

**CO-CHAIRS' SUMMARY REPORT OF
THE EIGHTH MEETING OF THE ASEAN REGIONAL FORUM
EXPERTS AND EMINENT PERSONS
KUALA LUMPUR, MALAYSIA, 17-18 FEBRUARY 2014**

INTRODUCTION

1. Pursuant to the decision of the 20th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Bandar Seri Begawan on 2 July 2013, the Eighth Meeting of the ASEAN Regional Forum Experts and Eminent Persons (EEPs) was held in Kuala Lumpur, Malaysia, from 17-18 February 2014. The Meeting was co-chaired by Tan Sri Mohamed Jawhar Hassan, EEP of Malaysia, and Ambassador Esko Hamilo, EEP of the European Union.
2. The Meeting was attended by EEPs and representatives from all ARF participants except the Democratic Peoples' Republic of Korea, Mongolia, and Papua New Guinea. Representatives from the ARF Unit of the ASEAN Secretariat were also present. The list of delegates is attached as **ANNEX 1**.

OPENING SESSION

3. In his opening remarks, Tan Sri Mohamed Jawhar Hassan, welcomed the delegates of the 8th ARF EEPs Meeting and noted the EEPs played an important role as advisory to the ARF. He recalled the inaugural meeting of the ARF EEPs and the idea to institutionalize the EEPs. He emphasised the strength of the EEPs as a gathering of Track 1.5 and as such the group should be able to come up with more concrete and substantive recommendations to the ARF. Embarking into the twenty first year of the ARF, more practical steps are needed in order to implement the discussions made at the top level. The opening remarks appear as **ANNEX 2**.
4. At the opening session, Ambassador Esko Hamilo recalled the outcomes of the previous EEPs meeting and the drive to move "at a pace comfortable to none". He commented on the European Union's commitment to increase its engagement with countries in the Asia-Pacific region, including through the Track 1.5 process. The opening remarks appear as **ANNEX 3**.
5. The Meeting adopted the Agenda which appears as **ANNEX 4**.

SESSION 1 – Taking Stock of the ARF Preventive Diplomacy Work Plan

6. The ARF Unit, Mr. Barry Desker, EEP of Singapore and Mr. Ralph Cossa, EEP of the United States were the lead discussants in this session. Identifying the ARF Work Plan on Preventive Diplomacy as an important instrument to advance preventive diplomacy, the Meeting reviewed the implementation of the Work Plan since its adoption in 2011.

7. The Meeting took note on the implementation status of each action line of the Work Plan and observed that several action lines are more progressive in their implementation than others.
8. The Meeting observed that the region is not new to preventive diplomacy and that many countries in the region have engaged in preventive diplomacy activities over the years even though they are not done under the framework of ASEAN or the ARF. The EEPs suggested for the ARF to explicitly recognize and support these activities as a way to take ownership of preventive diplomacy activities in the region.
9. The Meeting took note of New Zealand's initiative to work towards a preventive diplomacy training programme which consists of a four-step process, namely: 1) circulating a questionnaire on regional preventive diplomacy training needs; 2) convening a roundtable on preventive diplomacy training resources; 3) convening a Track 1.5 symposium on experience-sharing in preventive diplomacy; and 4) developing a pilot training programme for foreign ministry and defence officials as well as other relevant agencies. The EEPs looked forward to the Roundtable which is scheduled to be held on 20-21 March 2014 in Wellington. The Meeting also noted the initiative by the European Union to organise a dedicated orientation course on the EU's CSDP, open to all ARF Members, taking place on 11-14 March in Brussels as a contribution to implementing the ARF PD Work Plan. It also welcomed the EU's proposal to develop more specific PD training modules with a view to have these take place in the next ARF Inter Sessional year.
10. On the ARF Annual Security Outlook (ASO), the Meeting recalled that the EEPs in their past Meetings have put forward various recommendations on how they can be utilized to provide deeper analysis to the ASO. The Meeting suggested the ASO should be deliberated at the level of the Inter-sessional Group Meeting or Senior Officials Meeting. The Meeting also discussed the possibility of conducting deeper analyses on the contributions to the ASO.

SESSION 2 – Prospects for Enhancing the ARF Preventive Diplomacy Work Plan

11. Professor Paul Dibb, EEP of Australia, Mr. Wiryono Sastrohandoyo, EEP of Indonesia, and Mr. Masashi Nishihara, EEP of Japan, were the lead discussants in this session. This session focused on the gaps in the Preventive Diplomacy Work Plan and provided suggestions on preventive diplomacy and functional cooperation that could be included in the Work Plan.
12. The Meeting welcomed the non-paper by Professor Paul Dibb, which assessed the progress of the ARF over the last twenty years, elaborated on the implementation of preventive diplomacy in the ARF, and suggested a number of recommendations related to implementing preventive diplomacy in the ARF as well as to the whole ARF policy and process. The meeting agreed to further explore the training of EEPs in election observation, to support a lesson-learned publication compiled of regional preventive diplomacy experiences and to

examine regional cooperation in arms control and disarmament. The meeting also discussed what lessons might be learned from regional maritime security agreements. The non-paper is attached as **ANNEX 5**.

