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**Non-Traditional Security Challenges,
Regional Governance, and the
ASEAN Political-Security Community (APSC)**

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Abstract

Much of the attention on institutional development within the Association of Southeast Asian Nations (ASEAN) has focused on the progress in establishing the ASEAN Political-Security Community (APSC). Since the idea was first conceived in 1993, much has changed in the regional political and security landscape in Southeast Asia. Among these are the slew of emerging non-traditional security (NTS) challenges confronting the region which compel a re-thinking of regional modalities in order to address these security threats. This paper argues that the APSC is as much a regional political project as it is a security goal. In unpacking the APSC as a regional political and security initiative, the paper examines the importance of regional governance as a framework that can be used to manage transnational problems, while remaining cognizant of the need to embed the dynamics of regional governance within the context of domestic politics.

This Policy Series presents papers in a preliminary form and serves to stimulate comment and discussion. The views expressed are entirely the author's own and not that of the RSIS Centre for Non-Traditional Security (NTS) Studies. The paper is the result of research conducted under the Asia Security Initiative programme on internal challenges supported by the MacArthur Foundation. Visit www.asicluster3.com to find out more about this initiative. More information on the work of the RSIS Centre for NTS Studies can be found at www.rsis.edu.sg/nts.

Biography

Mely Caballero-Anthony is Associate Professor at the S. Rajaratnam School of International Studies (RSIS), Singapore and Head of the RSIS Centre for Non-Traditional Security (NTS) Studies. She is also the Secretary General of the newly established Consortium of Non-Traditional Security Studies in Asia (NTS-Asia). Her research interests include regionalism and regional security in the Asia-Pacific, multilateral security cooperation, politics and international relations in ASEAN, conflict prevention and management as well as human security. At RSIS, she directs and coordinates the Centre for NTS Studies' projects for the John D. and Catherine T. MacArthur Asia Security Initiative (ASI). She also teaches courses on Non-Traditional Security, and Government and Politics in Southeast Asia.

Her current publications both single-authored and co-edited include *Political Change, Democratic Transitions and Security in Southeast Asia* (Routledge, 2009), *Understanding Non-Traditional Security in Asia: Dilemmas in Securitization* (UK: Ashgate, 2006); *Studying Non-Traditional Security in Asia: Trends and Issues* (Singapore: Marshall Cavendish, 2006); *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: ISEAS, 2005); and *UN Peace Operations and Asian Security* (Routledge, 2005). She has also published extensively on a broad range of security issues in the Asia-Pacific, in peer-reviewed journals such as *Asian Survey*, *Pacific Review*, *Asian Security* and *Journal of International Affairs*, as well as book chapters on Asian regionalism, democracy and human rights, human security and non-traditional security and conflict management. She is on the editorial board of *The Pacific Review*, *Global Responsibility to Protect (GR2P)* and *Asian Politics and Policy*.

Dr Anthony is also active in Track II work. She is a member of the Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on the Responsibility to Protect (RtoP), and the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS) network. She is also a member of the International Advisory Board of the Asia Pacific Centre for the Responsibility to Protect (APCR2P) and the Global Consortium on Security Transformation (GCST).

Non-Traditional Security Challenges in Southeast Asia

A slew of emerging non-traditional security (NTS) challenges – defined as challenges to the survival and well-being of peoples and states that arise primarily out of non-military sources, such as climate change, infectious diseases, natural disasters, irregular migration, food shortages, smuggling of persons, drug trafficking and other forms of transnational crime¹ – are now confronting Southeast Asia. Aside from being non-military in nature, these challenges share other common characteristics: they are transnational in scope (neither purely domestic nor purely inter-state); they arise at very short notice and are transmitted rapidly as a result of globalisation and the communication revolution; they cannot be prevented entirely, but can be mitigated through coping mechanisms; national solutions are often inadequate, and thus regional and multilateral cooperation is essential; and finally, the object of security is no longer just the state (state sovereignty or territorial integrity) but also the people – their survival, well-being and dignity, at both individual and societal levels.²

The impacts of these new NTS threats are almost by definition deep and wide-reaching. For example, in regard to health and the threat of infectious disease in Asia, the severe acute respiratory syndrome (SARS) experience of 2003 aptly demonstrated that in an era of globalisation and regionalisation, infectious diseases have the capacity to detrimentally affect both the direct security and well-being of all members of society as well as all facets of the economy. Estimates have placed the cost of SARS to Southeast and East Asia at US\$18–60 billion in direct expenditures, lost tourism and business, and slowed economic development.³ Similarly, by 2007, the H5N1 ‘bird flu’ virus was already responsible for US\$10 billion of direct economic costs to Asia.⁴ In 2005, the World Health Organization (WHO) declared that Southeast Asia would be the ‘next ground zero’ if the H5N1 bird flu virus were to mutate into a pandemic.⁵ Given that it is estimated that a bird flu pandemic in East Asia would cost the region US\$99–283 billion, this regional security challenge is as much a possible economic crisis as one confronting healthcare agencies.⁶ Environmental degradation is another prominent NTS issue facing the region. Data have shown that the recurring haze problem in the region has exacted a high price in terms of human security, as well as caused significant costs to health systems, economic productivity and the economy in general. Conservative estimates have placed the cost of the 1997 Indonesian forest fires

¹ This definition of the term *non-traditional security* is used by the Consortium of Non-Traditional Security Studies in Asia, otherwise known as NTS-Asia. For more details, see the NTS-Asia website at <http://www.rsis-ntsasia.org>.

² See, for example, Mely Caballero-Anthony, Ralf Emmers and Amitav Acharya, eds, *Non-Traditional Security in Asia: Dilemmas in Securitisation* (London: Ashgate, 2006), and Amitav Acharya, Ralf Emmers and Mely Caballero-Anthony, *Studying Non-Traditional Security in Asia: Trends and Issues* (Singapore: Marshall Cavendish, 2006).

³ Julie Fischer, “Disease Respects no Borders: Governance, the State, and Regional Health Security”, in Amit Pandya and Ellen Laipson, eds, *Transnational Trends: Middle Eastern and Asian Views* (Washington, DC: The Henry L. Stimson Centre, 2008), 251.

