Pakistan.
- ⑤ **"Bitter Fight" in India's Northeast:** In September, Indian PM Singh referred to Maoist insurgency in the country's northeast provinces as the single biggest threat to India's security. Analysts and officials are concerned that insurgents there are honing their tactics.
- ⑥ **Post-War Humanitarian Crisis in Sri Lanka:** The fighting that ended the civil war left 250,000 Tamils languishing in squalid internment camps and several hundred more seeking refuge in other Asia Pacific states, including Australia, India, and Canada

**September 2009**

Climate change discussions at a meeting of the UN General Assembly disappoint many experts, who say the commitments do not augur well for an upcoming climate change negotiations in Copenhagen.

**October 2009**

China, Japan, and South Korea agree to advance the long-term goal of creating an "East Asian Community."

**October 2009**

Indonesian authorities intercept a boat of 254 Sri Lankan refugees attempting to seek asylum in Australia.

Asian players, would define a different region—geographically, philosophically, and functionally.

- In 2008 Australian Prime Minister Kevin Rudd announced his idea of an *Asia Pacific Community* (APC), an institutional initiative to acknowledge the repositioning of the global center of gravity in Asia, and to foster a collective sense of regional strategic purpose. Rudd's vision is pan-Pacific, with the engagement of major regional countries (US, China, Japan, India, Russia, and Indonesia, and perhaps others) in annual heads-of-government meetings and formalized institutional structures (with details yet to be determined.) While his plan has faced criticism for, among other things, not adequately acknowledging ASEAN's role, not having clearly articulated functional purposes, and advocating unnecessary new institutions, Rudd has remained convinced of his vision. A major Track 1.5 (official and non-official attendees) conference is to be held late this year or in 2010 with the aim of moving the APC towards realization.
- Reminiscent of Mahatir's vision that the keystone of Asia's regional architecture be an Asian-centered institution, the *East Asia Summit* (EAS) came together in 2005. With membership of 16 Asian states, ASEAN+3+3 (the last 3 being India, Australia, and New Zealand), the EAS also has assumed a broad mandate across economic, social, and political dimensions. Membership requirements involve being an Asian Dialogue Partner and a signatory of the TAC. Having overcome its earlier reluctance and recently signed the TAC, the US is now in a position to be invited to join the EAS. If this occurs, it would mark a significant change in the ethos of the Summit as an ASEAN-plus, Asia-centered institution. The EAS agenda to date has included declarations on energy and climate change, but has been unable to consider formally any intra-state matters. (The EAS acceded to Burma's veto in 2007 in this regard.)
- The notion of an East Asian Community (EAC) has been vetted within the region for over a decade. Apart from their general consensus that an EAC should reflect the distinctive qualities of Asian culture and regionalism (with membership

restricted accordingly), its various proponents diverge, particularly concerning the question of leadership. Not surprisingly, one finds alternate plans advanced from ASEAN, from China, and from Japan. (Indeed, to advance their visions of an EAC, Beijing and Tokyo have created separate Track two networks—the NEAT and CEAC, respectively.) Most recently, in keeping with his stated goals to refocus his country towards Asia, Japanese PM Hatoyama has sought to (re)energize movement towards an EAC, securing a declaration with his Chinese and South Korean counterparts of their joint to development of an EAC.

Overall, it remains to be seen how cooperation among Asian states towards any of these three regional visions will translate beyond rhetoric—the critical question being the extent to which pan-Asian, as opposed to Asia-Pacific, momentum takes hold.

What has become increasingly apparent over the last several years is the growing appreciation within the region that finding new and more effective modes and mechanisms of multilateral engagement is essential to ensure a prosperous, sustainable, and peaceful regional environment. Over the course of 2010, key opportunities will be provided for setting the direction of Asia Pacific regionalism.

#### ABOUT THE AUTHORS

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<sup>1</sup> "Asian navies buck trends of USA and Europe," *Index Asia* 2009, May 12-14, 2009, <http://www.imdexasia.com/IMDEX%2009%20Press%20Release%20-%2012%20May.pdf>.

<sup>2</sup> See Brian L. Job, "The Substructures of Regional Security Architecture: Some Cautionary Notes," Remarks Prepared for the 23<sup>rd</sup> Asia Pacific Roundtable, Kuala Lumpur, June 4, 2009; See also Rizal Sukma, "Indonesia Needs a Post-ASEAN Foreign Policy," *The Jakarta Post*, June 30, 2009.

<sup>3</sup> See Wendy Dobson, "The financial crisis and East Asia," *East Asia Forum Quarterly*, July-September 2009, pp. 8-10.

#### October 2009

Australian PM Rudd invites ASEAN and other regional leaders to a December meeting to consider his Asia Pacific Community initiative.

#### October 2009

Japan's defense minister announces that Japan will end its refueling mission to coalition operations in Afghanistan, but another top official says the final determination has not yet been made.

#### October 2009

A Shanghai Cooperation Organization (SCO) security summit concludes, but without specific mention of specific flashpoints such as Afghanistan or Iran's suspected nuclear program.



# North Korea:

## Three Layers of Regional Management

Gilbert Rozman

*Continuing the **pattern of recent years**, North Korea's behavior in 2009 swung drastically between confrontation and **tentative engagement** in multilateral negotiation.*

The first six months saw regional partners in disarray as Pyongyang successively evicted IAEA inspectors, began reassembling its nuclear reactor, fired long range missiles, and tested a nuclear weapon. But in the second half of the year, a more coordinated response emerged, bolstered by the new US administration. This response gives northeast Asian multilateralism a boost and is provoking some positive signals from the Kim Jong-il regime.

Successful management of the North Korean nuclear program(s) will only be achieved through effective multilateral coordination among the six Northeast Asia states. As set out below, this hinges on better management of three layers of regional relationships: the "alliance layer" of U.S.-South Korean-Japanese relations; the "competitive bilateral layer" of US-China relations; and the "regional multilateral layer" of the Six-Party Talks. Recent movements on all three fronts and a less belligerent attitude from Pyongyang give rise to cautious optimism for regional multilateralism.

### **REGIONAL MULTILATERALISM IN NORTHEAST ASIA: TWO STEPS FORWARD, ONE STEP BACK**

In 2009, North Korea intensified its strategy to gain US acceptance of its regime and its nuclear weapons. The stakes of this strategy were raised amidst anticipated regime transition in Pyongyang and the formation of a new administration in Washington. As

speculation centered on whether dynastic succession could extend to his untested and inexperienced third son, Kim Jung-un. Amidst this uncertainty, the North insisted that the Six-Party Talks were dead and that North Korea must be accepted as a nuclear weapons state. As Barack Obama put together his foreign policy and security teams, the US reiterated its refusal to accept the North's nuclear status. It also invigorated its diplomacy to apply UN Security Council-approved sanctions and to forge a regional consensus around offering rewards only in exchange for denuclearization.

The management of this year's crisis contrasted with the first nuclear crisis of 1993-94, and the second crisis in 2002-03, in which the US and North Korea engaged in a tense bilateral standoff while Japan, South Korea, China, and Russia were relegated to the sidelines. Overall, multilateralism in Northeast Asia has progressed, albeit in fits and starts, and despite reservations on many sides.

When Washington is most confident, it is inclined to call on other states for support without advancing any plan for a multilateral framework. For its part, Pyongyang episodically and reluctantly accepts a degree of multilateralism, but primarily as a means to engage Washington while it opportunistically manipulates divisions between the other four parties. When North Korea feels there is no advantage to be gained from other states urging US moderation, the danger of joint pressure against it nullifies any

[ 10 ]

#### ■ June 2008

North Korea submits a full declaration of its nuclear program to China. As reciprocation, the US lifts the provisions of the Trading with the Enemy Act, which had been imposed in 1950.

#### ■ August 2008

Rumors surface that North Korean leader Kim Jong-il suffered a stroke, prompting international speculation about Kim's continued capacity to rule.

#### ■ October 2008

The US government removes North Korea from its list of state sponsors of terrorism after the two sides reach an agreement on verification of the North's nuclear weapons program.

prospects from multilateralism. Under the pretext of commitment to denuclearization, North Korea has benefited from Beijing's and Moscow's preference for a gradual resolution of the nuclear crisis and a regional framework that prevents the US and Japan from gaining leverage. Progressive leaders of previous South Korean governments have also been eager to win Pyongyang's favor, separating the nuclear issue from inter-Korean relations and providing support to the North without demanding reciprocity.

By 2004, only Tokyo remained resolute on a hard-line stance towards Pyongyang, thus exposing deep cracks in regional multilateralism and provoking sharp differences over procedural matters and principles for advancing talks.<sup>1</sup> Pyongyang's decision in July 2006 to fire a barrage of missiles and then to test a nuclear weapon the following October further undercut any previous rationale for Japan to proceed within a multilateral setting.

Although progress in 2007-08 occurred principally through bilateral talks between Washington and Seoul, the George W. Bush administration considered it important to maintain the appearance that the

the testing of a nuclear weapon and a hardening of its rhetoric. It verbally attacked all other participants in the Six-Party Talks and the UN Security Council for passing resolutions that imposed sanctions against it. It went on to declare the Six-Party Talks dead, even as it was further isolated regionally at the ASEAN Regional Forum (ARF) in July 2009. In response, US officials reiterated their call for multilateral diplomacy and interpreted the Security Council sanctions as legitimating tougher containment measures. Despite Bill Clinton's "personal visit" to secure the release of two American journalists who had been arrested on the border and sentenced to hard labor, Kim Jong-il's meeting with him mostly served propaganda purposes by claiming a US apology and heralding Kim Jong-un's successful strategy.

Yet, at the same time, Pyongyang was preparing for a new round of talks. It renewed ties to Seoul, encouraged the visits of Chinese officials, and let it be known that talks with the US could be wide-ranging, while it also secured support from the "other four" to proceed bilaterally within the rubric of the Six-Party Talks.

***“ Successful management of the North Korean nuclear program(s) will only be achieved through effective multilateral coordination among the six Northeast Asian states. ”***

Six-Party Talks remained in the forefront. None of the other four parties wanted to be seen as having been marginalized. They took some comfort from the division of labor that offered each of them a leadership role in one of the five working groups established in the February 2007 Joint Agreement. But both Japan and Russia nervously responded to bilateral developments between the US and Pyongyang, and China suspected that a deal might be cut behind its back. Both China and South Korea intensified their direct ties to the North in 2007 as the veneer of multilateralism left them looking for more. The North's provocative moves in 2006 were interpreted as steps to gain attention after the US had imposed unilateral financial sanctions in late 2005. As such, rhetorical support for a multilateral front directed toward denuclearization prevailed.

In the first half of 2009, Pyongyang undercut hopes for renewed multilateralism through its series of provocative actions. These actions culminated in

The complexity of relationships among the six parties has increased over the last fifteen years, with attendant tensions affecting bilateral and multilateral relationships. With this has come the realization that sustained, cohesive multilateralism provides the only avenue for resolution of the North Korea issue. Moving forward requires more effective coordination and cooperation within and among all three layers of regional relationships.

**THE ALLIANCE LAYER: U.S. RELATIONS WITH SOUTH KOREA AND JAPAN**

US-South Korean relations (from 2001-2007) and US-Japanese relations (in 2007-2008) have been strained, above all, by differences over the proper strategy for dealing with North Korea.<sup>2</sup> Japanese-South Korean ties also deteriorated primarily over bilateral issues such as the Dokdo/Takeshima territorial dispute. But a more fundamental tension was Seoul's insistence on unconditional assistance to

**December 2008**

Six-Party Talks end in stalemate when the parties hit more stumbling blocks over the issue of verifying North Korea's nuclear activities.

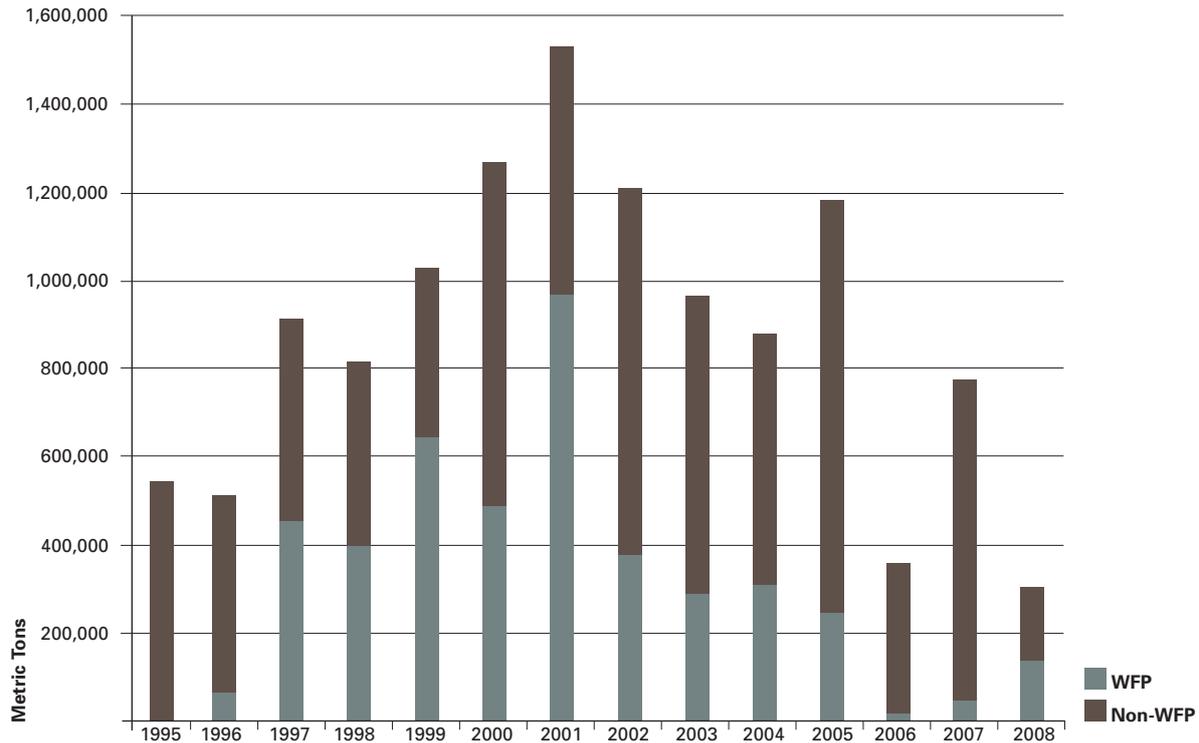
**January 2009**

North Korea tells visiting US expert Selig Harrison that it has already weaponized 68 pounds of plutonium, potentially enough to make 4-5 nuclear weapons.

**April 2009**

North Korea launches several short- and medium-range missiles, in addition to a long-range ballistic missile over Japan.

## TOTAL ESTIMATED FOOD AID TO NORTH KOREA, 1995 – 2008



Source: Mark E. Manyin and Mary Beth Nikitin, "Foreign Assistance to North Korea," *CRS Reports for Congress*, 7-5700, R40095, September 9, 2009. Figure is based on data from the WFP's Food Aid Information System (FAIS).

### SLAPPING THE HANDS THAT FEED YOU: NORTH KOREA AND INTERNATIONAL FOOD ASSISTANCE

Since the mid-1990s, North Korea's food production and distribution systems have languished somewhere in the realm between dysfunction and failure. The international community responded to the situation by donating a total of 12 million metric tons of food since 1995.<sup>1</sup> Much of this has been channeled through the UN's World Food Program (WFP), though some, particularly from China and South Korea (at least until last year), has been given through direct bilateral channels. Although the North Korean government has managed to secure a fairly steady supply of food assistance, this supply is now drying up (see Figure 1). The shortfall in international aid is coinciding with reports that food availability in North Korea is declining to levels not seen in years.<sup>2</sup> The WFP's most recent estimate is that fully one-third of North Korea's population is under-nourished and nearly one-quarter of its children under five years old are underweight.

There are two main reasons for declining international assistance. First, the US, Japan, and more recently South

Korea, have made provisions contingent upon concrete progress in North Korea dismantling and disabling its nuclear weapons program. The US and South Korea withheld donations after the North's 2006 and 2009 nuclear tests, and Japan, whose donations declined dramatically after 2002, has also tied its assistance to progress on the Japanese abductees issue. Second, the international community has reached a state of "donor fatigue." Many countries who have contributed to the WFP program express legitimate and well-founded concerns that donations are being diverted to the military or sold on the private markets. But in 2008, the North Korean government became more, rather than less, obstructive in terms of the WFP's monitoring system. Many countries now rightfully question why they should continue to open their wallets while Pyongyang, meanwhile, continues to spend its scarce resources on developing nuclear and missile programs.<sup>3</sup>

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<sup>1</sup> In addition to food assistance, the international community has also provided the North with heavy fuel oil, fertilizer, and medical assistance.

<sup>2</sup> Manyin and Nikitin, "Foreign Assistance to North Korea," pp. 16.

<sup>3</sup> Manyin and Nikitin, "Foreign Assistance to North Korea," pp. 15.

#### May 2009

North Korea conducts an underground nuclear test. The following day, South Korea announces that it will join the Proliferation Security Initiative, an act North Korea considers to be "an act of war."

#### June 2009

The UN Security Council adopts Resolution 1874 condemning North Korea's nuclear test and imposing a tough new set of economic sanctions.

#### August 2009

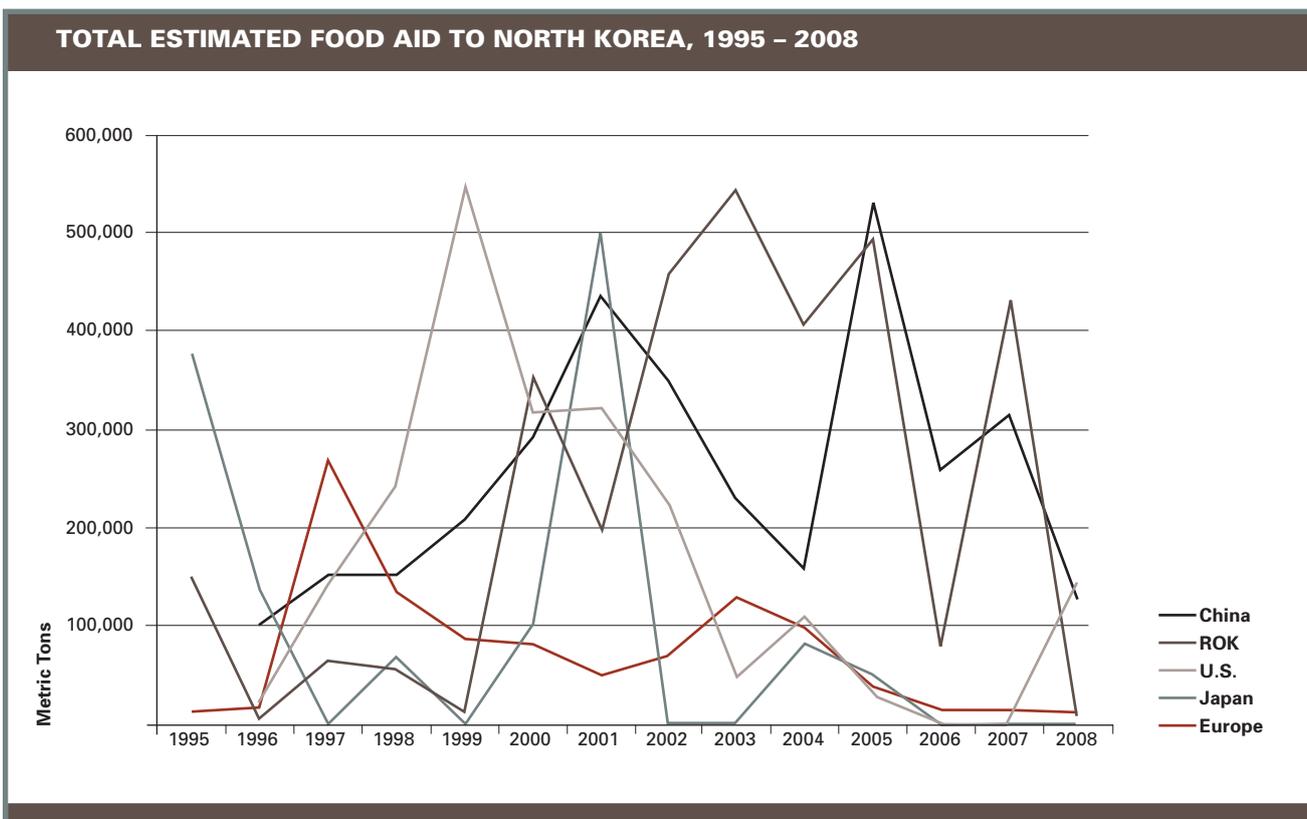
Former US President Bill Clinton leaves Pyongyang having secured the release of two American journalists being held in captivity in North Korea.