13. The Meeting discussed the prospects of enhancing the Preventive Diplomacy Work Plan. The Meeting took note of several suggestions on this aspect, including developing training programmes for election monitoring missions. The ARF could task the EEPs to identify and compile best practices and lessons learned on election monitoring. The meeting also took note of the importance of maintaining the confidential approach in the process of preventive diplomacy, especially in addressing sensitive issues.
14. The Meeting discussed the merits or otherwise of utilising the EEPs as an early-warning mechanism by identifying potential hotspots in the region. The Meeting took note of the suggestion for the Secretary-General of ASEAN to nominate EEPs as “crisis watchers”. The crisis watchers could be utilised for early-warning and fact-finding missions around the region and work closely with the ARF Unit.
15. The Meeting touched on the issue of energy security and protection of energy resources. There are references of the experiences of the UN, but to blindly copy this experience would not work. A comprehensive regional security architecture would need to take this into account. The Meeting noted that the ARF had conducted two seminars on energy security in the past, but has not had any follow-up activities since then.
16. The Meeting discussed the difficulties in strengthening of the ARF Unit and took note of several suggestions including considering creative ways to assist the ARF Unit, including assistance-in-kind by ARF participants.
17. The Meeting touched on whether the ARF has regular contacts with civil society organisations (CSOs). In response, the representative of Thailand informed the Meeting of the adoption of a paper proposed by Thailand on “Enhancing Ties between Track I and Track II in the ARF, and between the ARF and Other Regional and International Security Organizations” by the 13th ARF in 2006.
18. The Meeting noted the suggestion to develop a timeline for the implementation of the preventive diplomacy Work Plan into short, medium and long term phases. The Meeting also took note of the suggestion to include early-warning systems and election monitoring as specific preventive diplomacy measures to be implemented.

SESSION 3 – Opportunities and Challenges for Implementing Preventive Diplomacy in the Asia Pacific

19. Mr. Qian Li Hua, EEP of China, Mr. Esko Hamilo, EEP of European Union, and Mr. Mohd Roselan Hj. Mohd Daud, EEP of Brunei Darussalam, were the lead discussants in this session. This session discussed the hindrances, points of

resistance and solutions towards the implementation of preventive diplomacy in the ARF.

20. The Meeting took note of the suggestion to come up with a manual on preventive diplomacy for the ARF. The manual would contain a checklist of PD activities that have been and could be done in the region, including a compilation of best practices and lessons learned from past preventive diplomacy activities. It was also suggested that the EEPs convene a special working group to develop this manual.
21. On the issue of strengthening the ARF Unit, the Meeting discussed the suggestion that the ARF Unit should be financially assisted by all participants of the ARF. This approach would increase the operating budget of the ARF Unit and demonstrate the commitment of all ARF participants in implementing the Preventive Diplomacy Work Plan.
22. The Meeting suggested the lack of political will amongst ARF participants as a cause for the slow progress of preventive diplomacy implementation. The Meeting noted several possible reasons for the slow progress in moving the ARF process forward, namely:
 - a. The diminishing political and financial power of the foreign ministry. The ARF process was initiated and has been the domain of the foreign ministries of ARF participants, but lately the power has shifted to other sectors of government such as trade and defence.
 - b. The fact that the ARF's focus has been identified as preventive diplomacy, which is inherently more challenging than engaging in security cooperation in general as done by ASEAN. Similarly the more recent regional security and dialogue processes such as the ADMM/ADMM-Plus and the EAS, which besides having fewer participants, engage in cooperation in areas of common security that are less sensitive compared to preventive diplomacy. The EEPs viewed that the rapid progress of the ADMM/ADMM-Plus frameworks could potentially eclipse the ARF in the near future. In this connection, the Meeting observed that it would be useful to receive more information on the work of ADMM/ADMM Plus. (A Non-Paper comparing issues covered by the ARF and the ADMM Plus appears in **ANNEX 6**).
 - c. Abiding to the principle of non-intervention in internal affairs. Some EEPs suggested that as not all preventive diplomacy tools affect this principle, areas which are non-sensitive can be explored and implemented, while recognising that the goal of preventive diplomacy in the ARF is to "help prevent disputes and conflicts from arising between States that could potentially pose a threat to regional peace and stability".