⁴ See Margaret E. Kruk, “Global Public Health and Biosecurity: Managing Twenty-First Century Risks”, *Coping with Crisis Working Paper Series* (New York: International Peace Academy, July 2007), 8. Available at: http://www.ipinst.org/media/pdf/publications/mgs_pbio.pdf

⁵ “WHO Says Attention Must Not Be Shifted from ‘Ground Zero’ in Southeast Asia”, *The Straits Times*, 18 October 2005.

⁶ Mely Caballero-Anthony, “Non-Traditional Security and Infectious Diseases in Asia: The Need for a Global Approach to Health and Human Security”, paper prepared for IPA-NTS Asia meeting on *Non-Traditional Security Challenges in Asia: What Role for Multilateralism?* New York, 5 March 2007, 1; and Mely Caballero-Anthony, “Combating Infectious Disease in East Asia: Securitisation and Global Public Goods for Health and Human Security”, *Journal of International Affairs*, Spring/Summer 2006, 105–27.

and haze alone at approximately US\$4.47 billion, with an estimated 70 million people affected throughout the region.⁷ Others have suggested that the three-month prolonged haze in Southeast Asia in 1997–98 cost regional economies US\$9–10 billion. In addition, Southeast Asia is also particularly prone to devastating natural disasters. In 2009, Typhoon Ketsana and Typhoon Parma reportedly caused up to 700 deaths in the Philippines, damaged hundreds of houses and infrastructure, and affected the lives of more than 7.4 million people. Typhoon Ketsana also left a trail of death and destruction in Vietnam, Cambodia and Lao PDR, killing more than 50 people in Vietnam and Cambodia and displacing nearly 200,000 people overall. Finally, another prominent threat is transnational crime, which exacts a similarly high cost on states, peoples and communities across Southeast Asia. Illicit drug trafficking, human trafficking networks, money laundering, piracy, arms smuggling, cybercrimes and the growing visibility of the terrorist threat all constitute significant threats not only to human security but also to state stability and legitimacy, by violating national borders, weakening national authorities and undermining the rule of law.

NTS, New Regionalism and Regional Governance

The transnational nature of such NTS challenges means that they can no longer be sufficiently managed by domestic policies or measures. As a result of the increasing futility of unilateral measures, there is a growing recognition that the region needs to develop a regional approach to solving today's security challenges. Indeed, the perceived gravity of NTS issues is clear in the way in which they are increasingly discussed not only in academic circles, but also among policymakers, with officials increasingly portraying these issues as threats to their national sovereignty and territorial integrity, as well as to their respective societies' well-being. This is a significant development given that a 'security framing' is deemed to be effective in bringing attention to these threats, conveying a sense of their urgency, and commanding governmental resources to mitigate and manage NTS challenges and their consequences.

As a consequence of NTS challenges and their securitisation, Southeast Asian policymakers have been compelled to re-think existing regional modalities for addressing these threats, which has ostensibly led to the (re)shaping of the institutional architecture in Southeast Asia. The new regionalism which has subsequently evolved brings to the fore notions of regional governance and participatory (multi-level) approaches to addressing security challenges. Furthermore, the regional governance agenda has come to be based not only on the functional necessities of dealing with NTS threats but also on normative prescriptions, such as democratisation and the promotion of human rights. Above all, regional governance in Southeast Asia aims to better manage the new security environment that now confronts the region. In this light, we can recall a recent study on 'new' regionalism which describes it as a route that states could take to '[be able to] mediate the range of economic and social pressures generated by globalisation'.⁸ Seen against the perceptions of weakening state responses to external factors, mediation in this sense refers to the ability of states and other actors to organise themselves and craft appropriate measures to mitigate the destabilising

⁷ See James Schweithelm, Timothy Jessup and David Glover, "Conclusions and Policy Recommendations", in David Glover and Timothy Jessup, eds, *Indonesia's Fires and Haze: The Cost of Catastrophe* (Singapore: Markono Print Media, reprinted 2006), 130–44. The authors note that this figure is conservative because it excludes a number of damages that are especially difficult to measure or value in monetary terms, such as loss of human life, long-term health impacts and some biodiversity losses.

⁸ See Jean Grugel, "New Regionalism and Modes of Governance – Comparing US and EU Strategies in Latin America", *European Journal of International Relations*, 10(40), 2004, 603–26.

impact of global forces.⁹ In line with its normative aspects, Bjorn Hettne points out that these new patterns of inter-state actions also reflect a compelling need by regional players to integrate non-economic issues of justice, security and culture with trade and economics and are driven by the 'political ambition of establishing regional coherence and identity'.¹⁰

Essentially, in comparison to the 'old' regionalism which dominated prior to the late 1980s or early 1990s, this new generation of regionalism is defined by its multi-dimensional approach, from the sorts of actors that drive it, to the societal levels at which it manifests itself.¹¹ Looking at the literature on 'new' regionalism in Europe for instance, second-generation regionalism is characterised as having the following features: (i) deeper economic integration with political elements; (ii) multi-level governance; (iii) devolution within states; (iv) a strong international legal framework; and (v) cooperation among many dimensions. In his attempt to capture the evolving ideas on second-generation regionalism, especially as they apply to Asia, Kanishka Jayasuriya has described new regionalism as 'projects of regional governance, which can nonetheless be vastly diverse, providing different models that are dependent on the political, economic and security context within which these projects take place'.¹² Jean Grugel echoes this observation, adding that new regionalism 'is [certainly] not of one piece' and that 'the institutional linkages, the coalitional structures and the policy context that sustain it vary ... and are not identical'.¹³

These assessments are all pertinent to an examination of the dynamics of regionalism currently taking place in Southeast Asia, with recent institutional developments, particularly within the Association of Southeast Asian Nations (ASEAN) and ASEAN Plus Three (APT), exhibiting a number of the characteristics of second-generation regionalism and reflecting a considerable qualitative change in the extent and type of cooperation in and across the region. These characteristics are evident not only in the deepening of existing regional forms of cooperation, for example, in the areas of economic cooperation and integration, but also in the *widening* of areas of functional cooperation.