Pyongyang and Tokyo's obsession with the abduction issue, even to the point of imposing unilateral sanctions on Pyongyang. In the face of the North's provocative moves, the Obama administration has sought to improve ties with its two US allies and to forge long elusive alliance triangularity. This task has been made easier by Lee Myung-bak's interest in better ties with both Washington and Tokyo and by Lee's shift to reciprocity in inter-Korean relations.<sup>3</sup>

But old troubles could resurface: the historical or territorial dispute between the allies could reignite. The victory of the Democratic Party of Japan (DPJ) in the August 30 Diet elections could arouse doubts about the US alliance, given concerns that Hatoyama will focus more on relations with Asian states rather than on Japan's relations with the US. The danger of war could lead South Koreans or Japanese to grow more hesitant about supporting US actions through either the Proliferation Security Initiative (PSI) or through enforcement of the Security Council resolution against North Korea's arms exports. However, since Lee Myung-bak took Hatoyama's

rejection of revisionist history as an opening to upgrade relations, coordination began growing when they met in Seoul in October, and then jointly with Hu Jintao at the Shanghai summit, where the North Korea issue was discussed.

In general terms, closer alliance relations do not detract from regional multilateralism or even stronger Sino-US coordination. A solid front among Japan, South Korea and the US, whose militaries already display a high degree of cooperation, serves the goal of building a missile defense network and upping the costs to North Korea of its provocative behavior. Offering more reassurance to the front-line states that are most vulnerable to the North's belligerence increases the chances of solidarity. This in turn may dissuade North Korea's leaders from pursuing a long-time strategy of playing upon divisions between other states. The message to Beijing and Moscow from an allied united front would contrast to the message they received in 2003-08, which conveniently helped to justify their responses to the nuclear crisis.<sup>4</sup>



Source: Mark E. Manyin and Mary Beth Nikitin, "Foreign Assistance to North Korea," *CRS Reports for Congress*, 7-5700, R40095, September 9, 2009. Figure is based on data from the WFP's Food Aid Information System (FAIS).

**August 2009**

The Two Koreas agree to open another series of rare family reunions, marking a thaw in inter-Korean relations after the North's missile and nuclear tests.

**September 2009**

A Russian diplomat says that North Korea's demonstrative non-compliance with UNSCR 1874 "categorically contradicts the UN Charter."

**September 2009**

The North Korean government announces that its experiment in enriching uranium has reached a "completion stage," signaling that it is developing a method other than plutonium for making nuclear bombs.

## THE COMPETITIVE BILATERAL LAYER: SINO-US RELATIONS

From 2003 onwards—and especially in 2006—intense diplomacy was the driving force behind improved Sino-US relations, including the reconciliation of views on how to manage North Korea’s nuclear ambitions. At the start of 2007, there appeared to be a softer US position to test the North’s cooperation in stages, and a tougher Chinese position to keep pressure on the North after its defiant nuclear and missile tests. After North Korea rejected the Agreed Framework of February 2007, the new Obama administration struggled to reaffirm this understanding as China cautiously responded to the North’s successive provocations. China’s leadership agreed to put pressure on the North, but only on its own terms and by setting limits on how far UN sanctions could go. Given the expansion of Sino-North Korean trade as the North’s commerce with other states declined, China positioned itself to steer any Korean reunification in favor of its regional

influence. Beijing opposed regime change and instead encouraged incentives, although US officials made it clear that they would not pay once again for half-measures that left complete and verifiable denuclearization in doubt. The US now increasingly relies on China’s cooperation, rather than on its alliance ties, to shape the outcome of the standoff with the North. Notably, though, in 2009 many Chinese aggressively blamed US leaders for not offering more incentives but ignored legitimate US concerns that North Korea only wants to buy itself time with rewards for modest concessions.

China’s more assertive foreign policy, emboldened by its relative edge in the global financial situation, leaves prospects for multilateral coordination in doubt. Beijing’s strong suspicions of both Lee Myung-bak and Japan’s LDP leaders reinforced its view of three-way alliance responses to Pyongyang as “cold war mentality.” At the same time, however, China has cooperated on imposing financial sanctions. Consultations with the US

### UN SECURITY COUNCIL RESOLUTION 1874

On June 12, the UN Security Council passed Resolution 1874, unanimously condemning North Korea’s May 25 nuclear test and demanding that Pyongyang abandon its nuclear program and return to the Nuclear Non-Proliferation Treaty (NPT). Resolution 1874 also includes sanctions above and beyond those outlined in UNSC Resolution 1718, which had been passed in response to North Korea’s first nuclear test in October 2006.

The new set of sanctions targets North Korean sales of arms and luxury goods, as well as any financial transactions that are related to its weapons programs. It also calls on UN member states “to inspect and destroy all banned cargo to and from [North Korea]—on the high seas, at seaports and airports—if [states] have reasonable grounds to suspect a violation.” However, at China’s and Russia’s insistence, the sanctions do not authorize states to forcibly board ships for the purpose of conducting inspections.

To date, there have been three tests of the international community’s resolve to enforce the 1874 sanctions.

- In mid-June, a North Korean ship, *Kang Nam 1*, headed for the Strait of Malacca with a suspected final destination of Myanmar. A US naval destroyer tracked

the ship from a distance, but did not ultimately conduct a search, an act the North Koreans claimed would be interpreted as “an act of war.” In the end, *Kang Nam 1* reversed course and returned to North Korea without giving any explanation.

- On August 7, the Indian government detained a North Korean ship, the *M V San*, after the ship anchored without authorization in the area of India’s Andaman and Nicobar Islands. Indian authorities searched the ship for radioactive material, but inspectors found no cargo that violated UN sanctions.
- One week later, on August 14, the United Arab Emirates (UAE) seized a North Korean ship transporting weapons to Iran in clear violation of 1874. Investigators reported that the cargo was deceptively labeled as “oil borings”. The Security Council sanctions committee sent letters to the North Korean and Iranian governments requesting a response within 15 days, but officials did not anticipate a response. The ship involved is Australian-owned, leading Canberra to launch an investigation to determine whether any of its laws were broken.

#### September 2009

A US Envoy to North Korea responds to Pyongyang’s calls for direct US-NK bilateral talks by reaffirming that it will only talk to Pyongyang within the framework of the Six-Party Talks.

#### September 2009

North Korea adopts a new Constitution which grants Kim Jong-il even greater powers and elevates his “military first” principle. The move is expected to have little impact other than to solidify the Kim family’s rule.

#### October 2009

Eleven North Koreans defect directly to South Korea via a risky and rarely used sea route.

intensified as the new Obama team took shape. With Kim Jong-il looking for a way to launch bilateral talks after Bill Clinton's visit, US insistence on the revival of the Six-Party Talks as the overall framework reflected awareness of China's acute sensitivity and persistent hopes that increased coordination would be possible. While Iran's nuclear weapons program

regionalism that Beijing does not lead, and the US's insistence that any new organization must have a real prospect of enhancing security, mean that these two powers must reach agreement if the Six-Party Talks and their attendant working groups are to proceed.

There was optimism in 2007-08 that progress with North Korea and a less unilateral US policy would

**“ The US now increasingly relies on China's cooperation, rather than on its alliance ties, to shape the outcome of the standoff with the North. ”**

aroused more urgency during recent Obama-Hu meetings at the UN and G20 meetings, overlapping talks about nuclear proliferation gave new momentum to joint efforts in which Washington would take the lead in holding direct talks with Pyongyang.

**THE LAYER OF REGIONAL MULTILATERALISM: THE SIX-PARTY TALKS**

Apart from North Korea, all states in the Six-Party Talks favor continuation of the fifth working group aimed at forging a multilateral security architecture for the region. Russia, the host to these talks, is ready to persist. So too is South Korea, which is in search of more support in managing the North. Japan under Hatoyama's leadership may become a strong supporter, given his emphasis on multilateralism in Asia. Yet the outcome will depend, above all, on reconciling Sino-US differences over the role of regional multilateralism. China seeks to boost multilateralism at the expense of US alliances, to limit value-driven norms and principles, and to refrain from adopting even a temporary posture of '5 vs. 1' by awaiting North Korea's approval. Successful Northeast Asian multilateralism will require the Obama administration to narrow these differences. This, in turn, will require a commitment to processes and institutions involving China, and more importantly, a new level of Chinese trust in the US.

The Six-Party Talks are not only a venue for resolving the US-North Korean dispute over nuclear weapons, but also an experiment, indeed the precursor, in developing a regional security framework. Japan, South Korea, and Russia, all of whom fear becoming marginalized by Sino-US or North Korean-US negotiations, have reason to support multilateralism. Yet, China's hesitant approval of a

facilitate progress. However, this needs to be qualified by an awareness that China, the key to balancing carrots and sticks to the North and to supplementing the US alliances with a multilateral framework, could be growing impatient about addressing "US hegemonism" amidst growing Sino-centric confidence.

**ABOUT THE AUTHOR**

Dr. Gilbert Rozman is a professor of sociology at Princeton University. He has published extensively on Northeast Asian regionalism. (For some of his recent publications, please see notes 2 – 4 below.)

- <sup>1</sup> Yoichi Funabashi, *The Peninsula Question* (Washington, DC: Brookings Institution Press, 2007).
- <sup>2</sup> Gilbert Rozman, "The North Korean Nuclear Crisis and U.S. Strategy in Northeast Asia," *Asian Survey*, vol. 47, No. 4, July/August 2007, pp. 601-21.
- <sup>3</sup> Gilbert Rozman, "Japan Debates the Korean Peninsula: Implications for Future Policy and U.S.-Japan Relations," *Korean Journal of Defense Analysis*, Vol. 21, No. 1, March 2009, pp. 49-64.
- <sup>4</sup> Gilbert Rozman, "The United States and the North Korean Nuclear Crisis: Views from China, Japan, Russia, and South Korea," in Jonathan D. Pollack, ed., *Asia Eyes America: Regional Perspectives on U.S.-Asia Pacific Strategy in the 21<sup>st</sup> Century* (Newport, RI: Naval War College Press, 2007), pp. 63-90; Gilbert Rozman, *Strategic Thinking about the Korean Nuclear Crisis: Four Parties Caught between North Korea and the United States* (New York: Palgrave, 2007).

**October 2009**

US officials target private Asian banks in an effort to block North Korean funds that may be used to develop nuclear bombs and missiles.

**October 2009**

Chinese PM Wen Jiabao visits Pyongyang. Many observers suspect that this high profile visit is granted in exchange for assurances that the North would ease tensions after the recent nuclear stand-off.

**October 2009**

The leaders of China, Japan, and South Korea issue a joint statement saying they remained committed to dialogue and consultation and a peaceful denuclearization of the Korean peninsula.



# Southeast Asia's Internal Conflicts:

## Regional Mediation Tools

Michael Vatikiotis

**Internal conflicts are a far greater threat to Southeast Asians than are inter-state conflicts. Yet the formal and informal mechanisms for dealing with these conflicts are under-developed.**

The Association of Southeast Asian Nations (ASEAN) has only recently—and only after embracing an ASEAN Security Community and promulgating an ASEAN Charter—devoted serious attention to institutionalizing dispute settlement mechanisms, including the use of good offices and mediation. In some instances, Southeast Asian governments have forged temporary ceasefire agreements, implemented special local political arrangements, and placated communal tensions in order to mitigate levels of violence. But rarely have they forged agreements to permanently end hostilities and address grievances through more far reaching political and legal arrangements. The following are examples of the threat these conflicts pose to Southeast Asians:

- In Southern Thailand almost 4,000 people have died in the past five years in a conflict that has pitted a Malay Muslim community against the Thai state.
- In Mindanao, renewed fighting between the Moro Islamic Liberation Front (MILF) and the Philippine armed forces has displaced around half a million people.
- Across nearly 70 of the Philippines' 81 provinces, the New People's Army, Southeast Asia's only surviving communist insurgency, is conducting a protracted people's war that has cost an estimated 40,000 lives since 1969.
- Indonesia remains prone to violent outbursts of

communal conflict and challenges to sovereignty in places like Maluku, Papua and Central Sulawesi.

- A sizable portion of Myanmar, from the Shan States in the North to the Indian border in the west, remains contested territory prone to armed violence.

A lasting solution to most of these conflicts will involve some degree of autonomy or power sharing, albeit well short of separation or independence (thus favoring the long term interests of the state). Compromise has often been obstructed by decades of treachery and mistrust, as well as governments' reluctance to consider any forms of mediation that might lead to political solutions that impinge on sovereignty. Conflict management in Southeast Asia is therefore weakly developed and third party mediation tends to be regarded as a threat rather than a mitigating tool.

There are two main obstacles to developing a culture of regional conflict management and mediation in Southeast Asia. First, deep veins of enmity lie beneath the surface of peaceful inter-state relations. The Thai-Cambodia armed clashes over a disputed Buddhist temple along their common border are a case in point. Second, the aversion to external interference runs deep in the collective regional psyche. This regional sensitivity about sovereignty increasingly looks out of place and even counter-productive against the global trend of applying

[ 16 ]

### January 2008

Analysts charge that Manila's "casual" approach to peace talks with Moro rebel groups is playing into the hands of "foreign extremists" who might try to exploit the frustration to trigger further violence.

### August 2008

A peace deal between Manila and the MILF breaks down after Christian groups in the southern Philippines object to the expansion of a Mindanao autonomous region. Violence escalates.

### December 2008

The New People's Army detonates a landmine in the southern Philippines, killing five soldiers and wounding two. It is the latest in a growing number of NPA attacks in Mindanao.

mediation. Resistance in the Asia Pacific contrasts with the plethora of the states, the UN, regional organizations (e.g. the EU and AU), and private organizations that are developing skills and actively advocating or offering a third party role in conflicts across the world. Certainly, Southeast Asia needs more effective regionally-centered mediation and conflict resolution mechanisms. This need may increase as analysts point to the prospects of the region's internal conflicts escalating or expanding, especially conflicts involving minority populations and/or locales with the threat of Islamic militancy and associated violent extremism.

Notably, the settlement of the Aceh conflict in 2005 with the help of third party mediators raised the profile of mediation as a conflict resolution tool in Southeast Asia. Its success prompted questions of whether similar strategies could reduce violence and settle long standing grievances elsewhere in the region.

So what can be done to strengthen the role of mediation? This paper suggests a menu of regional policy options and activities to develop the much-needed collective capacity for mediation.

## 1) ASEAN'S ROLE

The political culture among ASEAN's original six members was one of rigid adherence to the principle of non-interference. Yet underlying this rigid position is an equally strong tradition of *informal* diplomacy that has generated successful instances of mediation. In the 1980s and 1990s, ASEAN members cooperated

resolution. A formal ASEAN Charter was not adopted by all ten member states until late 2008. Encouragingly, one whole Chapter of the Charter covers the settlement of disputes. Article 22 states that "ASEAN shall maintain and establish dispute settlement mechanism in all fields of ASEAN cooperation." Article 23 states that parties to a dispute "may request the Chairman of ASEAN or the Secretary General of ASEAN, acting in an ex-officio capacity, to provide good offices, conciliation or mediation."

The blueprint for an ASEAN Political-Security Community, unveiled in March 2009, reinforces the spirit of the Charter. It embraces an ambitious early warning mechanism to defuse conflict, fight terrorism, combat piracy and promote good governance. The blueprint declares that: "More efforts are needed in strengthening the existing modes of pacific settlement of disputes to avoid or settle future disputes." However, this blueprint remains very much a set of aims that has yet to evolve into something concrete.

This now looks set to change, albeit slowly. As empowered by the ASEAN Charter, and reinforced by a mandate from the Member States, ASEAN Secretary General (SG) Surin Pitsuwan advocates an enhanced conflict management role that is expected to be informal and discreet. The ASEAN Charter anchors the concept of conflict management within the institutionalized workings of the post of the SG. In subsequent meetings, the SG has been tasked with developing his capacity for providing good offices as Humanitarian and Peace coordinator for the region. In his view, if the ASEAN Secretariat shows itself to

***" Conflict management in Southeast Asia is...weakly developed and third party mediation tends to be regarded as a threat rather than a mitigating tool. "***

to help resolve the Cambodian conflict. In the late 1980s, Thailand and Malaysia worked together to settle a long running communist insurgency, and in 1996, Indonesia helped broker a deal between the government in Manila and the MILF. Despite these successes, ASEAN states have stood solidly behind a firm insistence on non-interference rather than embracing the need for an institutionalized process of mediation and conflict resolution.

Part of the problem is the lack of consensus on any regional institutional mechanisms for dispute

be capable, member states may become more confident in calling on the body to help with conflict management and dispute settlement, a capability that will also boost ASEAN's credibility in the eyes of the international community.

The SG faces two key challenges: building the Secretariat staff's capacity to support his good offices mandate, and building a constituency among Member States to support more institutionalized mechanisms for conflict management and the need for a proactive SG role in dispute settlement.

### December 2008

A moderate Islamic think tank in Indonesia warns that religious violence in the country is on the rise and urges the government to take a tougher approach.

### January 2009

Brunei agrees to increase the number of unarmed troops it sends to the Philippines from 10 to 30, to serve as peace monitors.

### March 2009

Fresh fighting erupts between the rogue MILF members and the Philippine military.

**TABLE 1: MEDIATION EFFORTS IN SOUTHEAST ASIA'S INTERNAL CONFLICTS**

CONFLICT, PARTIES, CASUALTIES, DATES <sup>1</sup>	NEGOTIATING PARTNER?	GOVERNMENT LED PEACE INITIATIVE?	OFFICIAL/UNOFFICIAL INTERNATIONAL INVOLVEMENT?	OUTCOMES?
<b>Free Aceh Movement</b> (GAM), <b>Government of Indonesia</b> (Gol); 1976-2005; approx 15,000 deaths.	<b>YES.</b> GAM leadership, based in Sweden at the time of the peace agreement, represented a centralized group with whom to negotiate.	<b>YES.</b> In February 2004 the Indonesian government approached the Crisis Management Initiative (CMI) for help with the peace effort.	<b>YES.</b> EU and ASEAN countries included in post-peace deal Aceh Monitoring Mission (AMM). CMI diplomacy instrumental in pre-peace deal interim monitoring process.	Memorandum of Understanding ended the conflict in 2005.
<b>Communist Party of the Philippines</b> (CPP)/ <b>New People's Army</b> (NPA), <b>Government of Philippines</b> (GRP); 1969-present; approx 40,000 deaths.	<b>YES.</b> The National Democratic Front (NDF) negotiates on behalf of the CPP and its military wing, the NPA.	<b>YES.</b> In July 2009, GRP reinstated the Joint Agreement on Safety and Immunity Guarantees (JASIG) which grants immunity to NDF negotiators and staff.	<b>YES.</b> The Norwegian government acts as a third party facilitator in the negotiations assisted by the Geneva based Centre for Humanitarian Dialogue in the administration of the Joint Monitoring Committee.	Ongoing negotiations. Stalled peace talks set to resume Oct. 2009.
<b>Moro National Liberation Front</b> (MNLF) and the <b>GRP</b> ; 1971-present; approx 60,000 deaths during the Marcos years.	<b>YES.</b> MNLF serves as the legitimate negotiator for the Moro people. Nur Misuari was the MNLF's chairman during the 1996 Final Peace Agreement, but several MNLF members now claim chairmanship. <sup>2</sup>	<b>YES.</b> Since 2005, GRP and MNLF have worked to fully implement the 1996 Agreement. Current efforts include Tripartite Meetings, most recently in March 2009.	<b>YES.</b> The Organization of Islamic Conference (OIC) acts as a third party facilitator under the auspices of the OIC Peace Committee for the Southern Philippines.	Ongoing negotiations, but relatively peaceful since the 1996 agreement/ceasefire.
<b>Moro Islamic Liberation Front</b> (MILF) and <b>GRP</b> . 1996-present; approx 120,000 deaths; <sup>3</sup> approx 700,000 displaced (Aug 2008-July 2009); 1972-2009.	<b>YES.</b> MILF negotiates with GRP. Disagreement over status of 3 MILF commanders who the GRP regard as "rouge." MILF looks to the International Monitoring Team for a decision.	<b>Not currently.</b> In 2008, GRP dissolved the peace panel and the Supreme Court rejected as unconstitutional the Memorandum of Agreement on Ancestral Domain (MOA-AD) peace agreement.	<b>YES.</b> Malaysia withdrew from the IMT in 2008 citing concerns over ability to complete monitoring duties. GRP recently moved to include the OIC and Qatar but is reluctant to internationalize the peace process further. MILF wants international involvement.	Ongoing negotiations. July 2009, GRP and the MILF, agreed to suspend military operations, and to resume peace talks.
<b>Various southern Thai insurgent groups</b> (see below), <sup>4</sup> <b>Thai Government</b> ; approx 3,500 deaths; 2004-present.	<b>NO.</b> The insurgency is fragmented into rebel groups, but the Thai government feels BRN-C is key. None of these groups have claimed responsibility for attacks.	<b>NO.</b> The Southern Border Provinces Administration Centre (SBPAC), formerly in charge of the "hearts and minds" campaign, was dissolved in 2002. Since the return to civilian government, there is still no serious government-initiated dialogue or formalized peace process.	<b>NO,</b> but Malaysia's role is relevant due to ethnic ties and insurgents crossing the border frequently. Reported attempts at mediation by Indonesia's VP Josef Kalla, but with no indication that those involved actually speak on behalf of the insurgents.	Ongoing violence, no negotiations are underway.