SESSION 4A – Putting PD into Practice: Exploring Practical Applications and Modalities (Break-out Sessions)

23. The Meeting was divided into three breakout groups which analysed three real-life regional issues and how preventive diplomacy mechanisms could be applied to manage and reduce tensions.

Group 1 – East China Sea

24. Mr. Paul Evans, EEP of Canada, facilitated the discussions in Group 1 on the East China Sea.
25. The Group recommended that consideration be given to the establishment of a fact-finding mission comprising 3-5 EEPs to Beijing, Seoul and Tokyo to assess the nature and source of tensions as well as the implications to the region and propose constructive measures that can be undertaken by the countries directly involved and other ARF participants to manage and resolve the tensions. The EEPs should possess very good knowledge of the region and not be from the three countries involved. The mission will be non-governmental in nature and only be undertaken after approval from the ARF Ministers and consent from the three governments have been secured.
26. It was proposed that the model of the annual Workshop on Managing Potential Conflicts in the South China Sea, which was useful in exploring the modalities of preventive diplomacy for the area, be applied to the East China Sea for a similar purpose. Some EEPs however expressed reservations on this recommendation and felt that it could be counter-productive as the East China Sea issue is, in their view, in essence territorial and maritime disputes which are sensitive and best resolved through peaceful negotiations by the parties directly concerned.

Group 2 – Korean Peninsula

27. Tan Sri Mohamed Jawhar Hassan, EEP of Malaysia, facilitated the discussions in Group 2 on the Korean Peninsula.
28. The group recognised that the denuclearisation of the Korean Peninsula is essential for peace and stability in the region, and the many existing international frameworks for addressing the issue should be fully utilised for this purpose. The group also shared the view that the application of preventive diplomacy in the Korean Peninsula should focus not only on the nuclear issue but also on improving inter-Korean relations.
29. In this regard, the group encouraged the ARF to facilitate the reconciliation of the two Koreas by arranging informal meetings or dialogues between officials of the two countries. The group recalled that Laos and Indonesia as the ARF Chair facilitated such meetings at the sidelines of the 12th ARF Meeting in 2005 and 18th ARF Meeting in 2011 respectively, and encouraged current and future ARF Chairs to continue this practice. The ARF should also continue to encourage the DPRK to increase its attendance to ARF meetings as a way to facilitate dialogue in particularly relevant areas such as non-proliferation and disarmament.
30. The group also suggested that the ARF develop economic, social, and cultural CBMs to support the current political-security CBMs. The group considered that such measures, particularly on issues of common concern, would pave the way for further dialogues and discussions.

Group 3 – South China Sea

31. Mr. Frank Wilson, EEP of New Zealand, facilitated the discussions in Group 3 on the South China Sea.
32. The group discussed the background of the tensions in the South China Sea and viewed that the tensions are not only about the overlapping territorial claims by China and several ASEAN Member States but also about other factors such as the freedom of navigation in international waters as well as the shifting power balance in Asia.
33. The negotiations on the Code of Conduct in the South China Sea (COC), within the framework of the ASEAN-China Dialogue Relations, and implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) between the ASEAN countries and China should be regarded as a preventive diplomacy effort. The ARF as a forum for dialogue does not have the mandate and is not optimally constituted to take part in the ongoing negotiations. However, the ARF could continue to provide a supporting role to the negotiations. Furthermore, since many ARF participants have interests in the area, the ARF could also provide an avenue for functional cooperative activities as well as for information sharing as a form of confidence-building measures amongst the concerned parties.
34. The group noted the suggestion for the ARF to take stock of territorial and resource disputes which have been successfully managed or resolved in other parts of the world.

SESSION 4B – Putting PD into Practice: Exploring Practical Applications and Modalities (Plenary Session)

35. The Meeting resumed the plenary session and discussed the outcomes of the breakout groups' discussions. The Meeting agreed that in general the ARF Chair could play both an active and a supporting role in the application of preventive diplomacy to manage regional tensions.
36. The EEPs applauded the convening of breakout sessions which enabled more in-depth discussions on specific issues and looked forward to having these sessions become a regular practice in future EEPs meetings.

SESSION 5 – Reviewing the Roles and Terms of Reference of the EEPs

37. The Meeting exchanged views on whether the EEPs consisted of more experts than eminent persons. Most participants were of the view that the EEPs have mostly been comprised of experts and thus brought added value in moving the ARF process forward due to the collective expertise. However, some participants argued that the EEPs would benefit greatly from having eminent persons such as former heads of state or government in that these eminent

persons could use their stature and influence to good effect when engaging with regional leaders and governments.