Processes of globalisation have played a decisive role in the emergence of this new, multi-level and multi-dimensional regionalism. While there are competing views on the nature of the relationship between globalisation and regionalism, Hettne suggests that regionalism is at once an integral part of globalisation as well as a political reaction against that process.¹⁴ In regard to regionalism as a political reaction, processes of globalisation have certainly engendered and exacerbated an array of new NTS challenges and this has in turn affected the nature of the development of regionalism in Southeast Asia, provoking the development of a more extensive, multi-level regionalism as a way of coping with the complex and inter-related consequences of NTS threats. As Jayasuriya notes, the pressures produced by a complex and intensified interdependent global economy are driving a move towards a more regionalised system of governance in the Asia-Pacific.¹⁵

⁹ Anthony Payne, "Globalisation and Modes of Regionalist Governance", in J. Pierre, ed., *Debating Governance: Authority, Steering and Democracy* (Oxford: Oxford University Press, 2000), 201–18.

¹⁰ See Bjorn Hettne, A. Inotai and O. Shukle, *Globalisation and the New Regionalization* (UK: Macmillan, 1999).

¹¹ Bjorn Hettne, "Beyond the 'New' Regionalism", *New Political Economy*, 10(4), 2005, 544.

¹² Kanishka Jayasuriya, "Governing the Asia-Pacific: Beyond the New Regionalism", *Third World Quarterly*, 24(2), 2003, 199–215.

¹³ Jean Grugel, "New Regionalism", 2004, 606.

¹⁴ Bjorn Hettne, "Beyond the 'New' Regionalism", 2005, 550.

¹⁵ Kanishka Jayasuriya, "Regulatory Regionalism in the Asia-Pacific: Drivers, Instruments and Actors", *Australian Journal of International Affairs*, 63(3), 2009, 344.

This is reflected in a number of regional institutional innovations that ASEAN countries have embarked upon since the 1997/98 financial crisis in an attempt to respond more effectively to a host of new security challenges. These include, for example, the APT arrangement, which formalised the framework for forging closer economic ties between ASEAN and China, Japan and South Korea. One of the APT's key achievements has been the development of a regional financial mechanism, the Chiang Mai Initiative (CMI), a liquidity-support facility designed to prevent another financial crisis. Beyond the immediate region, the ASEAN Regional Forum (ARF) and the Asia-Pacific Economic Cooperation (APEC) forum have also introduced a number of measures to respond to NTS challenges, for example, cooperative initiatives to fight transnational crime and terrorism, pandemics and other threats. In the case of APEC, this trend to strengthen cooperation has resulted in the expansion of its mandate beyond economic cooperation to also encompass security cooperation. These initiatives are driven by the broader objectives of building greater capacity and coherence in regional efforts to address new security challenges and in the process to complement global efforts by the United Nations and other international organisations to promote peace, human rights and development.

However, no recent initiative represents the new regional governance agenda better than the 2003 Bali Concord II, which announced the aim of establishing an ASEAN Community based on three pillars: an ASEAN Security Community (ASC), an ASEAN Economic Community (AEC) and an ASEAN Socio-Cultural Community (ASCC). Among the three pillars of the proposed ASEAN Community, the ASC (which was later reconceptualised as the ASPC) has generated a large degree of interest – not only because of the raft of new mechanisms and initiatives that it has announced in an attempt to address emerging security challenges in the region but also because, on closer inspection, it actually speaks to many of the issues that have come to characterise the so-called 'new regionalism' that is evolving in other parts of the world. Some observers have gone so far as to posit that this ongoing development is in fact ASEAN's attempt at moving the region beyond a 'nascent' security community to become a 'soft' security community. More significantly, unpacking the contents of the APSC reveals an attempt at regional governance that is stretching cooperation from the mere functional to the normative.

As mentioned earlier, the regional governance project that has emerged in Southeast Asia can be defined by its participatory nature (or goals) as well as its normative foundations. The increasing participation and inclusion of actors besides the state derives from the recognition that conventional responses no longer adequately address the new complex security issues, and as a result many non-state actors will need to play a role in mediating the effects of NTS challenges on human security. Consequently, as regional mechanisms and initiatives evolve and are newly created, they are increasingly opening up spaces for non-state actors, such as non-governmental organisations (NGOs) and other civil society organisations, international organisations and other external actors, to help cope with the scourge of NTS challenges. As noted by Grugel, apart from the diversity of new structures and linkages, what is particularly interesting about new regionalism is the increasing participation and inclusion of non-state actors in the myriad regional processes that are taking place.¹⁶ Similarly, Jayasuriya notes that private or non-state actors are playing a growing role in public or regulatory functions in the region.¹⁷ Thus, while inter-agency coordination is important to deal with complex emergencies within a national domain, more often than not,

¹⁶ Jean Grugel, "New Regionalism", 2004, 618.

¹⁷ Kanishka Jayasuriya, "Regulatory Regionalism", 2009, 343.

government resources are limited. Therefore, in dealing with human insecurities brought on by climate change, an economic downturn, natural disasters and disease outbreaks, global and regional institutions will need to work closely with national and local partners. This will ensure that decisions are made at the most appropriate level and the necessary human and financial resources are channelled effectively.

Although writing in the context of disaster reduction and response strategies in Asia, Aurobindo Behera provides some useful insights into the role of civil society, particularly NGOs, in addressing the various causes and consequences of new security threats. He suggests that the growing importance of NGOs is attributed to the realisation that neither the state nor the market can fully address the enormous problems facing the world. As a result, NGOs are now engaged in a wide range of activities, from community development to training, policy research and advocacy. Their organisational flexibility, informal work style and close engagement with grassroots communities enable them to deliver services to people at lower costs and they also supplement government initiatives by acting as a conduit between development programmes and beneficiaries, informing and sensitising people to their rights and entitlements. Finally, their ability to mobilise people and understand people's concerns also enable them to better articulate problems encountered by *people*¹⁸ (as compared to the 'traditional' security problems encountered more specifically by states).