<sup>1</sup> Information for this table was gathered from International Crisis Group reports, the IISS Armed Conflict Database, The Centre for Humanitarian Dialogue website and various media reports.

<sup>2</sup> On competing claims to MNLF chairmanship, see "Moro Group Sends 50 Delegates to Signing of Philippine Peace Deal in Malaysia," *BBC News* 4 August 2008.

<sup>3</sup> The MILF's casualty numbers often include casualties caused before the split with the MNLF.

<sup>4</sup> These full names of these groups are: Mujahideen Pattani Movement (BNP), Pattani United Liberation Organization (PULO), Pattani Islamic Mujahideen Movement (GMIP), Pattani Islamic Mujahideen Movement (GMIP), National Revolution Front (BRN), Barisan Revolusi Nasional - Coordinate (BRN-C), and Pattani Liberation Front (BNPP).

**March 2009**

Aceh's governor says there are escalating tensions in the run-up to federal elections. He underscores the need for international monitors, but Jakarta is uninterested.

**June 2009**

Five gunmen burst into a mosque in southern Thailand and begin shooting at praying Muslims. Eleven people are killed and 11 more are injured.

**June 2009**

The Philippine Armed Forces capture 8 rebel bases in Mindanao and kill approximately 100 rogue MILF soldiers in 10 days of fighting.

Ultimately, the ASEAN Charter is a vehicle for adapting rather than transforming the twin ASEAN traditions of consultation and consensus. It is hard to imagine ASEAN-wide support for an overt state-level intervention in an internal conflict, at least so long as officials bind themselves to the consensus rule. Thus, for the time being one can anticipate continuation of the ad hoc and episodic activism and informal diplomacy that characterized ASEAN's stern response to the September 2007 uprising led

ASEAN should take advantage of the global trend towards working alongside other institutions and international organizations in hybrid coalitions to achieve humanitarian and security goals.

Faced with the refusal of the Myanmar regime to allow the UN and individual countries to establish aid relief presences on its territory, ASEAN's groundbreaking role in paving the way for international aid to reach the victims to Cyclone Nargis in May 2008 was a tipping point. ASEAN SG Surin Pitsuwan

***“ ...regional sensitivity about sovereignty increasingly looks out of place and even counter-productive against the global trend of applying mediation. ”***

by the Buddhist clergy in Myanmar, and more recently to the sentencing of Aung San Suu Kyi to another eighteen months of house arrest. Even so, while the international community was impressed by ASEAN's strident criticism, ASEAN did not agree on any concrete course of action. To move forward, ASEAN needs to strike a balance between weighing the preservation of sovereignty against the costs of violent conflict in a more interdependent and connected region.

## **2) THE UN'S ROLE**

The ASEAN Secretariat's role in regional conflict management would benefit from closer operation with the UN, which has not only engaged in and promoted the use of mediation to resolve conflict, but is now helping to provide expertise in the field with the establishment of a mediation support unit. However, Southeast Asia has resisted an overt political role for the UN in the region. In the past two decades, the two major UN interventions on a political level were in Cambodia and East Timor, and both operations generated mixed feelings about international peacemaking.

Institutionally, ASEAN's ties with the UN are weak, but developing. ASEAN was granted observer status at the UN as a regional organization in 2007. In 2008, the UN became a dialogue partner with ASEAN. Nevertheless, cooperation in the short-term is likely to steer clear of sensitive political and security questions. Efforts by the UN Department of Political Affairs to post two political officers to the region have not come to fruition. All the same,

stepped in to offer a less intrusive ASEAN Emergency Rapid Assessment Team. This was groundbreaking in that it put officers from the ASEAN Secretariat on the ground in a crisis situation. This quickly led to the creation of an ASEAN-led coordinating mechanism, the Tripartite Core Group, to facilitate international aid. This creative mechanism enabled international organizations like the UN and the World Bank to operate under a less threatening (for Naypyidaw) ASEAN umbrella. Surin himself shuttled between Myanmar and the US, working with the government on the ground and with UN agencies and the World Bank in New York and Washington. It was precisely the kind of mediating role envisaged by the Charter and resulted in aid being pledged and relief workers being allowed in to the areas worst hit by the cyclone.

## **3) THE ROLE OF REGIONAL INSTITUTIONS (ARF) AND KEY PLAYERS**

At the Second ASEAN Regional Forum (ARF) Ministerial Meeting in 1995, the Chairman's Statement confirmed a three-stage agenda for cooperation in ARF: confidence building measures, development of preventive diplomacy and elaboration of approaches to conflicts. It also agreed to establish Inter-sessional Support Groups (ISG) on Confidence Building, in particular, dialogue on regional security perceptions and defense policy papers. Within the ARF, two ISG meetings on Confidence Building Measures and Preventive Diplomacy are held each year at the official level, co-chaired by one ASEAN and one non-ASEAN member. Recommendations and outcomes of these meetings feed into the ARF Senior Officials Meeting.

### **June 2009**

An International Crisis Group report warns that while the Thai government is preoccupied with political turmoil in Bangkok, southern insurgents continue to recruit a new generation of insurgents.

### **July 2009**

"Rogue members" of the MILF are suspected of planting a bomb outside a church in the southern Philippines, killing 5 and injuring 45.

### **July 2009**

An Italian Red Cross worker is freed after six months in captivity by Abu Sayyaf. Though officials denied paying a ransom, rumors circulated about a possible prisoner exchange.

However, while the ARF appears to have established both a mandate and institutional mechanisms for proactive action to head-off conflicts and to mediate them if they break out, the Forum has a track record of non-action on these fronts. In part, this is due to its restricted agenda. All issues that may be characterized as “internal” conflicts, including the Taiwan Straits and South China Sea, are formally off-limits. In the face of these formal limitations, ARF members in recent years approved the establishment of a series of mechanisms to alleviate tensions in critical situations or to mediate when crises loom. These included authorization of the ASEAN Chairman to undertake proactive diplomacy, creation of a “friends of the Chair” mechanism, and

establishment of an Experts and Eminent Persons Group. But, again, these innovations languish for lack of authorization of their use.

In the broader regional context, China and India are unlikely to support the development of mediation capacity in Southeast Asia. Both countries have their own internal conflicts to contend with and have made it clear to the international community that their resolution will be a purely internal matter. Neither appears interested in engaging the sub-regional institutions that they lead, respectively the Shanghai Cooperation Organization (SCO) and the South Asian Association for Regional Cooperation (SAARC), in mediation of transnational or “internal” conflict. They also can be expected to advise Asia Pacific

### BOX 1: THE ACEH MONITORING MISSION

On August 15, 2005, the Indonesian government and Free Aceh Movement (GAM) signed a Memorandum of Understanding (MoU), closing the chapter on three decades of armed violence. The Finnish-based Crisis Management Initiative (CMI) facilitated the peace process that led to this turning point. But international involvement did not end there; exactly one month later, the Aceh Monitoring Mission (AMM), a joint EU-ASEAN effort, deployed to Aceh to assist in the MoU’s implementation. The AMM has widely been hailed as a successful example of international mediation in one of Southeast Asia’s longest running internal conflicts. What role did the AMM play in helping to resolve the Aceh conflict, what factors were key to its success, and can this model be transferred to other Southeast Asian internal conflicts?

**Why Did the AMM Do?** The primary function was to monitor the demobilization of GAM soldiers, to decommission and destroy its weapons, and to facilitate the reintegration of active GAM members into Acehnese society (DDR). It was also tasked with overseeing the relocation of non-organic military and police forces (those who had been centrally rather than locally recruited and deployed). The AMM’s human rights role related only to its DDR tasks. This limitation was self-imposed out of concern that a more ambitious human rights role would have jeopardized its standing with the Indonesian government. These tasks were carried out with a relatively light international footprint; an initial deployment of 226 monitors was subsequently reduced to around 85. Approximately two-thirds of the monitors were from the

EU and the rest were from five ASEAN countries (Thailand, Malaysia, Brunei, the Philippines, and Singapore).

**Why It Worked:** One analyst attributes the AMM’s success not to its particular structure or mandate, but rather to the stage and pattern of the conflict itself. By 2005, both parties had reached a stage of ‘conflict fatigue’, and the GAM had a functioning chain of command that allowed for a readily identifiable representative of Acehnese interests. In addition, the MoU was workable and realistic, the GAM and the Indonesian military and police adhered to the timetables for disarmament and withdrawal, respectively, and the mission became operational immediately upon deployment.<sup>1</sup>

**Will the Model Work Elsewhere in Southeast Asia?** The conflicts in the Philippines and southern Thailand share some very basic properties with Aceh, although both cases have an added religious dimension. One (though by no means the only) factor that has impeded successful mediation in these other cases is the existence of insurgent groups whose territories overlap, but who do not speak with a unified voice. Moreover, while there have been some international mediation efforts in the Philippines (see Table 1), there are few indications in southern Thailand that the many rebel groups have any interest in closing their own chapter on the area’s bloody conflict. Nevertheless, the lesson to be drawn from this is not that international mediation will *never* work. The Aceh Monitoring Mission is evidence that sometimes it does work.

<sup>1</sup> For an overview and analysis, see Kirsten E. Schulze, “Mission Not So Impossible: The Aceh Monitoring Mission and Lessons Learned for the EU,” *International Policy Analysis*, Friedrich Ebert Stiftung, July 2007, <http://library.fes.de/pdf-files/id/04786.pdf>.

#### July 2009

The GRP and MILF hold a two-day informal meeting in Kuala Lumpur. Both sides agree to resume talks to end four decades of armed conflict between them.

#### August 2009

Two Thai soldiers are killed and three wounded when southern separatists attack an army checkpoint.

#### September 2009

Counterterrorism expert David Kilcullen says that in terms of casualties per population, southern Thailand’s insurgency is one of the world’s most intense, second only to Iraq and Afghanistan.

states, in general, to resist the role and influence of international bodies like the UN.

#### 4) CSCAP ROLE

As a track two regional security entity, CSCAP is well positioned to explore possible conflict mediation tools that would be acceptable to Southeast Asian

Declaration between the Christian and Muslim communities. Local NGOs and community members were among the first to spearhead reconciliation efforts between the conflicting parties, even when fighting and communal violence was still at its height in 2000-2001. But government mediated peace agreements in Maluku and Central Sulawesi have not

**“ ...the settlement of the Aceh conflict in 2005 with the help of third party mediators raised the profile of mediation as a conflict resolution tool in Southeast Asia. ”**

governments. But like the ARF, CSCAP has been self-limiting in that it has excluded internal conflicts from its agenda. However, there have been some exceptions; CSCAP's biennial General Conferences have included discussion of domestic counter-terrorism efforts in Indonesia and the Philippines, including by experts of those countries. The CSCAP Study Group on Regional Peacekeeping and Peace-building also addressed, for example, specific regional mediation and capacity building initiatives in Aceh (the Aceh Monitoring Mission) and the Solomon Islands (Regional Assistance Mission to the Solomon Islands).

#### 5) THE ROLE OF PRIVATE ORGANIZATIONS AND CIVIL SOCIETY

One path to more effective conflict management is a creative mediation approach that harnesses the region's considerable experience in peacemaking at the community and civil society levels, to a more flexible and receptive state-level attitude toward informal, private diplomacy. There are signs of this in the Philippines, where efforts to revive the stalled peace talks between Manila and the MILF have received a boost from private organizations, informal diplomatic initiatives, and the efforts of eminent persons groups.

In Indonesia, conflict management at the community level has spawned a variety of initiatives and non-governmental organizations (NGOs) which have helped ameliorate the potential for violence in Maluku, Kalimantan and Central Sulawesi. For example, in Maluku, a civil society effort helped lay the foundation for a government-led peace process, which resulted in the signing of the Malino II

been fully implemented and many residents are poorly informed of the contents of these agreements. Officials in Jakarta admit their response to these tensions has been hesitant and weak, but they are wary of solutions that could be criticized as tacit support for one side or the other.

#### CONCLUSION

The principle challenge in strengthening regional mediation capacity is overcoming staunch resistance in Southeast Asia to the notion of taking collective responsibility for what happens in the neighborhood. This situation is slowly changing, but it will fall to the ten ASEAN states to collectively support efforts by the ASEAN Secretariat—now empowered to mediate by the newly minted ASEAN Charter—to develop sufficient capacity to discreetly and effectively play the role of mediator in regional disputes. In the meantime, the efforts of civil society at the community level and private diplomacy both within and across national boundaries are important contributors to the development of effective conflict management techniques and practices.

#### ABOUT THE AUTHOR

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##### September 2009

Two US soldiers and one Filipino marine are killed by a landmine in a stronghold of Abu Sayyaf, the Philippines's smallest but deadliest insurgent group.

##### October 2009

Analysts and Southeast Asian media express concerns that Thailand's southern insurgency may become a political issue in Malaysia, and that some Malays may even join the fight.

##### October 2009

Three bomb attacks kill 2 and injure at least 42 people in southern Thailand. No groups claim responsibility for the violence.



# Naval Modernization in the Asia Pacific:

## Regional Security Implications

Sam Bateman

***There is much debate about whether the naval build-up in the Asia Pacific is a process of modernization or an arms race.***

This is evident in the discussion of maritime security at both Track One and Track Two forums in the region, including the Shangri-la Dialogue, the ASEAN Regional Forum (ARF), and the Council for Security Cooperation in the Asia Pacific (CSCAP).

One argument is that the naval build-up is a consequence of defense modernization, economic growth, and a doctrinal shift from internal security to external security, of which maritime security is a key element. This change has been underway for some time, with increased awareness of the need for capabilities to protect maritime interests such as offshore sovereignty, resources and shipping. Not surprisingly, the defense modernization line is typically taken by those with a vested interest in increased naval spending, including ministers, senior naval officers and those who work in the defense industry, as well as some academic commentators.

Do regional arms purchases directly serve legitimate military requirements, or are they indirectly contributing to the “security dilemma”? Malaysia’s Deputy Prime Minister Najib Razak claimed in October 2007 that Malaysia’s build-up of submarines and new fighter aircraft was not part of an arms race, but rather aimed at keeping the country from having a “third class” defense force.<sup>1</sup> The Indonesian and Malaysian Defense Ministers denied in December 2007 that there was any arms race in the region.<sup>2</sup> A panel of senior naval officers at a break-out session at the 2008 Shangri-La Dialogue similarly argued that there was no naval arms race in the region.<sup>3</sup> Commentators

point out that in many countries, defense budgets as a percentage of Gross Domestic Product or government spending are showing little change—or in some cases are even decreasing—and thus concerns about levels of defense spending are groundless.<sup>4</sup>

However, there are indications that a naval arms race is in fact developing in the region. In many ways, the naval build-up exceeds basic modernization, with navies adding significant new capabilities, such as submarines, long range missiles and large amphibious ships, all of which they did not previously possess. India has announced a 34 per cent increase in its 2009-10 defense budget over that for the previous year.<sup>5</sup> Much of this will be to fund naval acquisitions, which both qualitatively and quantitatively go well beyond defense modernization. India’s Chief of Naval Staff recently said that the military strategy should deal with China and “include reducing the military gap and countering the growing Chinese footprint in the Indian Ocean region.”<sup>6</sup>

China is usually seen as the trigger for a naval arms race, potentially shifting the military balance of Asia, although China strongly denies such claims. China’s naval force expansion may explain the acquisition of new missile destroyers in South Korea and Japan. Its submarine base on Hainan island also seemed to spur an “arms race” type of reaction from India. While most navies, including the Chinese Navy, stress that their capabilities are being developed for defensive purposes, it is often difficult to differentiate offensive from defensive capabilities. Furthermore,

[ 22 ]

### August 2005

A Japanese White Paper identifies China’s growing military power as its most significant defense concern. It predicts that China’s military build-up will exceed what is necessary for its own defense requirements.

### April 2007

A British newspaper reports that Indonesia is “adding submarines to its fleet faster than any other country of comparable size.”

### October 2007

Sri Lanka begins the first phase of developing the Hambantota Development Zone, five months after signing an agreement with China.

despite rhetoric about non-traditional security threats, many of the weapon systems being acquired are designed for conventional interstate warfare.

An additional longer-term concern for China's

environment. The challenge now is to build a more cooperative maritime security environment in which countries do not feel obliged to increase naval spending. Larger navies are both an outcome and a

***“ In many ways, the naval build-up exceeds basic modernization, with navies adding significant new capabilities, such as submarines, long range missiles and large amphibious ships, all of which they did not previously possess. ”***

neighbors is the implications of improved relations between Beijing and Chinese Taipei. If this relationship continues on its current trajectory toward resolution, China's navy need no longer sustain a robust cross-strait contingency and “anti-access” strategies vis-à-vis the Taiwan Straits, thus freeing it to devote far greater attention to activities in the Indian Ocean and South China Sea.

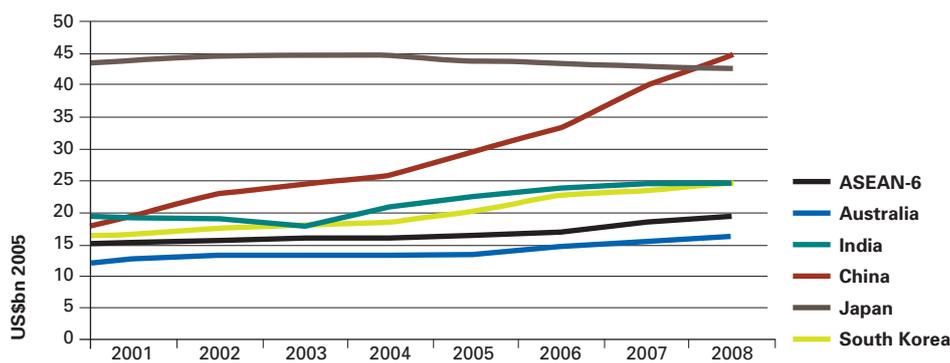
Without trust and transparency, the naval build-up increases uncertainty and can lead to the classic “security dilemma”: a process of action and reaction that may involve a steady and progressive upward spiral of naval capabilities. Regional navies must enhance the transparency of naval plans and build mutual trust. However, maritime confidence and security building measures (MCSBMs) have been largely off the agenda in recent years. This is unfortunate, as these measures are fundamental to building a stable regional maritime security

source of maritime insecurity. The ARF's inter-sessional meetings (ISMs) on maritime security and the Maritime Forum (to be established by ASEAN) should place these issues high on their agendas.

### SUBMARINES

An increase in the number of submarines in the region is a worrying dimension of the naval build-up. The reasons for submarine proliferation are clear; Submarines are a potent weapon system and can fire torpedoes, launch missiles, lay mines, land covert parties and conduct secretive surveillance and intelligence operations. Surveillance, reconnaissance and intelligence gathering are their major roles. Conventional diesel-powered submarines are well suited for special operations and intelligence work, particularly in-shore and in relatively shallow waters. They can covertly listen in on communications and other electronic emissions that might not be

### ASIA-PACIFIC DEFENSE BUDGETS 2001-2008



Source: These estimates were derived from “Defence Economic Trends in the Asia-Pacific 2008,” Australian Defence Intelligence Organisation, [http://www.defence.gov.au/dio/documents/DET\\_08.pdf](http://www.defence.gov.au/dio/documents/DET_08.pdf), pages 2, 34, and 43. These numbers are determined by official budget sources from national governments and the IISS Military balance. For further detail, see “Data sources” on page 56. “ASEAN 6” refers here to the combined total defense spending for Indonesia, Malaysia, Philippines, Singapore, Thailand, and Vietnam.

#### December 2008

PLA General Zhang Zhaoyin says that the country's military “must never deviate from the doctrine of ‘being assiduous in preparing for warfare and seeking to win wars.’”