38. The Meeting also exchanged views on whether serving government officials who are not EEPs should also attend ARF EEP meetings. Some participants argued that the participation of government officials in EEPs meetings is important in that they provide an insider's perspective to the discussions. It is the prerogative of governments however, to appoint anyone, including officials, as EEPs.
39. The Meeting recalled the purpose of the EEPs' establishment which was to provide expertise to the ARF on specific issues or areas cooperation as required by the ARF. In this regard, the Meeting called on ARF participants to maximise the utilisation of ARF EEPs accordingly.
40. The EEPs discussed several suggestions on which there was substantial agreement, as follows:
 - a. ARF participants should reconfigure the composition of the EEPs to match the current agenda or focus of discussion of the ARF, thus maximising the expertise of their EEPs.
 - b. The ARF EEPs Co-Chairs should meet regularly with the ARF SOM and this meeting should be institutionalised.
 - c. ARF EEPs should make every effort to attend EEPs meetings as a sign of commitment to the EEPs' discussions.
 - d. It might be useful for ARF EEPs to develop a website where the outputs of the EEPs can be noted and disseminated to the general public. This would also enable the development of a community of EEPs.
 - e. More linkages should be established between the ARF EEPs and Track Two organisations such as CSCAP and ASEAN-ISIS.
 - f. The recommendations made at the 6th and 7th ARF EEP Meetings should be reiterated at ARF ISG and ISM meetings in view of the fact that no feedback has been received.
41. The Meeting discussed the merits of reviewing the Terms of Reference (ToR) of the ARF EEPs as well as the existing register of the ARF EEPs. Some EEPs considered the ToR to be an outdated document which is constraining the work of the EEPs; however other EEPs argued that the language of the ToR does in fact provide significant freedom for the EEPs to contribute to the ARF process. In the end, the Meeting agreed that the EEPs would submit recommendations to update the ToR to the ARF ISG should the need arise.

SESSION 6 – Summary of the Co-Chairs' Summary Report

42. The Co-Chairs provided a recap of the discussions and informed participants that the draft Co-Chairs' Summary Report would be circulated to all ARF participants and the EEPs in due course.

43. The Co-Chairs informed the Meeting that the next ARF EEPs meeting will be convened in Finland in 2015, and invited ASEAN Member States to co-chair the Meeting with the EU.

CLOSING

44. The Meeting expressed appreciation to the Co-Chairs for facilitating a frank and cordial discussion. The Meeting also thanked the Government of Malaysia and the Institute of Strategic & International Studies (ISIS) Malaysia for the excellent arrangements and hospitality extended to all participants.

KEY RECOMMENDATIONS

45. The following are some of the key recommendations of the 8th ARF EEP Meeting for the consideration of the ARF:

- a. The ARF should consider a fact-finding mission of EEPs to Beijing, Seoul and Tokyo as proposed in paragraph 25 above. [Subsequent to the meeting and following consultation some of the EEPs were of the view that a fact-finding mission should not be proposed at this point and that the issue should be managed through peaceful negotiations by the parties directly concerned].
- b. The ARF should encourage meetings between the delegations of the DPRK and the ROK on the sidelines of ARF meetings to facilitate reconciliation between the two sides.
- c. The numerous preventive diplomacy measures that have been implemented by countries in the region, and that continue to be implemented by them, should be recognised by the ARF as preventive diplomacy measures at work in the region even though they are not conducted by the ARF itself.
- d. The EEPs confirmed their intention to conduct a study on the regional security architecture supported by the ARF Fund.
- e. The ARF EEP Co-Chairs should meet regularly with the ARF SOM and the meetings should be institutionalised. These meetings are in addition to the meeting with the ARF ISG on CBMs and PD.
- f. The ARF Unit in the ASEAN Secretariat should be strengthened with additional resources, including with assistance-in-kind from ARF participants.
- g. ARF EEPs should endeavour to attend EEP meetings as a sign of commitment to the process.
- h. Linkages should be established between the ARF EEPs and Track Two institutions such as CSCAP and ASEAN-ISIS.
- i. ARF participants should re-configure the composition of their EEPs to reflect the requirements of the prevailing areas of focus of the ARF.
- j. ARF participants could appoint eminent persons such as former heads of states and governments as EEPs, besides the existing experts. This will strengthen the capacity of the EEPs to engage in preventive diplomacy.
- k. The EEPs support the compilation by the ARF of a lessons-learned publication of the preventive diplomacy experiences of the ARF members as mentioned in paragraph 12 above.

- l. Consideration should be given to the production of a manual on preventive diplomacy as proposed in paragraph 20 above.
- m. The EEPs support further examination of training as elections observers
- n. The EEPs encourage the ARF to consider regional cooperation in arms control and disarmament.as well as examine lessons learned from bilateral and regional maritime security arrangements.
- o. A web-site for EEPs as noted in paragraph 39 above may merit consideration.