In regard to the role of non-state actors in enhancing security, Jayasuriya points to Liss's examination of the way in which a range of private and other non-state actors have emerged as elements of a new form of security governance in the region. Liss's analysis looks at the ways in which private security companies in Southeast Asia now shape the 'control of force', a notion which is central to Weberian and Westphalian notions of 'statehood'.¹⁹ However, while the role of private security companies constitutes a hard (traditional) security issue, the same trend can be seen in the realm of security governance vis-à-vis NTS challenges. A prime example outside the realm of ASEAN that illustrates the trend towards multi-actor and multi-level governance is the Asian Development Bank's Greater Mekong Subregion Economic Cooperation Program (GMS Program), which 'envisages the creation of a new, functionally specific jurisdiction that links local-level organisations with transnational agencies and authorities' in order to manage the transboundary water system.²⁰ The GMS Program is managed by a complex system of governance that includes ministerial councils of the relevant countries, a secretariat to manage its affairs and a parallel system of national-level committees which serves as a conduit between transboundary water management and internal national management structures. In some countries, such as Thailand, these governance arrangements also incorporate local non-state actors into the system of water management.²¹ Although some local NGOs and civil society organisations have been critical of the bureaucracy involved in the Mekong initiative²², it is nonetheless indicative of the 'stretching' of governance responsibilities and roles to actors both above and below the state in Southeast Asia as part of attempts to manage transnational resources and challenges.

¹⁸ Aurobindo Behera, "Government-NGO Collaboration for Disaster Reduction and Response: The India (Orissa) Experience", paper for the *Regional Workshop on Networking and Collaboration among Non-governmental Organizations of Asian Countries in Disaster Reduction and Response*, 20–22 February 2002, Kobe, Japan, 1–2. Available at: http://www.adrc.asia/publications/ngo_workshop/6.pdf.

¹⁹ Kanishka Jayasuriya, "Regulatory Regionalism", 2009, 343.

²⁰ *Ibid.*, 343–4.

²¹ *Ibid.*, 344.

²² Philip Hirsch, "Water Governance Reform and Catchment Management in the Mekong Region", *The Journal of Environment and Development*, 15(2), 2006, 184–201.

Although Grugel notes that the activism of a broad range of society-based actors and their relationships with state actors can often be conflictual²³, the observations above are actually quite significant if we apply it in the context of Asian regionalism and the emerging institutional infrastructure. Indeed, as a result of the increasing inclusion and participation of society-based actors in regional mechanisms and institutions, including ASEAN, the nature and focus of regional security cooperation are being noticeably redefined to pay more attention to issues of human security. This is the product of increased demands for action from these non-state actors in response to increasingly overwhelming threats to human security. These threats have provoked processes of norm building in areas such as human rights and democratisation, areas previously considered out of bounds for ASEAN. Ultimately, these society-based actors or civil society organisations are having an increasingly significant bearing on how regional norms are built and translated into regional institutions in Southeast Asia.

Regional Governance and the APSC

Perhaps the most significant development that exemplifies the characteristics of new regionalism and the trend towards regional governance in Southeast Asia is the recent establishment of the APSC, first proposed by Indonesia in 2003 at the 9th ASEAN Summit, when it was serving as ASEAN Chair. Initially conceptualised as the ASC, it was designed to provide a regional framework for members to handle security matters and disputes more effectively, and to raise security cooperation to a higher place. Recognising that most security issues in the region were now transnational, there was increasing realisation among ASEAN member states that these challenges could no longer be addressed unilaterally, nor was it enough to rely predominantly on the prevailing mode of bilateral arrangements or on international forums for dispute settlement among its members. In short, the ASC was 'meant to provide a sense of purpose, a practical goal, and a future condition that all [ASEAN] members should strive for'.²⁴ It was transformed into the APSC in 2009. In order to develop the community, the APSC Blueprint proposed five areas of cooperation, or strategic thrusts: political development, norm setting and norm sharing, conflict prevention, conflict resolution, and post-conflict peacebuilding.

In an attempt to build a 'cohesive, peaceful and resilient Political Security Community', the APSC Blueprint committed ASEAN to a principle of 'comprehensive security' that 'goes beyond the requirements of traditional security but also takes into account non-traditional aspects vital to regional and national resilience, such as the economic, socio-cultural, and environmental dimensions of development'.²⁵ In regard to NTS issues, it states that 'a key purpose of ASEAN is to respond effectively and in a timely manner, in accordance with the principles of comprehensive security, to all forms of threats, transnational crimes and transboundary challenges'.²⁶ In particular, it states its commitment to intensifying counter-terrorism efforts and to strengthening ASEAN cooperation on disaster management and emergency response.²⁷ These statements make it clear that the APSC's conceptualisation of security constitutes a departure from the dominant security discourse in the region, in which 'comprehensive security' has been characterised by its perception of the state as the primary

²³ See Jean Grugel, "New Regionalism", 2004, 618.

²⁴ "Indonesia Proposing ASEAN Security Community Concept", *Jakarta Post*, 16 June 2003.

²⁵ *ASEAN Political-Security Community Blueprint* (Jakarta: ASEAN Secretariat, 2009), 9. Available at: <http://www.aseansec.org/22337.pdf>.

²⁶ *Ibid.*, 14.

²⁷ *Ibid.*, 16.

security referent. Thus, NTS could be considered as the broader umbrella that is bringing in issues of human security since its security referent extends beyond the state to include individuals and societies.

The provisions that are found within the APSC and the initiatives currently being undertaken to tackle complex NTS challenges are significantly different from ASEAN's usual process-oriented, confidence-building modalities. Most of its initiatives are problem-solving measures and involve, among other things, the sharing of information, the development of certain types of regional surveillance systems for early warning on infectious diseases and natural disasters, the provision of relief and assistance in disaster management, rehabilitation and reconstruction, and even more significantly, working towards more coordinated responses and making attempts at harmonising legal frameworks in order to address transnational crimes. Although these problem-solving efforts are still at an inchoate stage and will require some time before any definite assessment can be made as to their efficacy, it is clear that through the APSC, ASEAN is being retooled to respond to more complex security challenges.