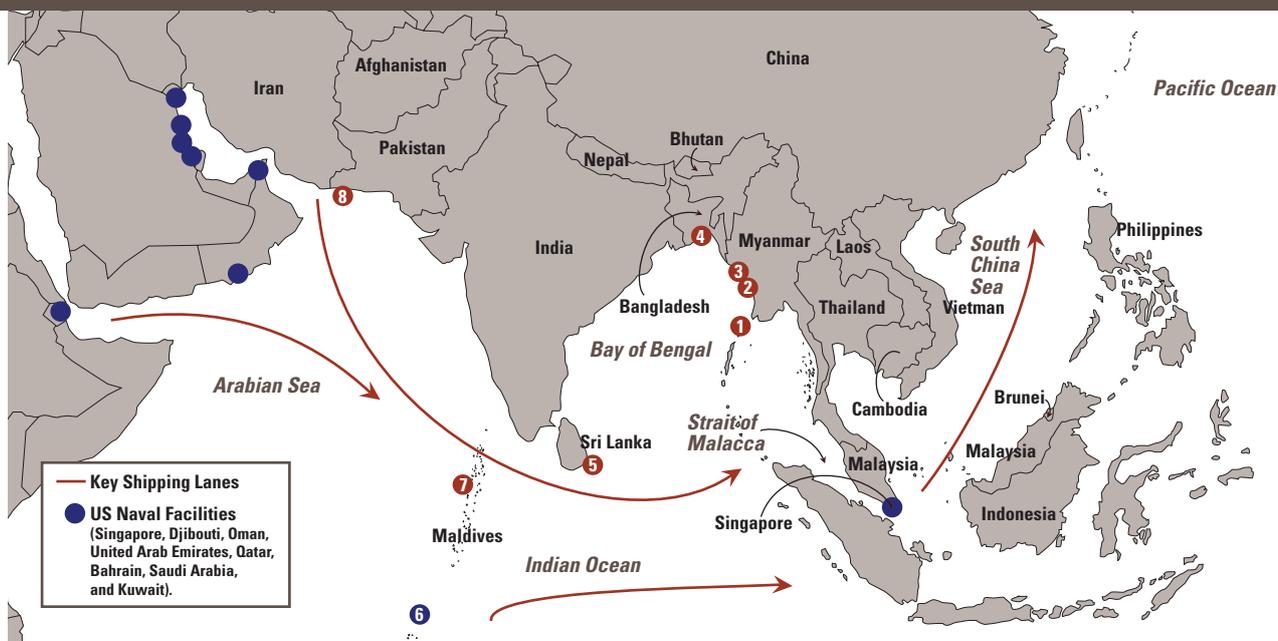
#### January 2009

China, Japan, and South Korea assist in an international anti-piracy exercise off the coast of Somalia.

#### March 2009

Five Chinese ships harass an American ocean surveillance vessel in the South China Sea, saying that violations of its sovereignty will not be allowed.

## INCREASED NAVAL ACTIVITY IN THE INDIAN OCEAN



As Asian states' reliance on Middle Eastern and African energy and natural resources grows, so too has their concern for assuring secure and accessible shipping lanes and access to port facilities. While the straits through Southeast Asian waters have been and remain a key focal point in this regard, the Indian Ocean and its coastal perimeters are also being viewed as increasingly important. Beijing is seen as having been particularly adept in exercising its diplomatic influence and economic assistance to secure its access to a chain of deep water ports in the area, forming what some analysts have dubbed "China's string of pearls."

Regional security analysts, especially in India, have expressed concern about the potential dual-use nature of these facilities. While they serve commercial purposes, there is the prospect of their use as maritime surveillance and listening posts and/or as supply and pre-positioning sites for naval deployments. The map below points out the locations of recent Chinese and Indian activity, but also indicates the long-standing strategic presence of the United States in the Indian Ocean, a presence Washington has bolstered after 9/11 and the Iraq wars of 1999 and 2003.

- 1) **Sittwe Port, Myanmar:** In early 2008, India secured the rights to develop, operate, and use Sittwe on Myanmar's west coast.
- 2) **Ramree Island, Myanmar:** China has been constructing a deep water port off Rakhine state for a pipeline that

will transport Middle Eastern oil and Burmese gas directly to China's Yunnan Province.

- 3) **Coco Islands, Myanmar:** Naypyidaw has agreed to China's use of a site in the Coco Islands, allowing the monitoring of the crucial transport route between the Bay of Bengal and Strait of Malacca.
- 4) **Chittagong, Bangladesh:** China has been upgrading the military side of Chittagong port. Some Indian strategists have voiced concerns about the port being used for more than just commercial purposes.
- 5) **Hambantota, Sri Lanka:** In 2007, Beijing and Colombo began constructing a new port facility situated on a critical energy transportation route. The facility could reportedly be used to monitor India and US activity, particularly the latter's military base at Diego Garcia.<sup>1</sup>
- 6) **Diego Garcia, US/UK:** This major naval facility (on British territory) supports US military activities in the Indian Ocean and Arabian Gulf. It is also believed to serve as a listening post.
- 7) China is reported to be seeking port access in **Mauritius**, the **Seychelles**, and the **Maldives**.<sup>2</sup> India has also recently discussed increased defense cooperation with the Maldives.
- 8) **Gwadar, Pakistan:** The Chinese-built port at Gwadar could be a "strategic hedge" as an alternative shipping lane in the event that the Malacca Strait is blockaded or otherwise inaccessible. Militarily, it can also be used to monitor activity in and around the Strait of Hormuz.<sup>3</sup>

<sup>1</sup> Vijay Sakhuja, "Sri Lanka: Beijing's Growing Foothold in the Indian Ocean," Jamestown Organization, *China Brief*, Vol. IX, Issue 12, January 12, 2009, pp. 9.

<sup>2</sup> James Lamont and Amy Kazmin, "Fear of Influence," *Financial Times*, July 12, 2009. Seychelles and Mauritius not depicted on this map.

<sup>3</sup> James R. Holmes and Toshi Yoshihara, "China's Naval Ambitions in the Indian Ocean," *Journal of Strategic Studies*, vol. 31, no. 3 (June 2008).

### March 2009

A Pentagon report warns that China is seeking technology and weapons to disrupt the US forces' traditional advantage. A China's Foreign Ministry spokesman calls the report "a gross distortion of the facts" and interference in China's internal affairs.

### April 2009

The U.S. Chief of Naval Operations says that while China's naval development is not out of proportion with its level of economic growth and global role, it is important for China to communicate more clearly.

### May 2009

Kevin Rudd announces a significant boost in Australia's military spending, warning of a broader military build-up across the Asia Pacific. He indicated China will by far be Asia's strongest military power.

detectable from space. The downside is that submarines are also a non-cooperative and highly competitive weapon system. There are potential dangers inherent in the increasing number of submarines working in the confined and potentially dangerous seas of East Asia. Submarines may enter

have increased patrolling in the Malacca Strait with some involvement also of India and Thailand in the northern approaches to the Straits. Moreover, there has been a naval stand-off between Indonesia and Malaysia in the disputed area, known as Ambalat, in the Sulawesi Sea East of Borneo. And finally,

**“ ...despite rhetoric about non-traditional security threats, many of the weapon systems being acquired are designed for conventional interstate warfare. ”**

sensitive waters where they are at risk of being detected by another country's anti-submarine forces. An “intruder” submarine detected in an area of disputed sovereignty would be warned off and possibly even attacked. Such an incident could have very serious repercussions for regional security.

There are many prerequisites of safe submarine operations, including good oceanographic and hydrographic knowledge. The management of water space and the prevention of mutual interference (PMI) with submarine operations will require better regional arrangements. Concern for submarine safety has already been demonstrated by the multinational submarine rescue exercises that have been held around the region.

The higher priority that has been accorded submarine operations and anti-submarine warfare (ASW) will likely increase oceanographic research activity in the region. Incidents such as that between the USNS *Impeccable* and Chinese vessels in the South China Sea in March 2009 may increase in frequency, thereby posing additional risks to maritime stability.

## IMPLICATIONS

Larger navies and higher naval spending have adverse consequences for regional security in both direct and indirect terms. In direct terms, it creates an environment of increased military activity that is potentially destabilizing, with greater numbers of aircraft, warships, and submarines at sea in relatively confined regional waters, some parts of which include sovereignty disputes and unresolved maritime boundaries. Increased naval activity increases the risks of an unfortunate incident between naval forces. Naval activity levels are already high. For example, Malaysia, Indonesia and Singapore

sovereignty problems in the South China Sea have persisted, leading to the increased presence of maritime security forces.

In indirect terms, defense spending has a high opportunity cost by diverting resources from important programs for economic development, social improvement and poverty alleviation. There is also the notion that increased defense spending in the region is driven at least in part by the supply side with American, European, and Russian defense firms aggressively seeking new customers as their domestic markets dry up.

Despite the talk about the importance of non-traditional security threats, including by regional navies, basic maritime security concerns are not being satisfactorily addressed. These threats include over-fishing, loss of marine habitats, and pollution. In the seas of East Asia, sovereignty disputes and a heavy focus on the military dimensions of maritime security have hindered progress in this regard. This could ultimately lead to instability both domestically and regionally.

## POLICY ISSUES

Initiatives to restore some optimism in the current situation might be taken at two levels. First, regional navies could more actively pursue confidence building measures to reduce the risks of naval clashes getting out of hand. The objective of all parties should be a more stable regional maritime security environment in which countries do not feel compelled to continually expand their naval budgets.

Secondly, at the political level, the dangers of the current situation should be given greater attention, but so far realist politics and self-interest have prevented this from occurring. Greater transparency is required. In a speech at the 2009 Shangri-La

### May 2009

Indonesian press reports say that one of the country's warships drove a Malaysian ship out of the disputed waters off the south-east coast of Sabah.

### June 2009

Yonhap News agency reports that South Korea's military wants to purchase additional advanced ship-to-air missile interceptors from the U.S. by the end of 2009.

### June 2009

A Russian naval industry specialist notes renewed interest by Indonesia and Vietnam in its products, including high-speed attack and patrol craft and air cushion landing ships.

Dialogue, Singapore's Deputy Prime Minister and Defence Minister, Teo Chee Hean, highlighted the

Working Groups (Capacity Building for Maritime Security, and Facilitating Maritime Security

**“ There is also the notion that increased defense spending in the region is driven at least in part by the supply side with American, European, and Russian defense firms aggressively seeking new customers as their domestic markets dry up. ”**

need for regional countries to have greater transparency with military acquisitions, strategic intent and security concerns.<sup>7</sup>

### ROLE FOR TRACK TWO

Regional Track Two processes can provide the much-needed thinking and research on concerns surrounding naval build-up in the Asia Pacific. Since its inception, CSCAP has devoted considerable energy to maritime issues. The work done by two

Cooperation in the Asia Pacific) and two associated Expert Groups (Safety and Security in the Malacca and Singapore Straights, and a Legal Experts Group) has resulted in CSCAP forwarding six Memoranda to the ARF. Two ongoing Study Groups (Naval Enhancement in the Asia Pacific, and Safety and Security of Offshore Oil and Gas Installations) continue along these lines. (For details of these meetings, see [www.cscap.org](http://www.cscap.org).)

The establishment of an Asian Peace Research

## CONCERN OVER THE RAPID PACE OF ASIAN NAVAL ENHANCEMENT

Asian states are modernizing but also significantly enhancing their naval capacities, giving rise to concerns of competitive arms build-up (or arms racing) with the associated risks of confrontation and hostility. The following, while not a complete inventory, illustrates the need for attention to this issue.<sup>1</sup>

- **China:** The People's Liberation Army Navy (PLAN) is purchasing Russian destroyers armed with anti-ship cruise missiles. In this decade, it has indigenously produced at least 6 destroyers and 6 frigates. China has built over 30 submarines, including 12 Russian Kilo-class diesel electric vessels, plus 3 nuclear-powered and 16 Chinese-built submarines. It is also apparently looking to enhance its capacity for expeditionary and amphibious warfare including acquisition of supply vessels, amphibious landing craft, and possibly (much speculated) aircraft carrier construction and deployment.
- **India:** In an apparent response to China's perceived naval and commercial strategies regarding the Indian Ocean, India has increased its defense budget for 2009-10 by over 30%. Among other acquisitions, it looks to acquire 6 European-built (Scorpene) subs and has announced plans to build up to 3 nuclear-powered SSBNs by 2015.

- **Northeast Asia:** Both South Korea and Japan are building new air-independent propulsion (AIP) submarine fleets. South Korea has announced construction of anti-ship cruise missile equipped destroyers, and Japan will acquire six Aegis-class destroyers, plus four helicopter-equipped destroyers.
- **Southeast Asia:** Southeast Asian states have dramatic acquisition plans: Singapore will acquire 6 Swedish submarines, Malaysia will purchase 2 French vessels, and Indonesia is set to acquire 4 Kilo-class plus 2 other Russian submarines. Singapore is also acquiring six "stealth" frigates.
- **Australia:** In line with its new White Paper commitments for dramatic defense increases, Australia apparently has plans both to replace and double to 12 its current submarine contingent, as well as add three "air warfare deterrents" to its fleet.

<sup>1</sup> The information provided is taken from various sources, including Richard A. Bitzinger, "A New Arms Race? The Political Economy of Maritime Military Modernization in the Asia-Pacific," *The Economics of Peace and Security Journal*, vol. 4, no. 2 (2009); and *Defence Economic Trends in the Asia Pacific 2008*, produced by Australia's Defence Intelligence Organization, available at [http://www.defence.gov.au/dio/documents/DET\\_08.pdf](http://www.defence.gov.au/dio/documents/DET_08.pdf).

#### June 2009

Singapore discloses that it has outfitted two Archer-class submarines with air-independent propulsion, which, among other capabilities, allows for anti-submarine warfare and projecting power further into the ocean.

#### July 2009

The Indian Navy completes construction of its first indigenously built nuclear powered submarine, although experts add that it will not be operational for two years.

#### August 2009

India and Maldives discuss increased defense cooperation, setting off a flurry of speculation about the former's moves to counter-act China's growing influence in the Indian Ocean region.

Institute (APRI) might also be considered. This would be an independent institution with close links to relevant international agencies such as the UN Institute for Disarmament Research (UNIDIR) and the Stockholm International Peace Research (SIPRI). SIPRI's 2008 annual report includes a strong call to arms control and predicts that the next two years will see a broadening consensus around the world that more serious and effective arms control and disarmament measures are required. As we move further into the Asian century, it is essential that Asia participate in this dialogue. An APRI would help develop regional views on key issues, including transparency, preventive diplomacy in potential areas of conflict, the role of the defense industry, and particular confidence and security and building measures. Maritime-related measures would be high on its agenda.

### ABOUT THE AUTHOR

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<sup>6</sup> “China will be one of our primary challenges: Navy Chief”, *The Hindu*, 11 August 2009, <http://www.thehindu.com/2009/08/11/stories/2009081160771000.htm> (accessed 12 August 2009).

<sup>7</sup> Yong, N. ‘Calls for transparency in security’, *The Straits Times*, 1 June 2009, p. 1.

<sup>1</sup> “Malaysia’s defense build-up not geared toward arms race”, *International Herald Tribune*, 25 October 2007, <http://www.iht.com/bin/printfriendly.php?id=8046788> (accessed 24 February 2008).

<sup>2</sup> “RI, Malaysian defense ministers do not touch on arms race”, *Antara News* online, 15 December 2007, <http://antara.co.id/en/print/?id=1197655911> (accessed 15 December 2007).

<sup>3</sup> “Into the wide blue yonder—Asia’s main powers are building up their navies. Is this the start of an arms race”, *The Economist*, 5 June 2008, p. 53.

<sup>4</sup> Smith, R.C. ‘Asian Military Modernisation’, *Perspectives*, Lowy Institute, October 2008.

<sup>5</sup> Jon Grevatt, “India ups defence budget”, *Jane’s Defence Weekly*, 15 July 2009, p. 14.

#### August 2009

China’s Defense Ministry unveils its new website in an effort to demonstrate that it is taking steps to be more transparent.

#### September 2009

The Indonesian media reports on Jakarta’s plans to expand its submarine fleet by acquiring attack submarines.

#### October 2009

Russian media reports that Russia and India could sign a long-delayed agreement on the modernization of Russian aircraft carriers for the Indian navy.



# Nuclear Disarmament and Non-Proliferation:

Asia and the 2010 NPT Review Conference

Shen Dingli

*With North Korea's nuclear test in May 2009, the Asia Pacific, now with six states that possess nuclear weapons, is the focus of global nuclear proliferation concern. New attitudes of cooperation among the major powers—the US, Russia, and China—have raised hopes for progress in both non-proliferation and disarmament, but serious short-term dangers and long-term challenges persist.*

## ASIA'S NUCLEAR LANDSCAPE

Over the past decades, Asia has been the region where most proliferation of WMD (weapons of mass destruction) has occurred. Three Asian countries—India, Pakistan, and North Korea—have broken the nonproliferation taboo by testing nuclear weapons. On East Asia's periphery, Iraq was shown to have violated its commitment to forego nuclear weapons, and the Security Council commanded Iran to suspend its uranium enrichment due to its past covert nuclear development.<sup>1</sup> Asian states have been implicated in the transfer of knowledge, technology, equipment, and delivery systems to states seeking to acquire WMD capacities. Pakistan secretly transferred centrifuges to Iran and Libya for their clandestine nuclear programs, and North Korea persists in activities that raise suspicions regarding its proliferation intentions. The region would be even more worrisome if nuclear materials and technology were to become accessible to irresponsible non-state actors in unstable areas, particularly in South and Southwest Asia and the region's bordering Middle East.

In response to such pressing security concerns, over the last year Asia and the rest of the world have taken some important measures to curb the spread of nuclear weapons. A new US administration has reversed its previous stances on arms control and

non-proliferation, with President Obama's call for progress towards a nuclear-free world and the adoption of more constructive policies. With movement on the US-Russia Strategic Arms Reduction Treaty (START) and abandonment of the controversial Europe-based Ballistic Missile Defense deployment plans, Washington and Moscow relations are dramatically improved. So too are the prospects for Sino-US non-proliferation cooperation, with the first round of their Strategic and Economic Dialogue in Washington, DC in July 2009 when the parties reaffirmed their commitment to the denuclearization of North Korea and the prevention of proliferation to non-state actors.

The United Nations continues to play a critical role in assuring that the global nonproliferation norm remains valid. The Security Council, moderated by President Obama for the first time, adopted Resolution UNSCR 1887 on September 24, 2009 on nuclear non-proliferation and disarmament. However, its recent efforts have not been effective. The Security Council has addressed the North Korean and Iranian nuclear issues time and again, as well as approved a number of resolutions to both condemn their defiant nuclear and missile developments and to impose sanctions. North Korea continues its missile and satellite launches and nuclear weapons tests, while Iran continues its uranium enrichment program.

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### June 2006

Vietnam becomes the 34th Annex 2 country to ratify the Comprehensive Test Ban Treaty (CTBT).

### January 2008

Malaysia ratifies the Comprehensive Test Ban Treaty (CTBT), becoming the 6th ASEAN state to do so (leaving Brunei, Cambodia, Myanmar, and Thailand the last states to ratify).

### June 2009

Russian President Medvedev declares that he is prepared to make significant reductions in Russia's nuclear arsenal as part of its ongoing negotiations with the U.S.

At the regional level, resolving the crises posed by North Korea has been frustrating, with Pyongyang sending mixed messages through its actions and rhetoric. Still, the Six Party group as a whole remains committed to disarming North Korea's nuclear weapons program while respecting Pyongyang's legitimate security concerns. China has assumed a leadership role in hosting the Six-Party Talks to reverse North Korea's nuclear course.

Over the longer term, Asia has made headway in restraining the spread of nuclear weapons, in particular, through launching regional nuclear weapons free zones. In Southeast Asia, a regional nuclear weapons free zone (SEANWFZ) was established in 1995 (and entered into force in 1997) through The Treaty of Bangkok.<sup>2</sup> Mongolia formed a single-nation nuclear weapons free zone in 2000; and in 2006, the five Central Asian countries created their own nuclear weapons free zone which entered into force in 2009. These are all significant Asian developments in support of nuclear nonproliferation.

However, containing nuclear proliferation remains a huge challenge for Asia. An array of security factors contribute to the problem: inter-state conflicts over borders, resources or ethnic disputes; lack of regional

cooperation, the international community has developed a set of carrot-and-stick strategies to sustain the present nonproliferation architecture.

The NPT Review Conference, held once every five years, renders regular and crucial opportunities to review advancements and setbacks of nuclear nonproliferation at the global level. The next NPT Review Conference in May 2010 will be an important venue to review the performance of treaty obligations by both nuclear weapons states and non-nuclear weapons state signatories. In this regard, the Conference will review the progress of nuclear disarmament and challenges of regional proliferation. It will also seek to formulate a package of balanced approaches to both nuclear disarmament and nonproliferation. Within this context, Asian nuclear issues are likely to be subject to close international scrutiny.

Since the 2000 and 2005 Review Conferences, the general trend of nuclear arms control and disarmament has not been very encouraging. However, at the 3<sup>rd</sup> Preparatory Committee meeting (in May 2009) for the 2010 NPT Review Conference, some promising developments emerged. To some extent, the Obama Administration can claim credit

***“ Asian states have been implicated in the transfer of knowledge, technology, equipment, and delivery systems to states seeking to acquire WMD capacities. ”***

cooperative security and confidence building mechanisms; mutual distrust and hedging amongst nuclear weapons states, and lingering “Cold War mentalities”. The lack of nuclear disarmament, either at global or regional level, has also been unhelpful in de-legitimizing nuclear weapons.

**THE GLOBAL NON-PROLIFERATION REGIME**

The Nuclear Non-proliferation Treaty (NPT) has provided the fundamental legal framework for nonproliferation and for containing the further spread of nuclear weaponry in Asia and beyond. Its regime has offered the key tools to deter potential proliferants by sanctioning regular on-site and challenge inspections, and by conducting ‘nuclear archaeology’ to at least partially reveal a facility’s hidden nuclear past. Combined with UN sanctions and various incentives including civilian nuclear power

for the improved atmosphere of constructive and cooperative diplomacy. President Obama’s speech in Prague in April 2009 has given impetus to a new push for deeper nuclear disarmament by the US and Russia and eventually by a multilateral process. This helps strengthen the negotiation stands of America and Russia, as well as the P5 (Permanent Five Members of the UN Security Council) as a whole, and hence shall promote a constructive and collegial atmosphere to render more chances of success to the next Review Conference.

**KEY ISSUES AT THE REVIEW CONFERENCE**

As the NPT is a compromise on nuclear disarmament and nonproliferation between the nuclear-haves and have-nots, predictably a key issue at the upcoming Review Conference will be to evaluate the nuclear disarmament performance amongst nuclear weapons

■ **February 2009**

A Pakistani court ends the house arrest of A.Q. Khan, the nuclear scientist charged with sharing nuclear technology with Iran, Syria, and North Korea.

■ **March 2009**

India says it will not sign the Comprehensive Test Ban Treaty (CTBT), but will not stand in the way of its progress. It does not elaborate on what that means.

■ **April 2009**

North Korea ejects monitors from the U.S. and the International Atomic Energy Agency (IAEA) from its Yongbyon nuclear complex.

states (NWSs). The “13 Steps” statement agreed upon at the 2000 Review Conference—a set of practical steps to be taken towards implementation of Article VI of the Treaty—sets a benchmark for assessment of this progress. Key among these are the following: strategic arms reductions, ratification of the CTBT, and successful negotiation of a verifiable FMCT (Fissile Missile Control Treaty).

*A New Strategic Arms Reduction Treaty (START):* Given the present international circumstances, it appears likely that Washington and Moscow will conclude a START follow-on treaty on deep nuclear cuts. Doing so would provide crucial evidence that the NWSs are in fact moving ahead toward further nuclear disarmament after a long halt since the

critical to halting non-proliferation. However, the Treaty has not entered into force since it opened for signature in 1996. Of the 44 states of certain nuclear capability (as listed by the treaty’s Annex 2, including both NWSs and all de facto nuclear weapons states), 9 key states still have not ratified. It will be difficult for the Review Conference to achieve significant positive movement with this situation.

*A Fissile Missile Cut-off Treaty:* This treaty would ban the production of fissile materials used to make nuclear weapons. If made internationally verifiable, it would be a powerful barrier to future proliferation. While agreeing in principle to a FMCT, the NWSs have sought to attach conditions to their engagement—Russia is looking to limit coverage to weapons-grade

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making of START. If the US and Russia reach agreement, there will be pressure for the other NWSs to reciprocate with their own disarmament measures. However, even given those deep reductions, the US and Russia will retain arsenals substantially larger than the other NWSs, including China’s. Signs are already evident that progress in this regard will remain difficult.

*The Comprehensive Test Ban Treaty:* The halting of all nuclear testing, as established by the CTBT, is

plutonium only; China, until recently, wanted to link FMCT negotiations to other issues; and the US, until the Obama administration, was concerned over verification.

The Conference may also address strengthening the monitoring, verification, and nuclear export system, regional and international supply of nuclear fuel, and nuclear proliferation concerns regarding North Korea, Iran and possibly other countries. It is also possible that some Middle Eastern countries will

**NUCLEAR FORCES OF ASIA PACIFIC STATES 2009**

COUNTRY	STRATEGIC <sup>1</sup>	NON-STRATEGIC	OPERATIONAL <sup>2</sup>	TOTAL INVENTORY <sup>3</sup>
Russia	2,668	2,050	4,718	~13,000
United States	2,126	500	2,623	~9,400
China	180	?	~180	~240
Pakistan	60	n.a.	n.a.	70-90
India	60	n.a.	n.a.	60-80
North Korea	<10	n.a.	n.a.	<10

Source: [www.fas.org/programs/ssp/nukes/nuclearweapons/nukestatus.html](http://www.fas.org/programs/ssp/nukes/nuclearweapons/nukestatus.html). Data were taken from the *Bulletin of Atomic Scientists*, *SIPRI Yearbook*, and *FAS Strategic Survey*. Updated as of October 2009.

<sup>1</sup> “Strategic” refers to inter-continental range weaponry; “non-strategic” refers to shorter range weaponry, including tactical nuclear weapons.

<sup>2</sup> “Operational” means the sum of strategic and non-strategic

<sup>3</sup> “Total Inventory” means estimated total of operational plus estimated warheads “in reserve” or awaiting dismantlement.

**May 2009**

Experts in the US express concerns that billions of dollars in proposed military assistance to Pakistan may be diverted to build up that country’s nuclear program.

**May 2009**

An Indian official says that India would allow multilateral talks about a Fissile Material Cutoff Treaty to begin, but would not accept obligations that hinder its “strategic [nuclear] program.”

**May 2009**

North Korea conducts a nuclear test, an act that provokes widespread international condemnation. The UN Security Council votes to impose further sanctions.

again raise the Israeli nuclear issue in the context of a Middle East nuclear weapons free zone. But by and large, it is expected that the next Review Conference will be more productive and positive than the 2005 Conference.

### IMPLICATIONS FOR THE ASIA PACIFIC

The considerations of the NPT Review Conference will have an impact on Asia in several key areas.

Asia’s current proliferation challenges are likely to be high on the agenda. Since the 2005 Review Conference, North Korea has conducted two nuclear tests. While Iran has not yet been confirmed to have secretly engaged in nuclear weapons development, it is being sanctioned for its continuing uranium enrichment in defiance of UNSC resolutions. Given the disagreement among the P5 regarding further sanctions or actions against Pyongyang and Tehran,

## ASIA PACIFIC COOPERATION: SELECTED INITIATIVES FOR ADVANCING ARMS CONTROL AND DISARMAMENT

### AGREEMENT

### STATUS OF INITIATIVE, ASIA PACIFIC MEMBERSHIP<sup>1</sup>

#### START – Strategic Arms Reduction Treaty

- US and Russia likely to negotiate a bilateral START III agreement (START I expires at the end of 2009) with significant reductions in their strategic arsenals.

#### CTBT – Comprehensive Test Ban Treaty

- US and China: signed but not ratified; Russia, North Korea, Cambodia, Vietnam: signed and ratified; India and Pakistan have not signed the treaty;
- Signatures of all 44 nuclear-capable states required, including India and Pakistan and other non-NPT members;
- Progress at the 2010 Review Conference unlikely.

#### FMCT – Fissile Missile Control Treaty

- Negotiations blocked by lack of international consensus, no agreement on draft text, including scope of materials covered, verification, and linkage to other issues.

#### MTCR – Missile Technology Control Regime

- Voluntary association of states to restrict spread of WMD delivery systems;
- US, Japan, South Korea, Russia, Canada, Australia, and New Zealand are members; China (since 1991) agreed to abide by guidelines.

#### NSG – Nuclear Suppliers Group

- Voluntary association of states to monitor export of nuclear technologies and materials;
- Membership restricted, countries must demonstrate adequate export controls, etc.;
- Australia, Canada, China, Japan, New Zealand, Russia, South Korea, and US are members.

#### GICNT – Global Initiative to Combat Nuclear Terrorism

- Voluntary association to promote building state capacities to combat transnational threats of nuclear terrorism, legal framework derives from UNSC 1371 and 1540 and related conventions;
- US and Russia were founders (2006), Australia, New Zealand, Cambodia, Canada, China, India, Japan, South Korea are members.

#### CSI – Container Security Initiative

- US initiative (2002) for cooperation in screening of container traffic;
- By 2008, 85% of traffic to US ports inspected prior to departure, including from key ports in China, Chinese Taipei, South Korea, Malaysia, Singapore, and Japan.

#### PSI – Proliferation Security Initiative

- US-initiated (2003) collaborative “activity” of over 90 “partner states”;
- Aims to stop shipment of WMD and related technologies and materials;
- Prospect of maritime interdiction controversial;
- Asia Pacific members include Australia, Canada, Cambodia, Japan, Mongolia, New Zealand, Russia, Singapore, South Korea, and the US;
- Some claims to success

<sup>1</sup> Note: Information regarding signing etc. is limited to key states.

#### May 2009

South Korea joins the Proliferation Security Initiative (PSI) in response to North Korea’s nuclear test. China expresses concern, saying that the PSI is a departure from international law.

#### June 2009

The UN Security Council passes Resolution 1874 and agrees to impose tough new sanctions on North Korea after that nation’s nuclear test.

#### June 2009

The US and Russia agree to cut strategic warheads to within a range of 1,500-1,675 on each side from the current maximum of 2,200.

the Conference necessarily will have to address how to engage North Korea and Iran collaboratively to freeze their nuclear programs as a first step to de-escalation along the nuclear ladder.

Ongoing efforts to prevent the transfer of dual-use

Indonesia, North Korea, Pakistan, and the United States. (Egypt, Iran, and Israel are the other three). While all of these nine Annex 2 states have their concerns over ratification, their cooperation is essential to making the CTBT effective. In this

**“ President Obama’s speech in Prague in April 2009 has given impetus to a new push for deeper nuclear disarmament by the US and Russia and eventually by a multilateral process. ”**

technology, equipment and delivery systems, ensuring the transparency and NPT/IAEA compliance of states’ purported civilian nuclear energy programs, and thwarting the efforts of non-state actors to gain access to WMD facilities or materials will all be focal points of attention regarding the Asia Pacific.

The approaching Review Conference will likely exert pressure on Asian nuclear capable countries to ratify the CTBT. Notably, six of the nine Annex 2 (i.e. nuclear-capable) countries that have not ratified the Treaty are Asia-Pacific countries: China, India,

regard, the US is viewed as having a lead responsibility. Indonesia stated in the summer of 2009 that it would ratify the Treaty if the US also ratified. Many observers feel that if the US ratifies, China would also follow suit.

A follow-on treaty to START, if concluded before the end of 2009, would be conducive to the success of the next NPT Review Conference. Though a global multilateral nuclear disarmament process will be beyond the completion of START follow-on, it is inevitable that the overall incremental progress

## CSCAP’S AGENDA ON ARMS CONTROL AND DISARMAMENT

Since its inception, CSCAP has devoted considerable attention to alleviating the threats and challenges posed by the possession and proliferation of weapons of mass destruction. As a ‘track two’ institution, with its inclusive region-wide membership, commitment to dialogue with all sides, and engagement of experts, academics, and officials, CSCAP has advanced an appreciation of the viewpoints of the different parties to bilateral, regional and global issues. Over the years, its meetings in non-official settings have fostered a non-threatening climate for regional security dialogue and assisted in the “socialization” of participants unfamiliar with the issues and their debate in multilateral fora. Equally important and more tangible has been CSCAP’s accumulation and distribution of information on key aspects of regional arms control and disarmament. Notable are the following:

- **CSCAP Asia Pacific Nuclear Energy Transparency** project: An experts group that operated under the auspices of the CSCAP Working Group on Confidence and Security Building Measures (1994-2004); devoted to advancing the flow of information to ensure the peaceful, safe use of nuclear energy. See <http://www.cscap.nucltrans.org/>.

- **CSCAP Study Group on Countering the Proliferation of Weapons of Mass Destruction in the Asia Pacific** (2005 - present): One of CSCAP’s most active groups, meeting regularly for security dialogue on current WMD-related issues. For its reports and associated research papers, see <http://www.cscap.org/index.php?page=Countering-the-proliferation-of-weapons-of-mass-destruction-in-the-Asia-Pacific>.

- **CSCAP Export Controls Experts Group** (2005 - present): Operating under the auspices of the WMD Study Group—bringing together national technical experts to assess the status of national expert control regimes and develop recommendations for their improvement. See <http://www.cscap.org/index.php?page=export-controls-experts-group-xcwg>.

- **Handbook on Preventing the Proliferation of Weapons of Mass Destruction in the Asia Pacific**: A CSCAP WMD Study Group initiative; a compendium of information on all aspects of the global non-proliferation regime as they apply to the Asia Pacific. A work in progress, a draft version is available at <http://www.cscap.org/uploads/docs/WMDSGReports/DraftHandbookJune2009.pdf>.

### June 2009

Al Qaeda releases a statement in which a spokesperson says that if it were in a position to do so, it would use Pakistani nuclear weapons against the United States.

### July 2009

US Secretary of State Clinton expresses concerns after reports surface that North Korea is sharing nuclear technology with Myanmar.

### September 2009

The US circulates a draft UNSC resolution calling for all of India’s nuclear facilities to be placed under international safeguards, rather than only those that were declared ‘civilian’ under the India-US civil nuclear agreement of 2005.

would add pressure to the rest of P5 and possibly the *de facto* nuclear weapons states to commit to locking in their nuclear arsenals. Therefore, the US-Russia nuclear disarmament cooperation could facilitate a chain of nuclear defusing over the next few decades in a collaborative way.

This applies to the fissile material cutoff talks as well. Though the 2010 Review Conference will not negotiate the FMCT directly, a commitment to its early opening would help assure the success of the Review Conference. However, like the CTBT negotiations, meaningful FMCT negotiations would entail the participation and cooperation of *all* nuclear weapons states, both *de jure* and *de facto*, as well as all other nuclear capable states. This requires significant multilateral cooperation, which is more achievable given the present international circumstances, though still politically and technically very challenging.

Many non-nuclear weapons states are likely to press for their rights to access nuclear energy for civilian purposes as a natural condition of their obligations under the NPT. These issues again require the leadership skill of the chair to iron out.

### CSCAP/TRACK TWO ENGAGEMENT

The prevalence of nuclear weapons states in the Asia Pacific, along with the preponderance of contemporary proliferation cases in or involving Asian countries, means that concerted attention at regional track one (official) and track two (non-official) levels is essential. Certainly, the difficulty of the issue precludes easy solutions at either level. In the absence of an effective and established regional institution forum, track one efforts have remained ad hoc, as with the Six Party process (see Chapter 2), and/or cooperative but selective in terms of membership, as with coalition efforts like the Proliferation Security Initiative (PSI).

CSCAP as the region-wide, inclusive track two institution has devoted considerable attention to arms control and proliferation issues. Through its Study Group and General Conference initiatives, it is well positioned to address key issues on the occasion of the 2010 NPT Review Conference, including:

- How Asian states would contribute to a “global nuclear zero” movement;

- How a global renaissance of nuclear energy, at a time of climate change and stress for clean energy, might affect Asia and how a proliferation-resistant technology might be developed and employed; and,
- How to successfully freeze (at least) the nuclear development of North Korea and Iran with an effective package of security and economic incentives and disincentives.

CSCAP has included the main nuclear stakeholders in the region: the US, China, Russia, India, North Korea, Indonesia, Japan, and Europe. Therefore, it is in a position to employ a track two approach to addressing the fair balance of nuclear disarmament, nonproliferation, and peaceful use of atomic energy, and to finding solutions to this Asian and global problem.

### ABOUT THE AUTHOR

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<sup>1</sup> Israel is believed to have acquired nuclear weapons already.

<sup>2</sup> The Bangkok Treaty’s protocol, however, has not yet been ratified by any nuclear weapons states, although China has committed to ratifying it.

#### September 2009

Kim Jong-il tells Chinese envoy Dai Bingguo that it is still interested in the goal of de-nuclearizing, though some analysts express doubts.

#### September 2009

The UN Security Council unanimously adopts the US-drafted resolution reaffirming the goal of achieving a “nuclear zero”.

#### September 2009

India’s Prime Minister criticizes the NPT as not adequate for the “formidable” task of protecting the world from nuclear terrorism.



# Refugees, IDPs, and Regional Security

in the Asia Pacific

Eva-Lotta Hedman

**In recent years, the countries and territories of the Asia Pacific have experienced continued and considerable displacement of peoples, both across and within state borders.**

While the resolution of several long-standing refugee situations in Cambodia and East Timor unfolded with the end of the Cold War, other ‘refugee-like’ situations have emerged or grown more protracted in the years since, namely in Burma and North Korea. As the issue of internally displaced persons became increasingly prominent in international humanitarian and human rights discourse in the 1990s, it was also becoming evident that states in the Asia Pacific produced some of the world’s largest IDP populations (e.g., Burma and Indonesia). More recently, the large-scale displacement of peoples in the wake of severe weather and other types of natural disasters has focused growing attention on the plight of so-called ‘environmental’ or ‘climate’ refugees in the region. The Indian Ocean Tsunami in 2004 and Cyclone Nargis in 2008 are both cases in point.

To date, there have been no comprehensive regional frameworks or related mechanisms to regulate the treatment of refugees, let alone their ‘in-country’ counterparts, internally displaced persons (IDPs). This is hardly surprising. Few regional states have even signed the 1951 UN Refugee Convention (see Map 1). In addition, the wider context of weakly institutionalized regional cooperation and a patchwork of intra-regional protocols and bilateral agreements, have not lent themselves to the articulation of an Asia Pacific protection regime focused on the rights and needs of displaced populations.

## GAPS IN REGIONAL AND INTERNATIONAL REFUGEE AND IDP MECHANISMS

There is, however, a long-standing regional practice of informal arrangements that allow for large numbers of displaced persons to carve out some form of refuge, even in the borderlands and urban areas of states that have not signed the Refugee Convention, including Malaysia and Thailand.<sup>1</sup> Some government officials have also shown an interest in humanitarian practices and institutions, whether in response to a particular refugee or internal displacement crisis, or in meetings and workshops, including with representatives of the United Nations High Commissioner for Refugees (UNHCR). Examples include the Inter-Governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants, or APC, which has met annually since 1996. Moreover, at the International Organization for Migration’s (IOM) initiative, governments across the region have also explored possibilities for greater cooperation to combat specific aspects of irregular migration, such as migrant smuggling and human trafficking (e.g., the so-called “Manila Process”). In this regard, the 1998 adoption of the “Bangkok Declaration on Irregular Migration” at an IOM-organized meeting (in cooperation with the Thai government) provided a common basis for law enforcement cooperation in a region in which very few states have signed the *UN Protocol against Migrant Smuggling*.

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### February 2008

Australia’s “Pacific Solution” officially ends as newly-elected PM Rudd closes detention centres on Manus Island and Nauru. The detention centers had been used to process asylum seekers without allowing them to land on the Australian mainland.

### November 2008

UN high commissioner for refugees urges Bangladesh not to repatriate Rohingya refugees as they face persecution in Myanmar. The Myanmar government says it is not interested in having the refugees return.

### January 2009

193 Rohingya boat people are found floating off the coast of Indonesia. Survivors claim that after leaving Myanmar, they were intercepted by the Thai Military, beaten and sent adrift with no supplies.