However, there is another side to the APSC that is also quite significant, especially when viewed from the perspective of community building. According to the APSC Blueprint, the APSC aims to not only 'bring ASEAN's political and security cooperation to a higher plane' but also to 'ensure that the peoples and Member States of ASEAN live in peace with one another and with the world at large in a *just, democratic and harmonious environment*' [italics added].²⁸ Although grandiose, this nonetheless highly significant statement is often missed in the writings and discourse surrounding the APSC. Thus, beyond the new initiatives that the APSC has set out for security cooperation and regional cooperative mechanisms, it is also crucial to capture the emerging dynamics that are being created in the region by the inclusion of 'political development' and 'norm sharing and shaping' as two of the APSC's strategic thrusts. The inclusion of these two priority areas in the APSC Blueprint is highly significant given that not too long ago ASEAN had plainly avoided discussing topics that could be interpreted as intrusions into the domestic political affairs of its member states. Conversely, under the APSC, the kinds of strategies that have been outlined to put flesh into the area of political development are geared towards making the ASEAN region a more 'peaceful, democratic, tolerant, participatory and transparent community'.²⁹ For those familiar with ASEAN processes, it is surprising that this phrase was able to get past the drafting stage of the ASEAN senior officials meeting, let alone having ASEAN leaders agree to its inclusion in the APSC's Plan of Action and the subsequent APSC Blueprint. In order to gain a sense of the thinking behind such an inclusion, it is worthy to take note of the specific strategies which were identified to encourage political development. These are focused on three key areas: (i) the promotion of just, democratic and harmonious environments through the strengthening of democratic institutions and political participation; (ii) the promotion of human rights and obligations; and (iii) the promotion of people to people contacts.

Viewed in the context of ASEAN's history and the 'ASEAN way', the APSC Blueprint is certainly ambitious, which understandably may leave one wondering the extent to which these ideas can be realised. For instance, the aim of promoting a just, democratic and harmonious environment actually calls for the '[nurturing of] such common socio-political values and principles ... *not [condoning] unconstitutional and undemocratic changes of government* or the use of their territory for any actions undermining peace, security and

²⁸ Ibid., 2.

²⁹ Ibid., 3.

stability of other ASEAN Member Countries' [italics added].³⁰ To say that this is new is an understatement, considering that at least until the ASC's adoption, ASEAN members have been consistently silent on the issue of democratisation.

Another interesting development is the explicit stance the APSC takes on the promotion of human rights and the related obligations of states in this area. The provision for the promotion and protection of human rights in the Blueprint calls for a number of measures to be taken, including the establishment of an ASEAN human rights body and a commission on the promotion and protection of the rights of women and children. Beyond the value of their declaratory intent, this dramatic shift was aptly described by former Indonesian Foreign Minister, Hassan Wirajuda, when he said that through the A[P]SC, ASEAN had finally taken 'the bull by the horn' in so far as human rights and the development of a regional human rights regime were concerned.³¹ More importantly, for human rights advocates and civil society groups in Southeast Asia, the reiteration of the promotion of human rights in the APSC Blueprint represents a steady progression for human rights promotion in the region. And moreover, it indicates that the much sought-after mainstreaming of human rights in the ASEAN agenda – an advocacy platform spearheaded by the informal ASEAN Working Group for a Human Rights Mechanism since 1996 – has finally borne significant fruit.³² The APSC Blueprint – and the subsequent establishment of the ASEAN Inter-governmental Commission on Human Rights (AICHR) and ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) – demonstrates that at the very least ASEAN elites have come a long way from their strident opposition in the 1990s (during the heydays of the 'Asian values' debate) to notions of individual and human rights.³³ In a way, the mainstreaming of a human rights agenda in the APSC, and its prioritisation no less within this first pillar of the envisioned ASEAN Community, is, indeed, a milestone.

This leads us to a consideration of the APSC's second priority area, the sharing and shaping of norms. In regard to norm building, as noted in the Vientiane Plan of Action (VPA), the A[P]SC has the aim of contributing to the building of collective responsibilities and forming 'a standard or common adherence to norms of good conduct in a democratic, tolerant, participatory and open community'.³⁴ The significant achievements made since the 1990s in regard to the mainstreaming of human rights into ASEAN discourse and initiatives are

³⁰ *ASEAN Security Community Plan of Action* (Jakarta: ASEAN Secretariat, 2004). Available at: <http://www.aseansec.org/16826.htm>.

³¹ *Keynote Speech by H. E. Dr. N. Hassan Wirajuda Minister for Foreign Affairs Republic of Indonesia at the Fourth Workshop on the ASEAN Regional Mechanism on Human Rights*, Embassy of the Republic of Indonesia for Canada, 17 June 2004. Available at: <http://www.indonesia-ottawa.org/information/whatsup/speeches.php?id=6>.

³² Since its establishment and first meeting in 1996, the Regional Working Group on Human Rights (RWGHR) has been able to sustain their advocacy for the creation of a regional human rights mechanism within ASEAN. The group achieved a significant breakthrough in 2000 when ASEAN officials through the annual Senior Official Meeting (SOM) agreed to institute regular meetings with the group. For more detailed discussion on the RWGHR, see for example, Mely Caballero-Anthony, *Regional Security in Southeast Asia: Beyond the ASEAN Way* (Singapore: Institute of Southeast Asian Studies, 2005), and Vitit Muntarbhorn, *A Roadmap for an ASEAN Human Rights Mechanism*. Available at: <http://www.fnf.org.ph/liberallibrary/roadmap-for-asean-human-rights.htm>

³³ The mainstreaming of human rights into ASEAN's agenda is addressed in Mely Caballero-Anthony, "Challenging Change: Non Traditional Security, Democracy, and Regionalism", in Donald K. Emmerson, ed., *Hard Choices: Security, Democracy, and Regionalism in Southeast Asia* (Singapore: Utopia Press, 2009), with specific developments noted on 210–211.

³⁴ *Vientiane Plan of Action* (Jakarta: ASEAN Secretariat, 29 November 2004), 7. Available at: <http://www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf>.

testament to the importance of 'norm building' as a facilitator for establishing a framework of governance that is both functional and normative in its prescriptions. In working to achieve the goals that underlie the envisaged political development, the 'sharing and shaping of norms' is and will continue to be critical, and the importance of norm building for the development of a more effective model of governance cannot be understated. In many areas of agreed functional cooperation, for instance, on transnational crime and terrorism, cooperation is in effect still often complicated by sensitive issues that impinge on domestic jurisdictions, such as the need to share information, extradition laws and problems of corruption.³⁵ This dilemma gives a sense as to the importance of norm-building in advancing areas of *functional* security cooperation amongst states in Southeast Asia. The APSC's vision of a transparent, participatory and democratic ASEAN region for example would, in its realisation, address the obstacles mentioned above.