To some, attempts to encourage more regularized regional cooperation among immigration and law enforcement authorities run the risk of reproducing a wider criminalization and securitization of

of the matter to the Bali Process for People Smuggling, Trafficking in Persons and Related Transnational Crimes, is one recent example. This stateless population, with roots in Burma's Northern Rakhine

**“ More recently, the large-scale displacement of peoples in the wake of severe weather and other types of natural disasters has focused growing attention on the plight of so-called ‘environmental’ or ‘climate’ refugees... ”**

migration-related issues and policies.<sup>2</sup> In other words, while it is expected that governments will promote national security and state sovereignty, this may risk further stigmatizing the movement of peoples across international borders as criminal offenses and threats to regional stability. ASEAN's failure to address the plight of the Rohingya at the February 2009 ASEAN Summit, and their subsequent referral

(Arakan) State, confronts ASEAN not with a human smuggling matter as much as with an urgent “need for comprehensive refugee protection among member states.”<sup>3</sup>

The wider context of international relations also shapes the nature and direction of efforts to focus greater regional attention on displaced populations, whether they have crossed internationally

#### REFUGEES, ASYLUM SEEKERS, AND STATELESS PERSONS IN SELECT ASIA PACIFIC STATES<sup>1</sup>

	TOTAL NUMBER IN-COUNTRY	TOTAL NUMBER ORIGINATING FROM THIS COUNTRY
Australia	23,078	53
Bangladesh	28,392	16,809
Cambodia	225	17,471
Canada	227,853	162
China	300,991	194,805
India	188,328	26,445
Indonesia	726	21,574
Japan	5,880	217
Rep of Korea	1697	1,615
Malaysia	147,312	62,063
Myanmar	790,861	274,041
Nepal	925,873	6,361
Pakistan	1,939,700	194,471
PNG	10,013	65
Philippines	280	2,351
Russia	147,950	211,447
Singapore	10	125
Sri Lanka	528,001	144,809*
Thailand	3,625,510	2,229
US	348,776	3,892
Vietnam	9,872	330,210

<sup>1</sup> Numbers for residing in-country and for country of origin are as of January 2009. While this number includes several categories (refugees, asylum seekers, returned refugees, internally displaced persons, returned internally displaced persons, and stateless persons), most of the numbers reflected here include primarily refugees and asylum seekers. States with large numbers of stateless persons are separately noted.

\* This includes refugees and asylum seekers only.

#### January 2009

Human Rights Watch reports that Myanmar's Chin people face torture, killings, forced labor, and religious persecution. Thousands of Chin have fled to neighboring India and Malaysia.

#### February 2009

ASEAN decides to cut the issue of Burma's Rohingya refugees from the agenda of the Leaders' Summit.

#### February 2009

A senior Lao official visits Hmong refugees in Thailand, urging them to return to Laos and offering assistance to those who return voluntarily.

recognized borders or remain within their country of origin. In this regard, China's role and significance in addressing the two major refugee crises in the region

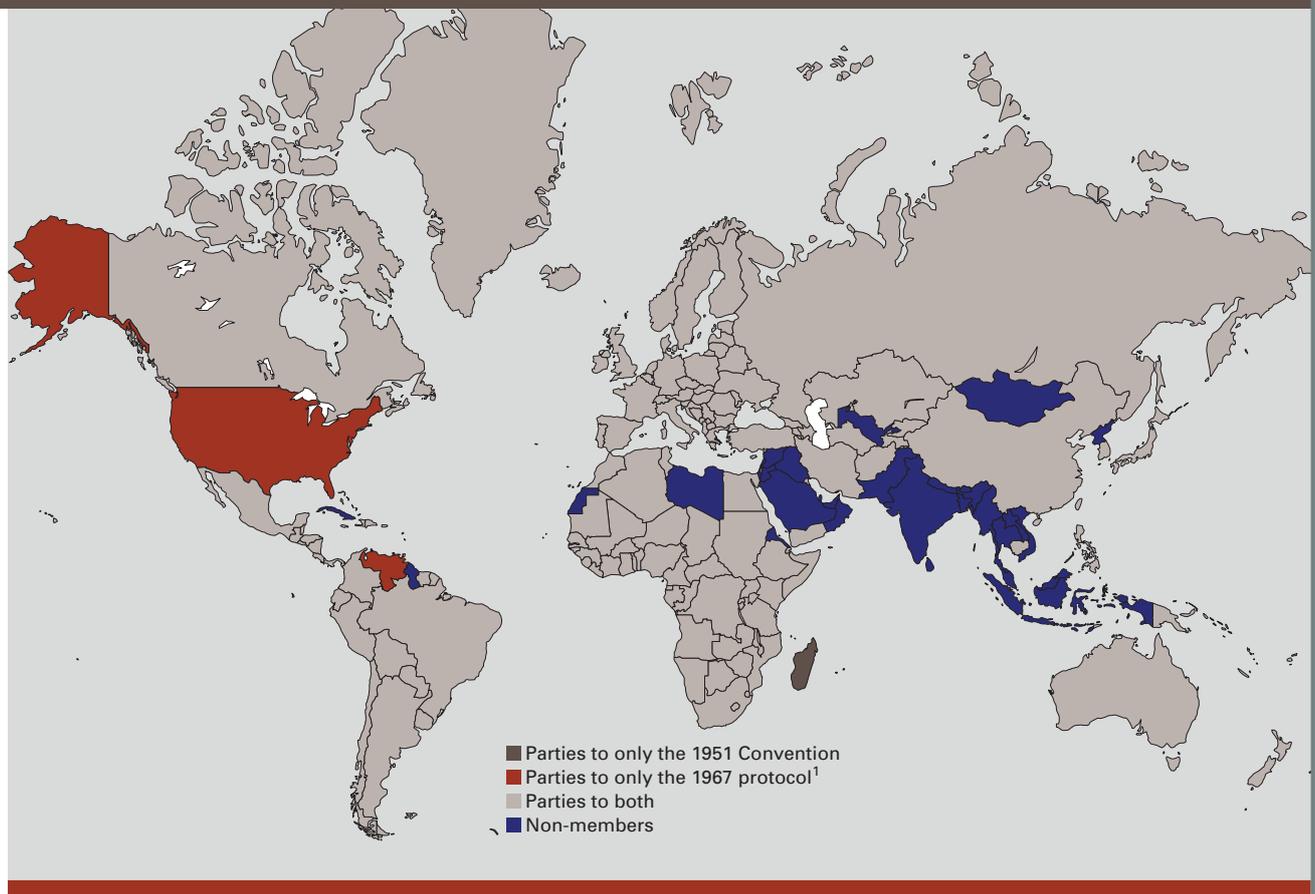
**North Korea:** In the case of North Korea, there has been a large-scale exodus into China since the height of the famine in the 1990s. While estimates of the

***“ To date, there have been no comprehensive regional frameworks or related mechanisms to regulate the treatment of refugees, let alone their ‘in-country’ counterparts, internally displaced persons (IDPs). ”***

—North Korea and Burma—cannot be underestimated. As the most important ally of these two states, the Chinese government's priority appears to have been to promote the stability of the Pyongyang and Naypyidaw regimes. This is in contrast, and even opposed to, the increasing international concern with the flight and plight of refugees from North Korea and Burma.

numbers of people crossing the border into China vary a great deal, the figures cited indicate a large-scale and on-going exodus of tens, perhaps hundreds of thousands of North Koreans, many in search of refuge.<sup>4</sup> China's relationship with the North Korean government has militated against it playing a constructive role in encouraging regional cooperation on this issue. For example, international agencies

#### PARTIES TO THE UN CONVENTION RELATING TO THE STATUS OF REFUGEES



Source: United Nations High Commissioner for Refugees, <http://www.unhcr.org/4848f6072.html>, as of October 2008.

<sup>1</sup> The 1967 Protocol removes the geographical and time limitations that were originally written into the 1951 Convention, under which (mostly) Europeans involved in “events” occurring before 1951 could apply for refugee status.

**February 2009**

U.S. State Department expresses concern about the repatriation and human trafficking of North Korean refugees. China considers North Korean defectors to be economic migrants rather than refugees, and has been criticized for repatriating them under an agreement with Pyongyang.

**March 2009**

Hmong refugees living in Thailand accuse the Thai government of withholding food in an effort to pressure the Hmong to ‘voluntarily’ return to Laos. They call upon the UN human rights body to stop their forced repatriation to Laos.

**May 2009**

Laos urges Thailand to repatriate 158 Hmong refugees despite offers from the US and other Western nations to grant them asylum.

and non-governmental organizations have generally been denied access to North Koreans in China. Moreover, the practice of deporting these refugees back to North Korea, where they may reportedly face punishments that range from labour camps to execution, is also a matter of grave concern.<sup>5</sup> If the search for 'regional approaches' to refugee crises requires a shift away from focusing on the (political) conditions in the country of origin, to addressing the (humanitarian) needs in the country of refuge, the plight of North Koreans in China raises further questions regarding the viability and prospects of such approaches.

**Burma:** As for Burma, it is responsible for one of the region's largest populations of refugees and IDPs. Among those who have fled the country, there are some 150,000 refugees encamped in nine so-called 'temporary shelters' along the long Thai-Burma border. Hundreds of thousands more have sought some form of 'underground' refuge elsewhere in Thailand, and tens of thousands more have done so in Malaysia.<sup>6</sup> In addition, recent campaigns by the Burmese military (*tatmadaw*), in alliance with its new local ethnic border militia force, the Democratic Karen Buddhist Army (DKBA), have prompted the largest Karen refugee flow into Thailand since 1997. In June alone, an estimated 4,000 Karen fled the country. In July, troop movements and activities in Kokang caused a reported 37,000 ethnic Chinese to

Burma also has a sizeable IDP population. While a precise calculation is difficult, knowledgeable sources put the number of IDPs in the eastern border areas alone to some 500,000 over the past decade. The scale of displacement in more firmly government-controlled areas remains unknown; but it is estimated that about a million people have been displaced across Burma in the course of the past decade.<sup>8</sup>

While some regional governments may be concerned about the protection needs of the internally displaced in Burma, the uncomfortable truth is that a number of countries across the Asia Pacific also have IDPs in their own backyards. In some cases, these are large 'case loads' of people displaced by former conflict and violence who are unable to return home (as in the case of IDPs from North Maluku, Central Sulawesi in Indonesia), and in others, they result from recent and ongoing military campaigns (as in parts of Mindanao in the Philippines).

The search for regional approaches to improving the 'human security' of refugees and IDPs across the Asia Pacific faces a number of challenges. They include the securitization of migration issues and the related effects on how 'the problem of displacement' and the solutions suitable for the displaced are conceptualized. Such challenges also relate to more long-standing considerations of the (changing)

***“ While some regional governments may be concerned about the protection needs of the internally displaced in Burma, the uncomfortable truth is that a number of countries across the Asia Pacific also have IDPs in their own backyards. ”***

seek refuge across the border in China's Yunnan Province. In the case of the former, the Thai government moved swiftly to consolidate the new arrivals into two temporary settlements and allowed international and local NGOs to provide them with humanitarian assistance as they awaited registration and review of their pending refugee status. In the case of the latter, the Chinese government's response remains uncertain to date.

### **INTERNAL DISPLACEMENT**

In addition to producing a large number of refugees,

relations of states and regional security within the Asia Pacific. In as much as internal displacement is a more widespread phenomenon in the region, it also presents real challenges to the formulation of a regional approach to IDPs.

To some observers, such challenges may be more productively explored in a sub-regional grouping of long-standing and, at the same time, recent innovation. While ASEAN failed to address the plight of the Rohingyas at the 2009 Summit, it is also worth recalling its unprecedented role in paving the way for humanitarian assistance to reach the victims

#### **May 2009**

Médecins Sans Frontières (MSF) withdraws from a Hmong refugee camp in Northern Thailand, citing increased military restrictions.

#### **May 2009**

A steady influx of Rohingya refugees make their way to Bangladesh.

#### **June 2009**

3,500 Karen refugees flee to Thailand as Myanmar's army, and the breakaway group the Democratic Karen Buddhist Army (DKBA) launches an offensive against the Karen National Liberation Army (KLA).

of Cyclone Nargis in Burma. There is also hope that the establishment of the ASEAN Inter-governmental Commission on Human Rights (AICHR) at the 15<sup>th</sup>

and activities in the Asia Pacific may also underline the importance of focusing continued efforts on individual countries. As lauded by the UNHCR, for

**“ While ASEAN failed to address the plight of the Rohingyas at the 2009 Summit, it is also worth recalling its unprecedented role in paving the way for humanitarian assistance to reach the victims of Cyclone Nargis in Burma. ”**

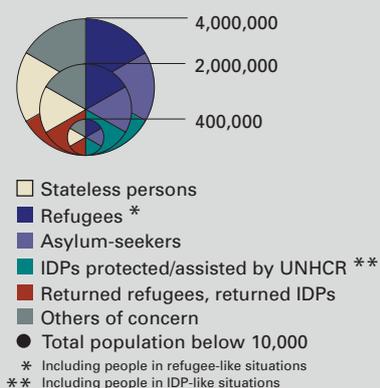
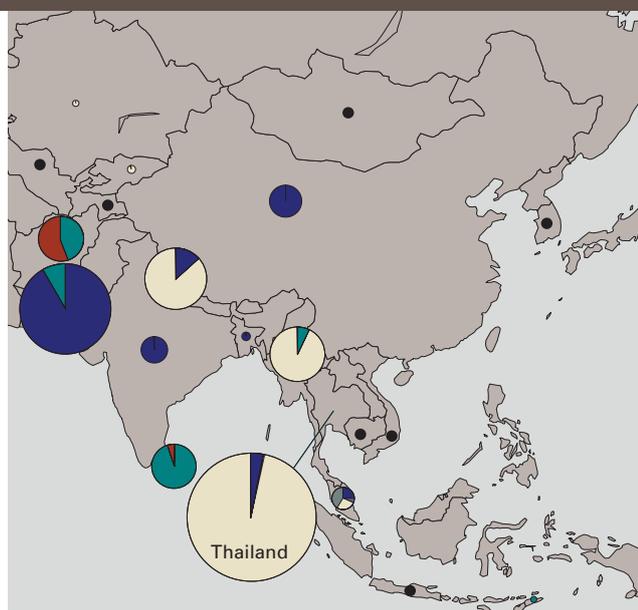
Summit in Thailand in October 2009 will allow for greater consideration of ‘human security’ than has been the case to date.

### RECENT REGIONAL INITIATIVES

Recent developments regarding the UNHCR’s presence

example, Japan has launched a new pilot program to resettle small numbers of refugees from Burma who are currently residing in Thailand. Moreover, South Korea has also reportedly moved to strengthen its asylum legislation. Applauded as a ‘refugee model for Southeast Asia’ by the UNHCR, Cambodia has

## TOTAL STATELESS POPULATION BY CATEGORY AT THE END OF 2008



**STATELESS PERSONS** are defined by the UN High Commissioner for Refugees as those “who are not considered nationals by any country under the operation of its laws.” The regional countries with the greatest number of stateless persons (as of January 2009) are:

COUNTRY	STATELESS PERSONS
Thailand <sup>+</sup>	3,500,000
Nepal	800,000
Myanmar	723, 571
Russia	50,000
Malaysia	40,001
Vietnam	7,200
Japan	1, 573
Mongolia	358
South Korea	236

<sup>+</sup> In August 2008, Thailand’s New Civil Registration Act and Nationality Act became effective. These Acts are expected to benefit children who are born in Thailand to parents with stateless status.

Source: United Nations High Commissioner for Refugees, 2008 *Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, June 16, 2009, <http://www.unhcr.org/4a375c426.pdf>.

#### June 2009

Thailand and Bangladesh agree to cooperate on repatriating Rohingya refugees. Myanmar agrees to receive the refugees only if their Myanmar citizenship and Arakan birthplace can be proven.

#### August 2009

After two decades of relative calm, fighting in Myanmar’s northern Shan State sends thousands of refugees into China’s Yunnan province. China warns Myanmar to maintain stability in the border region and to respect the rights of Chinese citizens there.

#### September 2009

United Nations High Commissioner for Refugees asks Myanmar’s Arakan State for information on the Rohingya, citing concerns about the influx of refugees into Bangladesh.

introduced a new Cambodian Refugee Office.<sup>9</sup>

The search for regional cooperation and national role models in the Asia Pacific is important and worthwhile. In terms of what remains to be done, the following issues remain key and require further cooperation:

- promotion of accession to the 1951 Convention and the 1967 Protocol;
- harmonization of a regime for the protection of displaced persons, in and out of country; and
- support for the development of burden-sharing formulas.

## ABOUT THE AUTHOR

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<sup>1</sup> Eva-Lotta E. Hedman, "Refuge and Governmentality: Capturing 'Illegal Migrants' in Malaysia and Thailand," *Government and Opposition*, vol. 43, no. 2 (Spring 2008), pp. 358-383.

<sup>2</sup> See, for example, Andreas Schloenhardt, "Illegal Migration and Migrant Smuggling in the Asia Pacific: Balancing Regional Security and Human Rights," in Melissa Curley and Siu-Lun Wong (eds.), *Security and Migration in the Asia-Pacific: The Dynamics of Securitisation* (Routledge, 2007), pp. 35-56.

<sup>3</sup> David Scott Matthieson, "In Ignoring the Rohingyas, ASEAN Rejects a New Role," *The Jakarta Globe*, May 25, 2009.

<sup>4</sup> For example, the U.S. State Department estimates that some 30-50,000 North Koreans have crossed the border into China, many in search of refuge, since the 1990s. Some NGOs have put the figure as high as 300,000. See, for example, Congressional Research Service, *North Korean Refugees in China and Human Rights Issues: International Responses and Policy Options* (CRS Report for Congress, Washington D.C., September 26, 2007).

<sup>5</sup> See CRS Reports for Congress, *North Korean Refugees in China*.

<sup>6</sup> For the most comprehensive study of Burmese refugees in Thailand, see Hazel Lang, *Fear and Sanctuary: Burmese Refugees in Thailand* (Cornell Southeast Asia Program: Cornell University, 2002). For a useful introduction to protracted refugee situations, see Gil Loescher et al. (eds.), *Protracted Refugee Situations: Political, Human Rights and Security Implications* (Tokyo: United Nations University Press, 2008).

<sup>7</sup> Internal Displacement Monitoring Centre, "Estimates of internally displaced persons in Myanmar (October 2008)" ([www.internal-displacement.org](http://www.internal-displacement.org)).

<sup>8</sup> See, for example, Ashley South, *Burma: The Changing Nature of Displacement Crises* (Refugee Studies Centre, University of Oxford: RSC Working Paper No. 39, February 2007).

<sup>9</sup> "UNHCR Protection Chief Applauds Japan and South Korea, Asks Them to Become Better Asian Role Models," UNHCR News Stories, 19 May 2009, <http://www.unhcr.org/print/4a1181da6.html>. "Cambodia on Track to Become Refugee Model for Southeast Asia," UNHCR, October 20, 2008.

### September 2009

Thai and Lao officials reach an agreement to extend the deadline for repatriating the 4,505 Hmong refugees remaining in Thailand.

### October 2009

Indonesian and Australian officials agree to jointly address the issue of the rising number of asylum seekers trying to reach Australia by boat.

### October 2009

Canadian police and Navy intercept a ship of 76 Tamil men from Sri Lanka, wishing to seek asylum in Canada.



# CSCAP and Track Two: How Relevant to Regional Security?

*Jawhar Hassan and Ralph Cossa*

**The Council for Security Cooperation in the Asia-Pacific (CSCAP) is one of the region's longest-running 'track two' organizations. Since its creation in 1993, CSCAP has explored and promoted multilateral cooperation around the types of security issues that underpin its mandate.**

Specifically, its 'track two' (non-official) orientation has allowed for open and frank dialogue on matters that are often deemed too sensitive or controversial for discussion at the track one (official) level.<sup>1</sup> At present, the relevance and usefulness of track one multinational institutions—the United Nations (UN), the ASEAN Regional Forum (ARF), and the Association of Southeast Asian Nations (ASEAN)—are being questioned or even dismissed, especially by academe. The time is thus ripe for taking stock of CSCAP's accomplishments, identifying its shortcomings, and suggesting a path toward future relevance and effectiveness.

## **CSCAP'S ACCOMPLISHMENTS**

CSCAP's accomplishments include a broad range of organizational and representational objectives, as well as more substantive, policy-relevant achievements.

- **CSCAP has successfully mobilized key members of the Asia Pacific's rich and diverse track two community into a cooperative enterprise to promote regional peace and security.** This accomplishment should not be taken for granted either in CSCAP or in its track one counterpart, the ARF. These processes have brought together mutually hostile countries such as North Korea and the United States, and (in the case of the ARF) Myanmar and the

European Union. CSCAP in particular has also sustained the active participation of major powers such as the US and China, who were at least initially unconvinced of multilateralism's effectiveness. CSCAP also provides one of the few forums in which scholars from China and Chinese Taipei can join their Asia Pacific colleagues in serious policy-oriented dialogue on regional security issues. CSCAP engages important stakeholders outside of its immediate geographic footprint, namely India and the European Union. The only East Asia countries yet to be engaged are Myanmar, Laos, and Timor Leste. CSCAP processes thus have very adequate regional representation and can claim a high degree of credibility in this regard.<sup>2</sup>

- **CSCAP is a well-organized and effectively governed organization.** Many track two organizations lack a clear statement of objectives, basic governance rules, and reliable access to financial resources. In contrast, CSCAP has a Charter that defines membership parameters, obliges annual contributions, and provides for a steering committee, a Secretariat, and a specified schedule of meetings. As a result, CSCAP has functioned smoothly and productively for its 16 years of existence.
- **CSCAP has sustained productivity on substantive issues.** CSCAP's most important

### December 2008

A respected Indonesian expert says that ASEAN officials continue to 'deceive' themselves by believing that the ASEAN Charter will automatically create a new ASEAN.

### December 2008

China, Japan, and South Korea hold the first trilateral summit, marking the first such initiative outside of the ASEAN-centered framework.

### December 2008

The ASEAN Charter enters into force, amid a mix of enthusiasm and skepticism as to its ultimate significance and effectiveness.

output has been its policy-oriented research on key security issues facing the region. CSCAP's Study Groups (formerly Working Groups) are the nodes through which this research is

organizing concepts of security, preventive diplomacy, terrorism, transnational crime, maritime security, nuclear disarmament, naval power and security cooperation models for

**“ [CSCAP’s] ‘track two’ (non-official) orientation has allowed for open and frank dialogue on matters that are often deemed too sensitive or controversial for discussion at the track one (official) level. ”**

conducted. These Study Groups are typically led by 2-3 member committees working in partnership. More than a dozen unique Working Groups/Study Groups have been established and have produced useful work in areas as diverse as

Northeast Asia/North Pacific. With a few exceptions, these groups operate on a fixed term of 1-2 years and adhere to a work plan that leads them toward a set of policy-oriented findings and recommendations. At present,

## BOX 1: CURRENT CSCAP STUDY GROUPS

### STUDY GROUP ON COUNTERING THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION IN THE ASIA PACIFIC

Considers and proposes measures to counter the threat posed by the proliferation of weapons of mass destruction (WMD) by developing an *Asia-Pacific Handbook to Prevent the Proliferation of Weapons of Mass Destruction* along with a companion Action Plan containing policy recommendations for dealing with the growing WMD threat.

### EXPORT CONTROLS EXPERTS GROUP (XCXG)

Assesses national export control programs, identifies vulnerabilities and shortcomings, and develops recommendations for improving both individual export control capacity and mutual cooperation. It is a sub-group of the WMD Study Group.

### STUDY GROUP ON THE SIGNIFICANCE OF THE EXISTENCE OF REGIONAL TRANSNATIONAL CRIME HUBS TO THE GOVERNMENTS OF THE ASIA PACIFIC REGION

Aims to develop a monitoring tool, combining available statistical evidence with local knowledge and expertise on transnational crime, money laundering and terrorism in the region that would enable improved targeting of countermeasures by early identification of high risk hubs.

### STUDY GROUP ON MULTILATERAL SECURITY GOVERNANCE IN NORTHEAST ASIA/NORTH PACIFIC

Examines institution building and institutional coordination under the Six Party Talks and other issues involving multilateral security governance in Northeast Asia.

### STUDY GROUP ON NAVAL ENHANCEMENT IN THE ASIA PACIFIC

Explores the benefits and risks associated with improved capabilities and enhanced capacities resulting from naval and coast guard modernization efforts in the region, while exploring the primary rationale for such modernization efforts. The Study Group will also explore possible maritime confidence and security building measures (MCSBMs) that would help ensure that the benefits of naval modernization are exploited and the possible risks reduced.

### STUDY GROUP ON THE SAFETY AND SECURITY OF OFFSHORE OIL AND GAS INSTALLATIONS

Reviews the operational safety and security of offshore oil and gas installations from attack.

### STUDY GROUP ON THE RESPONSIBILITY TO PROTECT (R2P)

Examines the issues and implications of implementing in the Asia Pacific region the principle of R2P that has been unanimously adopted by the UN 2005 World Summit and reaffirmed unanimously by the UN Security Council in 2006.

For additional information on these Study Groups, including their meeting reports, or for information on CSCAP's previous Study Groups, see <http://www.cscap.org/index.php?page=study-groups>

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#### January 2009

The Shanghai Cooperation Organization (SCO) convenes a meeting of deputy foreign ministers to discuss security issues related to Afghanistan.

#### February 2009

Nearly a thousand civil society representatives hold the ASEAN Peoples' Forum, which includes the question about ASEAN's relevance. The group produces 72 recommendations for ASEAN.

#### February 2009

A Thai editorial notes that the scheduled formation of the ASEAN Security Community is "less than 2,133 days away."

CSCAP has seven active Study Groups. (See Box 1 for a list of current Study Groups.)

- **CSCAP's work is directly relevant and useful to its track one counterparts, specifically the ARF.** CSCAP has deliberately targeted the ARF as the primary regional institution whose priorities guide its work. Indeed, CSCAP attempts to go beyond the areas of immediate interest to the ARF in order to stay "ahead of the curve" in

process by scheduling the meetings of certain Study Groups (such the ones on Preventive Diplomacy and Countering the Proliferation of Weapons of Mass Destruction) to coincide with the ARF's corresponding Inter-Sessional Supporting Group Meetings (ISGs) or Inter-Sessional Meetings (ISMs). This has given senior government officials and representatives of security agencies the opportunity to attend and

***" These processes have brought together mutually hostile countries such as North Korea and the United States, and (in the case of the ARF) Myanmar and the European Union. "***

anticipating future security challenges. CSCAP has submitted a total of 14 memoranda for the ARF's consideration (see Box 2). The points contained in these memoranda have helped to inform, and on occasion guide or drive, the regional track one process. One of the most useful CSCAP products to the ARF has been its Memorandum No. 2 on the "Asia Pacific Confidence and Security Building Measures." The ARF used this memorandum as a reference and guide for its approach to laying out the confidence building and preventive diplomacy phases of the ARF road-map.

CSCAP activities and deliberations have also been made more useful and relevant to the ARF

benefit from the discussions of the CSCAP Study Group meetings. Memoranda Nos. 12 and 13 have also informed the ARF's maritime security discussions, while Memorandum No. 14 was tabled at the first ISM on Nonproliferation and Disarmament in order to stimulate discussion on export control cooperation. Finally, CSCAP has further institutionalized its formal linkage with the track one ARF by initiating the practice of CSCAP Co-Chairs attending ARF ISG Meetings and the ARF Senior Officials Meeting, as well as the ARF-ISG Co-Chairs/ARF SOM Chair attending CSCAP Steering Committee meetings.

- CSCAP has progressed beyond the ARF with

## BOX 2: CSCAP MEMORANDA

- |   |  |
|---|--|
| <b>No. 1</b> The Security of the Asia Pacific Region                                      | <b>No. 9</b> Trafficking of Firearms in the Asia Pacific Region  |
| <b>No. 2</b> Asia Pacific Confidence and Security Building Measures                       | <b>No. 10</b> Enhancing Efforts to Address the Factors Driving International Terrorism   |
| <b>No. 3</b> The Concepts of Comprehensive Security and Cooperative Security              | <b>No. 11</b> Human Trafficking  |
| <b>No. 4</b> Guidelines for Regional Maritime Cooperation                                 | <b>No. 12</b> Maritime Knowledge and Awareness: Basic Foundations of Maritime Security   |
| <b>No. 5</b> Cooperation for Law and Order at Sea   | <b>No. 13</b> Guidelines for Maritime Cooperation in Enclosed and Semi-Enclosed Seas and Similar Sea Areas of the Asia Pacific |
| <b>No. 6</b> The Practice of the Law of the Sea in the Asia Pacific                       | <b>No. 14</b> Guidelines for Managing Trade of Strategic Goods   |
| <b>No. 7</b> The Relationship between Terrorism and Transnational Crime                   |  |
| <b>No. 8</b> The Weakest Link? Seaborne Trade and the Maritime Regime in the Asia Pacific |  |

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For more information, see <http://www.cscap.org/index.php?page=cscap-memoranda>.

### February 2009

ASEAN Secretary-General Surin Pitsuwan says that he hopes that by the time he ends his term in four years, ASEAN will be a household name.

### March 2009

ASEAN Secretary-General Surin lauds the group's emerging embrace of civil society, but says its non-interference policy limits its role in preventive diplomacy and conflict resolution.

### April 2009

A Chinese foreign affairs official stresses that the ASEAN + 1, ASEAN + 3, China-Japan-South Korea, and East Asia summits are the main nodes for East Asian cooperation.

regard to shared steering of its activities. Since its inception, CSCAP has embraced a two Co-Chair system of one ASEAN Chair and one non-ASEAN Chair. In contrast, the ARF has remained anchored on the one Chair principle, which is centered on the ASEAN Chair. Whereas ASEAN has jealously guarded its ‘driver’s seat’ status within the ARF, CSCAP has been comfortable with sharing the Chair amongst both ASEAN and non-ASEAN member committees. This system has allowed CSCAP to broaden regional buy-in and to ensure equitable and shared leadership for security cooperation in the wider Asia Pacific region. Moreover, CSCAP has also aimed to ‘get out in front’ of track one in more substantive terms, namely, by including on its agenda a range of non-traditional security issues and by addressing more technical issues such as export controls of dual-use materials.

### CSCAP’S CHALLENGES

Despite the accomplishments identified above, CSCAP also faces its fair share of challenges. Like other track two processes, it invariably lacks the resources and capabilities that track one processes

member. However, as noted, its scholars are fully engaged in CSCAP Study Groups and participate selectively in the General Conference. The exclusion of Myanmar and Chinese Taipei in particular has constrained CSCAP’s potential to contribute to the management of the important political and security issues relating to these two entities while fully respecting the principle of national sovereignty.

- **Some CSCAP member committees have poor track two credentials.** Several of CSCAP’s member committees are led by organizations that in reality are government institutes whose membership is comprised primarily of serving or retired government officials. Such a close affiliation with official channels affects these members’ credibility and independence as genuine track two organizations. It also compromises CSCAP’s character as a track two regional process. However, truly independent track two organizations that are active in the security sphere are rare in some Asia Pacific countries. As such, this situation needs to be accepted as unavoidable. To insist on more genuine track two representation from many of

***“ CSCAP attempts to go beyond the areas of immediate interest to the ARF in order to stay “ahead of the curve” in anticipating future security challenges. ”***

command. Track two organizations also lack the authority and clout that governments and government agencies bring to bear upon discussion of multilateral cooperation. It is therefore unsurprising that the CSCAP process still has several shortcomings. Some of its strengths, seen from the viewpoint of a half-full glass, are also its weaknesses when seen from the viewpoint of a half-empty glass.

- **CSCAP’s membership, while broad, is still not fully comprehensive.** As noted above, Myanmar, Laos, and Timor Leste have yet to be engaged in the CSCAP process, in part due to their limited capacity to participate. In the case of Myanmar, there has also been objection to that country’s abysmal human rights record and its generally non-cooperative stance in ASEAN and towards the UN. Chinese Taipei also is not a CSCAP

these countries would risk excluding from CSCAP strategically important states, which would severely undermine CSCAP’s claim to be a genuinely regional process with wide participation. More importantly, it would also handicap CSCAP’s ability to address critical regional security issues that require the engagement of participants from these countries. As a result, CSCAP’s desire to be recognized by the ARF as its track two counterpart would be severely affected.

From a glass half-full perspective, it should be noted that the close association many CSCAP member committees have with their respective foreign ministries helps to ensure that regional decision-makers will be attentive to CSCAP deliberations and recommendations. In addition, the sustained and repeated

#### ■ May 2009

The ARF conducts a Voluntary Demonstration of Response on Disaster Relief in the Philippines, the first such field exercise.

#### ■ May 2009

Australian PM Kevin Rudd speaks to the Shangri-La Dialogue and reiterates his proposal made last year to form an Asia Pacific Community (APC).

#### ■ May 2009

Singapore Deputy PM tells reporters that there is a clear consensus that ASEAN has to be at the center of any new Asia Pacific security architecture that grapples with issues such as piracy, terrorism, and natural disasters.

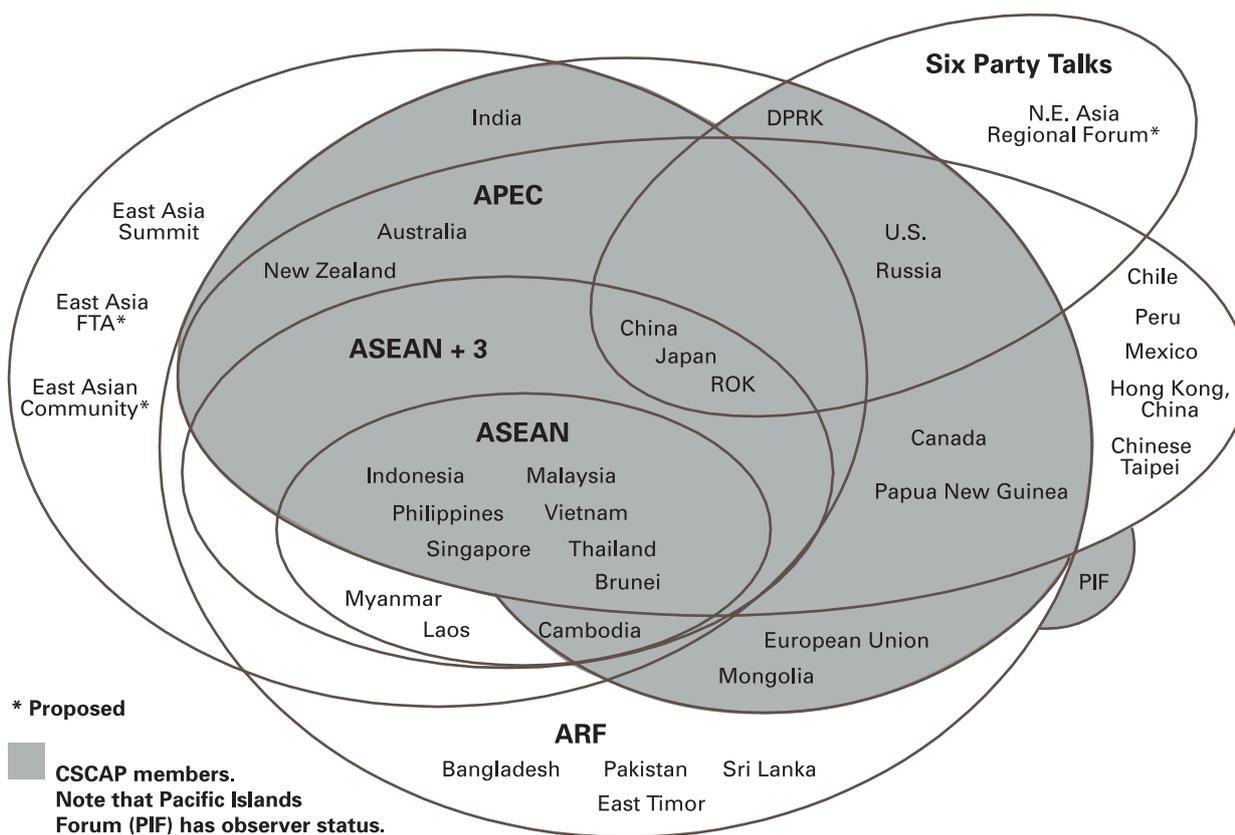
participation of individuals from these ‘track 1.5’ member committees has fostered a certain comfort level that can counter-balance their member committees’ lack of fully independent status. One sign that CSCAP’s track two quality has not been heavily compromised by this factor is that this publication—the CSCAP Regional Security Outlook—has been given an independent editorial mandate.

- **Some CSCAP member committees face capacity constraints.** Member committees from some countries are not as adequately resourced as others with respect to their financial capacity, expertise, and depth of numbers. Contributions to the CSCAP Fund are thus based on a weighted formula that is less demanding of these

less endowed countries. In addition, CSCAP offers financial support for their participation in study groups. Nevertheless, these measures have not fully compensated for these countries’ financial and personnel constraints. All these factors unfortunately lessen the effective engagement and input from these countries and to this extent, have a negative impact upon CSCAP as a whole.

- **CSCAP’s impact on regional security policy has been limited.** CSCAP has undoubtedly added to the reservoir of knowledge and ideas available to the ARF and other related bodies. It has also influenced policy formulation in areas such as preventive diplomacy. However, CSCAP has yet to succeed in making itself more centrally

## ASIA PACIFIC MULTILATERAL INSTITUTIONS



This diagram was adapted from Dick K. Nanto, *East Asian Regional Architecture: New Economic and Security Arrangements and U.S. Policy*, CRS Report for Congress, September 18, 2006.

### July 2009

The ARF Chairman calls on the Myanmar government to release all those under detention, including Daw Aung San Suu Kyi, with a view to allowing them to participate in Myanmar’s 2010 election.

### July 2009

US Secretary of State Hillary Clinton attends the ASEAN Regional Forum, reinforcing Asia’s significance in the Obama Administration’s foreign policy.

### September 2009

Singapore offers to hold a US-ASEAN summit on the sidelines of the November annual leaders’ meeting of APEC. President Obama confirms that he plans to attend.

relevant to the work of the ARF in particular. Proposals contained in several of its memoranda have not been reflected in ARF policy or strategy.

reservoir of knowledge and expertise available in CSCAP. Close engagement, consultation, and partnership between these two tracks that are

**“ CSCAP has undoubtedly added to the reservoir of knowledge and ideas available to the ARF and other related bodies. ”**

Arguably, the fault may lie more with the ARF than with CSCAP in that many ARF participants and the relevant security agencies are not yet acculturated to engaging more fully with track two organizations and their comfort levels in doing so are not very high. In addition, the security situations and security cultures of Northeast Asia and Southeast Asia differ in many ways. Whatever the reason, there is much untapped potential in enhancing interaction and consultation between track one and track two communities so that their interests are better aligned.

### GOING FORWARD

CSCAP, with its 21 member committees from four continents, has performed creditably, especially given the challenges and constraints that it has faced. However, as a sign that it recognizes its own shortcomings and limitations, CSCAP established a Review Committee in 2008. The Committee has made several recommendations on how to enhance CSCAP's performance. These include

- strengthening CSCAP-ARF relations;
- establishing links with institutions beyond the ARF, such as individual governments, the ASEAN Defence Ministerial Meeting (ADMM) Plus, the Six-Party Talks, and the Asia Pacific Economic Cooperation (APEC);
- aligning the CSCAP research agenda even more closely to the ARF's while still looking beyond the immediate horizon;
- more widely disseminating its products; and
- raising the profile of CSCAP's activities.

If adopted, these measures will further enhance CSCAP's usefulness and relevance. But its initiatives will be more fruitful if institutions like the ARF make a corresponding effort to draw more from the

dedicated to the same strategic purpose will yield greater benefit for Asia Pacific peace, security, and stability.

### ABOUT THE AUTHORS

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<sup>1</sup> David Capie and Paul Evans, *The Asia-Pacific Security Lexicon, 2<sup>nd</sup> Edition*, Singapore: ISEAS, 2007, pp. 234.

<sup>2</sup> CSCAP presently consists of Member Committees from Australia, Brunei, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Democratic People's Republic of Korea, Republic of Korea, Malaysia, Mongolia, New Zealand, Papua New Guinea, Philippines, Russia, Singapore, Thailand, United States and Vietnam. The Pacific Islands Forum Secretariat and two UN regional organizations are Associate Members.

#### October 2009

A senior US diplomat says the G-20 and APEC are compatible, and that the latter's role is to back up and emphasize G-20 efforts. He likens the process to 'passing the baton back and forth': "The two-way process would involve cooperation and coordination."

#### October 2009

Japanese PM Hatoyama lays out a vision for a substantial integrated East Asia Community which would include the US. Analysts doubt that the proposal will find resonance with China, which prefers the ASEAN + 3.

#### October 2009

The Shanghai Cooperation Organization (SCO) holds its annual Prime Ministers' meeting in Beijing.