In unpacking the APSC, it becomes clear that the emerging regionalism is being driven as much by ideas and impulses as by functional necessities.³⁶ In this context Amitav Acharya refers to the proposed East Asian Community as an 'imagined community', emphasising the bold aspirations that underlie the notion, which 'seek to transcend powerful physical, political and even cultural barriers confronting them'. Although not a guaranteed progression, he suggests that the East Asian Community idea could indeed 'usher in a genuine sense of community, backed by collective action to address the region's common problems'.³⁷ In this regard, it is salient to point to an argument from Melissa Curley and Nicholas Thomas who suggest that in the context of ASEAN development since the 1990s, it is crucial not to see the values and norms associated with the 'ASEAN way' (for example, non-interference, consensus and consultation) as static, but rather as evolving in tandem with new ASEAN directions and interests.³⁸ They contend that although ASEAN has certainly not abandoned its principle of non-interference, the acts which constitute non-interference have been progressively more narrowly defined, particularly in the post-1999 period. Thus, whilst states have been able to continue to assert their ability to act independently, at the same time this development has allowed for closer policy coordination between regional states.³⁹

In conclusion, the APSC can be seen as not only charting the future direction of ASEAN's security cooperation, but also signifying a shift towards a more normative regional framework. As such, it could potentially go a long way towards building the normative rationale and regional capacity for a system of regional governance that is more capable of tackling the range of NTS issues facing the region. It is clear that the APSC goes beyond its aspirations as a security initiative with functional utility, decidedly constituting a political project that is trying to shape a regional community – and perhaps eventually, identity – in Southeast Asia. This ostensible shift towards a more normative regional order will have

³⁵ See for example, Alan Dupont, *East Asia Imperilled: Transnational Challenges to Security* (Cambridge Asia-Pacific Studies, 2001).

³⁶ See Amitav Acharya, "The Imagined Community of East Asia?", paper presented at the annual meeting of the *International Studies Association (ISA) 48th Annual Convention*, Chicago, Illinois, US, 28 February – 3 March 2007. Available at:

http://www.allacademic.com/meta/p_mla_apa_research_citation/1/8/1/0/5/p181055_index.html.

³⁷ *Ibid.*, 1.

³⁸ Melissa G. Curley and Nicholas Thomas, eds, "Advancing East Asian Regionalism: An Introduction", in *Advancing East Asian Regionalism* (New York and Abingdon, Oxon: Routledge, 2007), 9.

³⁹ *Ibid.*, 10.

greater utility than a mere security initiative in that it will hopefully provide the political will for a more proactive, rather than reactive, system for ensuring security in Southeast Asia.⁴⁰

In the Process We Need to ‘Bring the State Back in’

In spite of the crucial role of regional commitments, frameworks and mechanisms in coping with NTS concerns, the role and capacity of states in bringing these regional commitments to fruition is often not given sufficient attention. While a regional framework will be critical for addressing common problems, it is certainly not sufficient. In defence of the role of the state in realising a regional agenda, Jayasuriya contends that ‘regional governance is not an agglomeration of national territorial and political units at a higher regional level; it is a more fundamental regionalization of economic governance’.⁴¹ The implication of this argument is that emerging forms of regional regulation rely more on the active participation of national agencies in the practices of regulation than on formal international treaties or international organisations for their enforcement.⁴² Hameiri’s ideas reinforce this approach, suggesting that rather than imagining regional governance as the “big top” of a regional circus made up of discrete and distinctive national acts’, it is more accurate to see it as ‘embedded within the domestic practices and institutions of states at the national and/or subnational levels of governance’.⁴³ In the context of the SARS crisis and the challenges it posed to national governance for countries in the Asia-Pacific region, Jayasuriya has suggested that NTS issues not only extend the regional governance agenda beyond traditional issues of trade integration but, more significantly, require the harmonisation of national policy and the cooperation of national regulators and policymakers.⁴⁴ In light of all these observations, Theda Skocpol’s argument from the 1980s holds great prescience in that despite the increasingly borderless world, in the face of the difficult circumstances brought on by changes in the global environment, one (still) needs to ‘bring the state back in’.⁴⁵

In assessing the role that states should play in regional governance and addressing NTS threats, it is useful to consider who the principal provider of human and state security is. In a number of works on human security, analysts have argued that the state bears the main responsibility for guaranteeing the security of its citizens. There are at least three explanations for this line of argument. First, state security and individual security are inter-related. Kanti Bajpai, for instance, has argued that the security of the individual depends on,

⁴⁰ The issue of the political will needed to expand and deepen regional cooperation is addressed in Mely Caballero-Anthony, “Challenging Change: Non Traditional Security, Democracy, and Regionalism”, in Donald K. Emmerson, ed., *Hard Choices*, 2009, 191–217. The developments recounted in this chapter highlight the significant challenges that lie ahead in attempting to endow ASEAN with greater capacity to tackle new regional challenges. It suggests that the APSC (at the time, a proposal), with its focus on democracy, human rights and human security, is reflective of the growing imperative to respond to NTS challenges and in the process, move towards a more normative regional agenda.

⁴¹ Kanishka Jayasuriya, “Regulatory Regionalism”, 2009, 336.

⁴² For examples of this argument, see Kanishka Jayasuriya, “Regionalising the State: Political Topography of Regulatory Regionalism”, *Contemporary Politics*, 14(1), 2008, 21–35; Nicola Phillips, “Regionalist Governance in the New Political Economy of Development: ‘Relaunching’ the Mercosur”, *Third World Quarterly*, 22(4), 2001, 565–83; David Zaring, ed., “International Law by other Means: The Twilight Existence of International Financial Regulatory Organisation”, *Texas International Law Journal*, 33(2), 1998, 281–330; all cited in Kanishka Jayasuriya, “Regulatory Regionalism”, 2009, 337.

⁴³ Shahar Hameiri, “Beyond Methodological Nationalism, but Where to for the Study of Regional Governance?”, *Australian Journal of International Affairs*, 63(3), 2009, 431.

⁴⁴ Kanishka Jayasuriya, “Regulatory Regionalism”, 2009, 340.

⁴⁵ See Peter Evans, Dietrich Rueschemeyer and Theda Skocpol, eds, *Bringing the State Back In* (Cambridge, England: Cambridge University Press, 1985).

among other things, the security of the state.⁴⁶ If the state fails to maintain a minimum level of security, the security of all individuals within its boundaries is threatened. Second, the attainment of human security for the many social groups requires that the state produce coherent policies in sectors such as employment, education, health and social security.⁴⁷ Third, the fact that human security falls under the category of public goods requires the state's action to ensure that every citizen receives them.⁴⁸

Another strong argument for the role of states in addressing NTS challenges arises from the consideration that the impact of non-state actors' prevention and mitigation efforts will be potentially limited without collaboration and complementarities with governmental measures. In this regard, Behera points to a number of reasons as to why and how states can complement or magnify the effectiveness of NGO activities at the local level.⁴⁹ Firstly, he notes that the community-focused approach of NGOs can be a limitation without governments' conscious efforts to replicate successful micro-level initiatives for wider impact. Second, in Asian countries where limited resources, logistical and infrastructure facilities cause difficulties, effective NGO-government collaboration is central to achieving optimal use of human and financial resources, organisational energies and support systems. Third, to maximise impact and efficacy, he suggests that NGOs' sector-specific initiatives should ideally be supplemented with larger government-run infrastructure reconstruction initiatives.⁵⁰ In brief, without proper collaboration between governments and NGOs and other grassroots civil society groups, initiatives in response, mitigation and reduction of NTS challenges will not bear much fruit. Indeed, studies have suggested a strong co-relationship between successful project implementation and effective Government-NGO collaboration.⁵¹

These observations make it clear that (i) while regional efforts are crucial, their success is largely contingent on the capacities of individual states to complement and implement regional initiatives such as the APSC; and (ii) the benefits of government cooperation and collaboration with actors below the state also provide a rationale for bringing the state back in to regional governance efforts in order to manage NTS threats. And yet, as experiences in the region have revealed, for example through the outbreak of SARS, Nipah virus and avian influenza, the Indian Ocean tsunami in 2004, the ongoing resource scarcity and poverty in the less endowed countries in the region, as well as the most recent global financial crisis, many states in Southeast Asia are particularly ill-equipped to deal with new security challenges. In addition to tangible questions over capacity, there is also the specific issue of

⁴⁶ See Kanti Bajpai, "The Idea of Human Security Audit", *Kroc Institute Report No. 19* (The Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, Fall 2000).

⁴⁷ See N. J. Colletta, "Human Security, Poverty and Conflict: Implications for IFI Reform", paper for the *Commission on Human Security* (Cambridge, MA: Harvard University, January 2003), 17.

⁴⁸ *Public goods* is defined as goods that can be consumed by all actors or from which no actor can be excluded and whose cost is not increased by the addition of more consumers. See F. O. Hampson and M. W. Zacher, "Human Security and International Collaboration: Some Lessons from Public Goods Theory", paper for the *Commission on Human Security* (Cambridge, MA: Harvard University, January 2003).

⁴⁹ Aurobindo Behera, "Government-NGO Collaboration", 2002, 2–3.

⁵⁰ A similar argument is found in Siti Masyitah Rahma, "The Role of NGOs in Combating Avian Influenza in Indonesia: A Muhammadiyah Case Study". Siti Masyitah was an NTS-Asia Research Fellow with the Centre for Strategic and International Studies (CSIS) in Jakarta, Indonesia, in 2009. Her draft working paper suggests that Muhammadiyah, a large faith-based organisation in Indonesia, played a crucial role in helping to devise strategies at all levels of governance for coping with and preventing H5N1 from spreading in Indonesia. In turn, the government's role helped to legitimise the civil society organisation's efforts, emphasising the mutually reinforcing role of these two key groups of actors in managing the impact of NTS threats on communities.

⁵¹ Aurobindo Behera, "Government-NGO Collaboration", 2002, 3, citing a 1988 study undertaken by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC).

generating the political will to act upon regional commitments. In many developing countries in Asia, states have failed to carry out their main duty of providing security to their people due to a range of factors, including, but not limited to, resource constraints, bureaucratic deadlock, weak governance and ongoing political instability. Each of these factors effectively reduces the state's – and region's – capacity for providing human security to its citizens.

These issues highlight the fact that, as states and societies in Southeast Asia work more closely together in dealing with transnational security challenges through regional initiatives, we must remain cognizant of the problems that may arise at the national level, as these will significantly impinge on the effectiveness/efficacy of regional, multidimensional efforts to address NTS problems. For instance, the increasing centrality of notions of comprehensive and human security in the more robust regionalism that is emerging is likely to give rise to competing national priorities because addressing certain types of NTS challenges will demand a level of (elite) consensus regarding certain values and norms. Tensions among members of regional institutions may rise as the push for ASEAN's new normative framework gains greater momentum. Therefore, while the APSC represents a significant shift in terms of ASEAN's direction and values, its efforts/measures will inevitably get caught up in domestic politics and conflict with different political systems, and this awareness must be embedded in efforts aimed at establishing a political-security community in Southeast Asia. While retaining an awareness of this fact, a priority will be to locate where spaces are opening to further national capacity and political will in order to advance this new regionalism. Thus, in 'bringing the state back in' we must consciously work with and within the opportunities and constraints present at the national level.

Looking Ahead

While the APSC provides the framework, rationale and recommendations for ways of enhancing regional political and security cooperation, the pertinent question is how this new regional agenda can now be pursued in Southeast Asia. Furthermore, can some projects of regional governance already be identified in the region? The way in which the political aspect of the APSC is advanced is critical if it is to contribute to the development of a credible Southeast Asian regionalism that is able to address NTS challenges and, in the process, promote regional governance. In seeking entry points for furthering this regional agenda, we must remain cognizant of the difficulties and tensions that will need to be overcome in the process.