# UPDATES AND EMERGING ISSUES

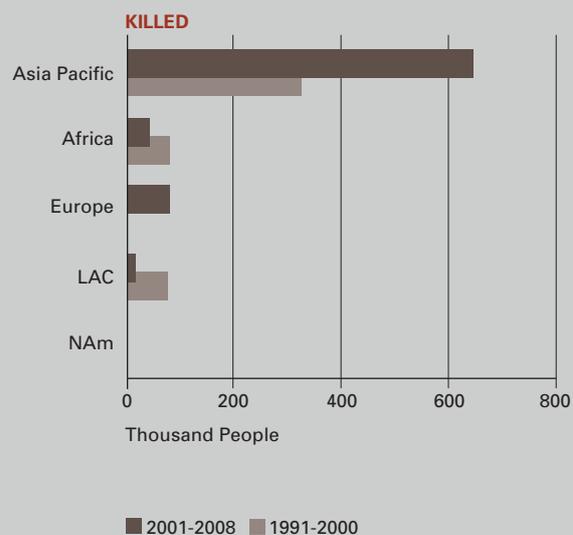
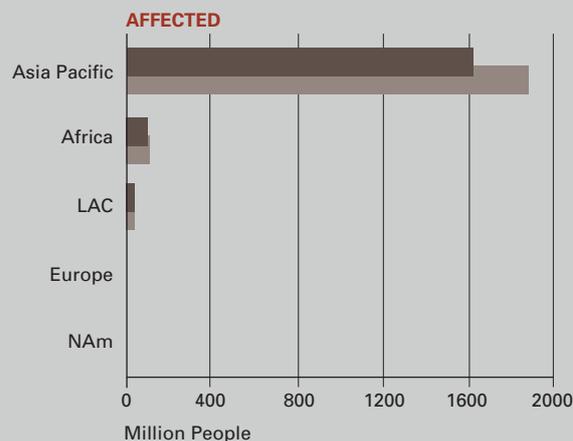
## NATURAL DISASTERS

In its *2008 Statistical Yearbook for Asia and the Pacific*, the UN Economic and Social Commission for Asia and the Pacific (UNESCAP) reported that in the first nine months of that year, Asia accounted for 37% of all of the world's natural disasters, but **an astounding 99% of natural disasters' victims during that same period.** The region also claimed 87% of the overall economic damage from natural disasters, which as the report indicates, clearly hinders the ability of the region's developing countries to advance their development and poverty alleviation goals. UNESCAP warns that these disasters will continue to grow in their lethality as naturally occurring weather patterns are further exacerbated by the growing effects of climate change, a pointed echoed by some regional officials.<sup>1</sup>

Unfortunately, 2009 continued this grim trend line, with the following areas hit particularly hard.

- In September and October, the Philippines reeled from the damage caused by tropical storm Ketsana and typhoon Parma. The combined impact was over 300 deaths and millions more displaced or otherwise negatively effected.
- After leaving the Philippines, Kestana tore through Vietnam and Cambodia. In the case of Vietnam, the storm caused the worst floods to have hit that country in decades.
- Indonesia bore the brunt of two earthquakes, one in Java that left 81 dead and nearly 1,300 injured, and a more powerful second earthquake in West Sumatra that left in its wake a death toll of 1,100. Although UN officials commended the relief effort,

PEOPLE AFFECTED BY NATURAL DISASTER, GLOBAL REGIONS, 1991-2000 AND 2001-2008



reports soon surfaced that humanitarian assistance was slow to reach certain areas.

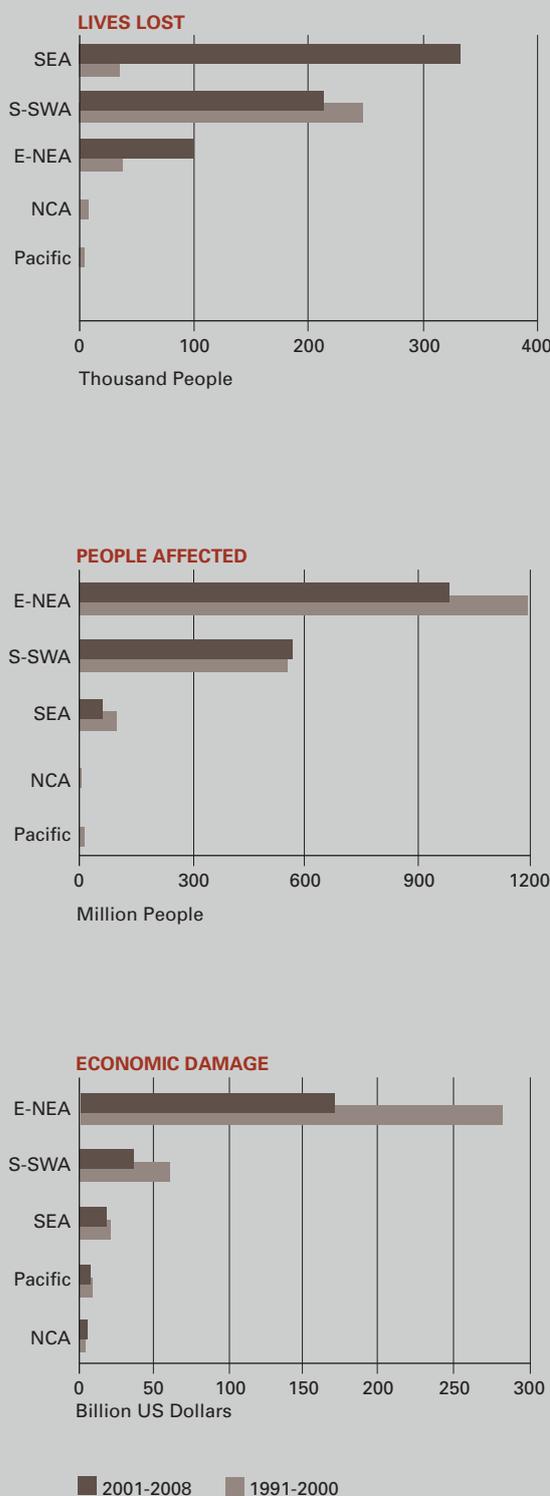
- Typhoon Morakot slammed into Chinese Taipei in August, causing deadly mudslides that killed as many as 770 residents.
- Typhoon Melor hit Japan’s main island, killing two, wounding 46 others, and forcing over 2,400 people from their homes.
- In May, Cyclone Aila killed over 200 people and displaced millions in the flood-prone region straddling west Bangladesh and India’s West Bengal.
- At the end of June, torrential rains hit 12 of China’s southern provinces. At least 75 people were reported killed, and nearly a million had to be relocated.
- In northern Myanmar, 30 people were killed when a landslide induced by torrential rains swept away their homes.<sup>2</sup>
- An earthquake and tsunami struck Samoa and American Samoa in September, killing 119 people.

Amidst all the bad news, 2009 also had two bright spots in terms of strengthened national and regional preparedness for such natural disasters.

**Exercise Indian Ocean Wave 2009:** On October 14, eighteen countries took part in a UNESCO-sponsored drill to test their readiness to respond to a tsunami like the one that ravaged many of these same countries in December 2004. The system, although not expected to be fully complete until 2010, is already operational. A UN spokeswoman for the program said that one of the remaining challenges to implementing the system is getting all of the countries who agreed to participate to actually share the necessary data.<sup>3</sup> Nevertheless, despite glitches in the exercise’s execution, participants hailed it a success.

**ARF Voluntary Demonstration Response:** After committing in July 2008 to beefing up its disaster response capabilities, the ASEAN Regional Forum (ARF) held its first ever live field exercise in the Philippines from May 4-8, 2009. Twelve member countries reportedly contributed assets (including military assets) to the exercise. At the 2008 meeting in which the exercise was first proposed, one participant also suggested also

**CUMULATIVE IMPACT OF NATURAL DISASTERS BY SUBREGION, 1991-2000 AND 2001-2008**



Source: United Nations Economic and Social Commission for Asia and the Pacific, Statistical Yearbook for the Asia Pacific 2008, <http://www.unescap.org/STAT/data/syb2008/ESCAP-syb2008.pdf>, pp. 208.

creating a database that would provide regional states with information about which resources would be available and deployable in emergency situations.<sup>4</sup>

In addition, in September 2009, the ASEAN ratified its **Agreement on Disaster Management and Emergency Response (AADMER)**. However, regional observers note that the framework laid out in the Agreement needs to be more fully utilized, and that this may include the formation of an ASEAN Coordinating Centre for Humanitarian Assistance on disaster management sooner rather than later.<sup>5</sup>

<sup>1</sup> For the full report, see United Nations Economic and Social Commission for Asia and the Pacific, *Statistical Yearbook for the Asia Pacific 2008*, <http://www.unescap.org/STAT/data/syb2008/ESCAP-syb2008.pdf>; See also, "Kestana Underscores Climate Change Imperative," IRIN, September 30, 2009, <http://www.irinnews.org/Report.aspx?ReportId=86362>.

<sup>2</sup> For further details on these incidents, or to read additional reports on natural disasters in Asia, see <http://www.reliefweb.int>.

<sup>3</sup> "Indonesia on Alert for Tsunami Drill," BBC News, 13 October 2009. The participants in this exercise include Australia, Bangladesh, India, Indonesia, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Myanmar, Oman, Pakistan, Seychelles, Singapore, Tanzania and East Timor.

<sup>4</sup> "ASIA: Natural Disasters Spur Regional Cooperation," IRIN Reports, 29 July 2008, <http://www.irinnews.org/report.aspx?ReportId=79491>.

<sup>5</sup> Mely Caballero-Anthony, Irene A. Kuntjoro, and Sofiah Jamil, "Typhoon Kestana: Asia's Katrina," RSIS Commentaries, No. 97, October 2, 2009, <http://www.rsis.edu.sg/publications/Perspective/RSIS0972009.pdf>.

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## TERRORISM AND INSURGENCIES IN SOUTHEAST ASIA

### INDONESIA

At the end of 2008, Indonesia was bracing for anticipated reprisals after it executed three men convicted of carrying out the 2002 Bali bombings. Those reprisals never materialized. In July, however, Indonesia's counter-terrorism efforts suffered a blow when suicide bombers from a **Jemaah Islamiyah (JI)** splinter group attacked two luxury hotels in Jakarta, killing 9 and injuring at least 50 more. On September 17, **Noordin Mohammed Top**, the alleged mastermind of these attacks—as well as a series of other deadly bombings in Indonesia—was killed in a police raid along with three others.

Analysts are confident that despite the July attacks, Indonesia's overall security situation remains stable and this incident does not negate the overall success of its de-radicalization program. As for the current state of JI, a recent International Crisis Group report suggests that the group appears, at least for the moment, to have lost its sense of direction, and that its regional network has been reduced primarily to Indonesia and a

few connections in the southern Philippines.<sup>1</sup>

### MINDANAO, THE PHILIPPINES

The August 2008 Supreme Court rejection of the Memorandum of Agreement on Ancestral Domain sparked an outbreak of violence in Mindanao. The violence flared up sporadically until July of 2009, when after several months of informal talks between the government of the Philippines (GRP) and the **Moro Islamic Liberation Front (MILF)**, the GRP announced that it was halting all military operations against the MILF. Two days later, the MILF also announced that it was suspending military operations and the two sides agreed to resume peace talks. The announcement was met with a mixture of optimism and skepticism.

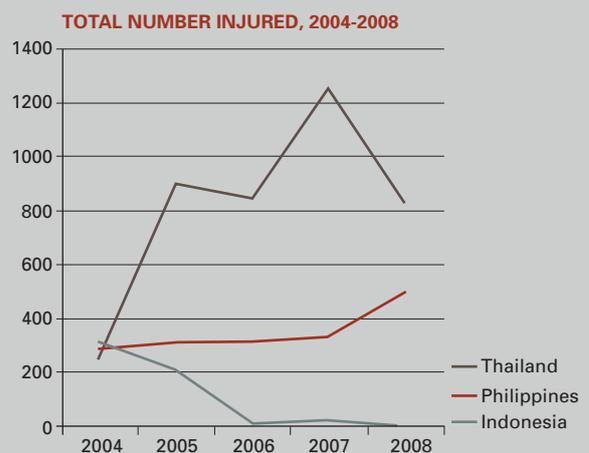
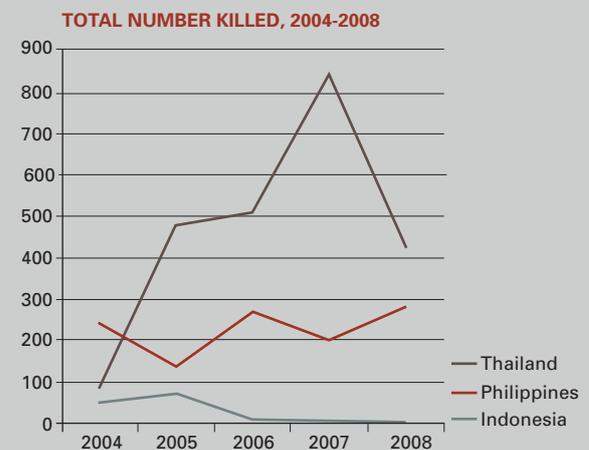
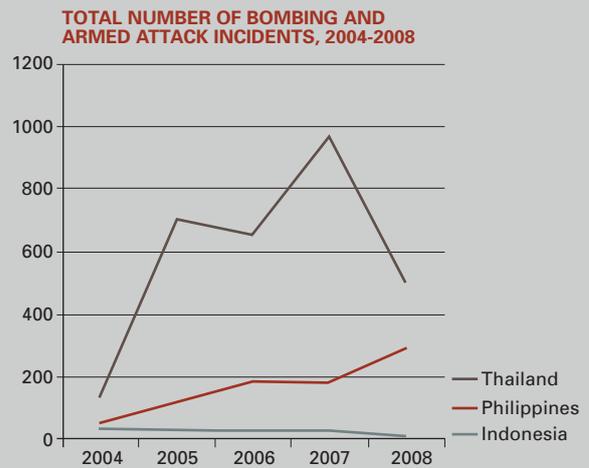
The optimists, in contrast, felt that the fact that the MILF and GRP were willing to meet at all was a positive step forward. On September 15, 2009, representatives of the two sides signed the Framework Agreement on the Formation of the International Contact Group for the GRP-MILF Peace Process. The **International Contact**

**Group (ICG)**, comprised of individual state representatives, international non-governmental organizations, partner NGOs and eminent persons, are all to be chosen by the GRP and MILF. However, some veteran MILF members maintain that this is a fragile peace, and that if talks fail again more violence is likely to ensue.

The militant **Abu Sayyaf Group (ASG)** poses a further complication. While most analysts characterize this group as a criminal gang rather than a separatist insurgency, and although its membership is reportedly small, ASG has the potential to complicate Mindanao's delicate peace. The group has been blamed for various attacks on military and civilian targets in Mindanao, including one recent blast that killed a Filipino marine and 2 US soldiers. In September, "rogue" MILF fighters joined ASG fighters in response to a military attack on an ASG base, raising tensions and resulting in a call for MILF to formally denounce any ties to ASG. The GRP immediately stated that such altercations would not derail the peace process, but for some analysts, this is a persistent concern.

### SOUTHERN THAILAND

Amidst political turmoil and demonstrations in Bangkok, violence and insurgency continued with alarming regularity in the country's 'deep south' region. June 2009 was a particularly bloody month of inter-communal violence; in one act that exemplified the brutality and non-discriminatory nature of southern Thailand's insurgency, unidentified gunmen opened fire in a mosque while Muslims were engaged in their evening prayers. But Amnesty International's 2009 report criticized both the insurgents and the Thai military for perpetrating human right violations.<sup>2</sup> The Abhisit government continues to employ a strategy that includes development aid, educational initiatives, and non-negotiation with insurgents. However, this conflict shows few, if any, signs of abatement or resolution.



\*Data taken from the Worldwide Incidents Tracking System, <http://wits.nctc.gov/>. These numbers include armed attacks and bombings only.

<sup>1</sup> "Indonesia: The Hotel Bombings," International Crisis Group, Asia Briefing No. 94, July 24, 2009.

<sup>2</sup> "Amnesty International Report 2009: State of the World's Human Rights," available at <http://report2009.amnesty.org/en/regions/asia-pacific/thailand>

# MYANMAR

2010 may bring change to Myanmar on both internal and external fronts, with elections scheduled and with Washington announcing a new approach that now includes engagement alongside sanctions, a move that will likely create a ripple effect in the region. Throughout 2009, international efforts aimed at helping those affected by Cyclone Nargis in Myanmar's Irrawaddy delta region continued, with NGOs able to operate within the 'humanitarian space' that slowly opened up in the aftermath of the cyclone. However, much assistance is still needed, and there is some fear that this space will close in the lead-up to the 2010 elections. One positive development has been the renewal of the Tripartite Core Group until July 2010. This humanitarian task force, constituted by the government of Myanmar, the UN, and ASEAN, is the result of ASEAN diplomacy and represents an unexpected avenue for ASEAN engagement with Myanmar.

In May 2009, opposition leader Aung San Suu Kyi was arrested for breaking the terms of her house arrest when an American national swam to her compound. In August, she was sentenced to an additional 18 months in detention. Suu Kyi's arrest further strained Myanmar's relations with the international community, evidenced by the fact that UN Secretary General Ban Ki Moon's July visit to the country failed to result in a visit with Suu Kyi, nor was the Secretary-General given a meeting with Than Shwe, the leader of the ruling State Peace and Development Council. Diplomatic relations were bolstered in the early fall with the announcement by American Secretary of State Hillary Clinton that the United States would begin to use diplomatic engagement alongside a policy of sanctions in its efforts to engage Myanmar. In October, Myanmar's leadership accepted Suu Kyi's request to meet with Western diplomats on the issue of sanctions.

Analysts watching both the humanitarian and political situations in Myanmar identify the upcoming 2010

elections as a potential impetus for change, albeit limited. While the Junta will undoubtedly use the elections to further entrench its control, the constitutional changes on which the elections are predicated could potentially bring about unanticipated avenues of change. The election of a new generation of generals to positions of power, as well as the institution of a new bicameral legislature and 14 new regional assemblies, represents the most significant political shake-up in 20 years.<sup>1</sup> Additionally, the decentralizing component of the constitutional changes, specifically the creation of regional assemblies, might open political and/or humanitarian space at the local level.

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<sup>1</sup> See International Crisis Group, "Myanmar: Towards the Elections," *Asia Report* No. 174, August 20, 2009.

# ABBREVIATIONS

<b>ADB</b>	Asian Development Bank
<b>ADMM</b>	ASEAN Defence Ministerial Meeting
<b>AICHIR</b>	ASEAN Inter-governmental Commission on Human Rights
<b>AMM</b>	Aceh Monitoring Mission
<b>ARF</b>	ASEAN Regional Forum
<b>APC</b>	Asia Pacific Community
<b>APEC</b>	Asia Pacific Economic Cooperation
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASG</b>	Abu Sayyaf Group
<b>ASW</b>	Anti-Submarine Warfare
<b>AU</b>	African Union
<b>CSCAP</b>	Council for Security Cooperation in the Asia Pacific
<b>CHD</b>	Centre for Humanitarian Dialogue
<b>CMI</b>	Crisis Management Initiative
<b>CSI</b>	Container Security Initiative
<b>CTBT</b>	Comprehensive Nuclear Test Ban Treaty
<b>DKPB</b>	Democratic Karen Buddhist Army
<b>FMCT</b>	Fissile Material Cutoff Treaty
<b>GICNT</b>	Global Initiative to Combat Nuclear Terrorism
<b>GAM</b>	Free Aceh Movement/Gerakan Aceh Merdeka
<b>GRP</b>	Government of Republic of the Philippines
<b>IAEA</b>	International Atomic Energy Agency
<b>IDPs</b>	Internally Displaced Persons
<b>IOM</b>	International Organization for Migration
<b>ISG</b>	(ARF) Inter-sessional Support Group Meeting
<b>ISM</b>	(ARF) Inter-sessional Meeting
<b>JI</b>	Jemaah Islamiyah
<b>MCSBM</b>	Maritime Confidence and Security Building Measure
<b>MILF</b>	Moro Islamic Liberation Front
<b>MNLF</b>	Moro National Liberation Front
<b>MoU</b>	Memorandum of Understanding
<b>MTCR</b>	Missile Technology Control Regime
<b>NPA</b>	New People's Army (Philippines)
<b>NPT</b>	Nuclear Non-Proliferation Treaty
<b>NSG</b>	Nuclear Suppliers Group
<b>NWS</b>	Nuclear Weapons State
<b>P5</b>	Permanent Five Members of the UN Security Council
<b>PLAN</b>	(Chinese) People's Liberation Army
<b>PSI</b>	Proliferation Security Initiative
<b>SAARC</b>	South Asian Association for Regional Cooperation
<b>SCO</b>	Shanghai Cooperation Organization
<b>SEANWFZ</b>	Southeast Asia Nuclear Weapons Free Zone
<b>SG</b>	Secretary-General
<b>SIPRI</b>	Stockholm International Peace Research Institute
<b>START</b>	Strategic Arms Reduction Treaty
<b>TAC</b>	(ASEAN) Treaty of Amity and Cooperation
<b>UNHCR</b>	UN High Commissioner for Refugees
<b>UNIDR</b>	UN Institute for Disarmament Research
<b>UNSC</b>	United Nations Security Council
<b>WFP</b>	World Food Program
<b>WMD</b>	Weapons of Mass Destruction

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