Two significant projects of regional governance can already be identified. As provided for by the APSC Blueprint, these are the AICHR, established on 23 October 2009, and the ACWC, established on 7 April 2010. Both of these mechanisms hold latent potential for increasing the human security of individuals and communities across the region through human rights promotion, and to a lesser degree, protection. The AICHR's mandate is based on the following two principles: (i) adherence to the rule of law, good governance, principles of democracy and consultation of government; and (ii) respect for fundamental freedoms and promotion/protection of human rights and social justice. Its first work plan identified three priority areas: (i) migration in Southeast Asia, broadly defined to include refugees, trafficking of persons, asylum seekers, displaced persons, etc.; (ii) business and human rights (related to the socio-cultural pillar of the ASEAN Community); and (iii) women's and children's issues – through the establishment of the ACWC. The ACWC specifically deals with the promotion and protection of women's and children's rights, with its Terms of Reference mandating it to monitor the rights enshrined in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child

(CRC). The ACWC was established as a parallel body to the AICHR and therefore it is crucial that the ACWC and AICHR play complementary roles, as effective communication between the two bodies will avoid duplication of work and maximise their impact.

Ultimately, in spite of prevailing criticism regarding the nature of AICHR and ACWC's implementation and their weak 'enforcement' capabilities, these recently established initiatives are nonetheless instructive of ASEAN's genuine commitment to move the region forward on issues of human rights as well as on the broader goal of building a regional framework of governance that will provide the greatest opportunity for addressing the gamut of NTS issues that impinge upon state and human security in Southeast Asia.

In regard to potential problems or tensions in pursuing the goal of an ASEAN political-security community and system of regional governance, several things should be noted. First, whilst ASEAN has sought to develop partnerships with a diverse range of stakeholders in the public and private sectors and civil society, it has not cast its net wide enough in establishing these relationships, particularly in terms of links with civil society. This is largely due to the fact that the concept of civil society is still understood differently amongst ASEAN member states. As a result, officials have hesitated to include actors such as NGOs and the private sector in decision-making and, in particular, in the implementation of new regional institutional infrastructure. For instance, ASEAN member states failed to establish a formal role for civil society within the framework of the AICHR's operations. However, while the body will meet twice yearly, as part of its oversight function its mandate will be reviewed every five years. It will be crucial that civil society organisations are given a formal role within the AICHR and other regional governance projects. It is clear that many local NGOs that operate at the grassroots level have immense potential to assist governments in responding to and preventing the effects of NTS issues. In addition, the inclusion and participation of non-state actors in regional governance projects will help to further momentum in terms of norm shaping and building, hopefully setting the foundations for a regional system that is more proactive to responding to NTS threats.

However, this leads to another problem regarding the participation of an increasing number and array of non-state actors, both above and below the state, in regional governance. Against the exuberance brought on by robust regionalism, there is the salient issue of efficacy, especially when viewed against the multiple layers of institutional arrangements that have emerged. Thus, while there are now many strands of governance across the region, they are lacking the golden thread to weave them all together into a coherent and coordinated whole. As a result, across the range of NTS challenges, responses are overwhelmingly ad hoc or sporadic and/or severely lacking coordination, and consequently there is a large degree of duplication of efforts and an overall lack of coherence in the measures taken to help societies cope with or mitigate the devastating effects of NTS challenges. This problem exists in responses across the broad range of NTS issues, from environmental degradation and natural disaster management, to pandemic preparedness, issues of human and drug trafficking, energy, water and food (in)securities, and others. There is therefore urgency in considering measures that might promote coordination within and between these various actors.

Finally, in looking at prospects for regional governance, several other developments are worth noting. The creation of the ASEAN Charter in 2007 is representative of the new phase of regionalism in Southeast Asia, partially characterised by greater inclusion and participation of non-state actors and the emergence of a more normative framework. While reaffirming its commitment to the traditional ASEAN norms of non-interference, consultation and consensus, the Charter declared its commitment to upholding democratic values, the

respect for fundamental freedoms and the promotion and protection of human rights. However, while non-state actors, including civil society groups and track two actors, were invited to provide input during the consultation stage of the ASEAN Charter, ultimately few of their recommendations were reflected in the final product, and in addition the Charter adopted strict guidelines that constrained the nature of the civil society groups that ASEAN would be willing to engage, limiting the opportunity to groups that support and promote interests and principles from the 'ASEAN' perspective. The importance of the inclusion and participation of civil society and other non-state groups has already been established. Another development worth noting is the establishment of the Committee of Permanent Representatives (CPR), which was appointed with the coming into force of the ASEAN Charter. The CPR is to be comprised of an appointed representative from each ASEAN member country and will be based in the Secretariat in Jakarta. Among other things, the CPR is tasked to support the work of the ASEAN Community Councils, coordinate with the ASEAN National Secretariats, liaise with the Secretary-General of ASEAN and the ASEAN Secretariat, and facilitate ASEAN cooperation with external partners.⁵² Thus, the CPR may help to facilitate increased dialogue between the Secretariat and civil society groups and the private sector, and to eventually strengthen the institutional capacity of ASEAN to implement, coordinate and facilitate activities at the regional and national levels.

Conclusion

With the emergence of NTS threats, the drive for effective multilateralism has become more urgent and nowhere is this more salient than in current trends to strengthen cooperation and deepen integration processes in Southeast Asia through regional innovations such as the APSC. The APSC represents a desire of ASEAN to move beyond functional security cooperation, to develop a framework of regional governance based not only on practical necessities but also on normative considerations, such as notions of democracy, human rights, transparency and justice. As such, the APSC goes beyond being a mere security initiative and is arguably also a political project for the Southeast Asian region. Although the measures currently being undertaken under the APSC are still at an inchoate stage and it is too early to make a definitive judgement as to their efficacy, ASEAN has demonstrated that it is serious about building a system of regional governance. This is evident in two important projects of regional governance: the AICHR and the ACWC. Ultimately, while NTS issues have created a raft of insecurities for people and states in Southeast Asia, this paper has shown that they may have also heralded a new era for regionalism in the ASEAN region, characterised not only by greater inter-state cooperation but also the participation of a range of non-state actors, which are together essential for mitigating the transnational impact of the many NTS challenges that threaten to destabilise states and impinge upon the basic human security of people and societies across the region. However, critical to building an effective and credible regionalism will be the political will of governments to put in place systems and resources to translate these regional plans into actionable deeds.

⁵² *Committee of Permanent Representatives* (Jakarta: ASEAN Secretariat, 2009). Available at: <http://www.aseansec.org/21901.htm>.