Joint Study on
Best Practices and Lessons Learned
In
Preventive Diplomacy

Undertaken for the benefit of the
ASEAN Regional Forum

Research conducted
by the
Pacific Forum CSIS
and the
S. Rajaratnam School of International Studies

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Executive Summary

The Pacific Forum CSIS in Honolulu and the S. Rajaratnam School of International Studies (RSIS) in Singapore undertook this joint study on behalf of the ASEAN Regional Forum (ARF) to evaluate how selected international and regional organizations have incorporated preventive diplomacy (PD) into their institutional framework. To provide a context for understanding the best practices and lessons learned by these organizations, the study begins with a brief review of the concept of preventive diplomacy as it has developed over the years and how it has evolved within the ARF. The study also includes recommendations from earlier work, including case study analysis by both organizations as respective chairs of a PD Study Group under the auspices of the Council for Security Cooperation in the Asia Pacific (CSCAP).

PD has been a contentious subject within the ARF from its inception as the second of a three-stage process whereby the ARF would move from confidence-building to preventive diplomacy measures to becoming a force for conflict resolution. The divergence among member countries has centered on concerns over the erosion of sovereignty as well as how PD would affect their security interests. ARF members have shown varying degrees of willingness and preparedness in regard to the development of PD measures and in moving the ARF toward the PD stage in its evolution.

In its initial stages, some member countries were active advocates for developing specific PD mechanisms while others were reluctant to move the ARF beyond confidence-building. The activist countries stressed the need to implement concrete PD measures such as early warning systems, fact-finding missions, and an enhanced good offices role of the ARF chair that would have an active role in mediating disputes. Over the years they have sought out opportunities to create momentum for increased PD activity by broadening the scope of preventive action in a variety of ways. Most recently, some have promoted the idea of invigorating the organization through increased cooperation in the areas of disaster management and humanitarian assistance. Those less enthusiastic have focused on developing a narrow definition of PD that seeks to limit its application to conflicts between states. The primary concern expressed has been the need to ensure noninterference in the internal affairs of member countries and the preservation of state sovereignty. The result has been an impasse (that may be more perceived than real) on how best to move toward PD.

As shown in Chapter 2, the ARF has made progress in forming the basis for implementing PD as a mechanism for dealing with conflict prevention. There has been a significant amount of confidence building that has led to an increased willingness by most member states to accept the basic norm of being responsible to the larger group to engage in activities that serve to create a sense of trust and goodwill among member states. This is seen in the willingness to increase transparency in a variety of strategic issue areas such as military force composition and to cooperate in issues such as transnational crime, illegal trafficking, maritime security, and trade. The region also has made dramatic movement toward recognizing the value of collective action in response to a crisis. This has manifested in the adoption by most states of ASEAN's Treaty on Amity and Cooperation (TAC) and in increasing willingness to provide assistance, especially in the area of disaster management and other nontraditional security issues.

Equally important, the groundwork for the eventual implementation of specific PD mechanisms has been laid. For example, the establishment of an Expert and Eminent Person's Group (EEPG), Friends of ARF Chair (FOC), and the ARF Unit form the basis of a capability to engage in mediational activities and independent assessments. The Treaty on Amity and Cooperation and the establishment of voluntary reporting requirements such as the Annual Security Outlook (ASO) demonstrate an increased willingness to recognize the value of peaceful resolution of disputes and early identification of potential conflicts. The adoption in 2001 of a working definition and principles of PD by the ARF, based on a draft provided by the CSCAP PD Study Group, provides the foundation upon which to build a PD capability within the ARF.

This study examines the practice of preventive diplomacy in a wide variety of multilateral organizations including the United Nations (UN), the African Union (AU), the Organization for Security and Cooperation in Europe (OSCE), the Organization for American States (OAS), the Pacific Island Forum (PIF), the Organization of the Islamic Conference (OIC), the Shanghai Cooperation Organization (SCO), and the European Union (EU). It included interviews with experts and officials representing these organizations to determine how they developed charters, organizational structures, and normative frameworks as part of their efforts to engage in preventive diplomacy. The researchers focused on identifying what the member states and organizational representatives viewed as best practices and lessons learned from their involvement in institutionalizing PD. A separate examination of the European Union's involvement in Aceh was undertaken to provide an analysis of PD in the context of peace building.

Chapter 3 highlights the wide variation in these institutionalization processes. What becomes readily apparent is that in most cases success is driven both by specific historical circumstances along with the creation of a normative and institutional framework that supports the organizations' pursuit of specific goals associated with preventing conflict for the purpose of creating a mutually constituted "desirable future." This combination has created an environment that

has fostered the political will to act, which is critical to success. Having the right tools and knowing how to use them are important and this study helps to identify those tools and how they are (or can best be) used. But the tools are of little value absent a commitment – the political will – to use them.

The same general concerns of ARF members are a source of controversy in other organizations. Specifically, the issue of sovereignty and intervention in internal affairs of the state are ongoing concerns within all the organizations examined. The best practice that emerges from our examination is that successful organizations recognize what member states consider to be interference in internal affairs and avoid specific criteria for determining circumstances in which involvement in internal affairs might be allowed. Instead, collective responsibility (the "responsibility to protect") has emerged as a norm that is recognized by the majority of organizations examined in the study.

Because the norms associated with preventive action are not binding and typically are based on an abstract ideal of desirable relations, the ability of an organization to engage in PD depends on several factors. They include the willingness of the disputants to accept outside involvement, the egregiousness of the action by the aggrieving party, the impact of the action on both the aggrieved party and the organization, the historical circumstances surrounding the dispute, the international context, the degree of consensus among members of the organization, etc. The lesson learned in several of the organizations where PD is most institutionalized centers on the need to maintain flexibility and the willingness to be prepared to engage in PD when the political opportunity for preventive action presents itself.

A second definitional issue is how broad or narrow to define PD both in terms of location in the conflict cycle and the scope of activity. The problem is similar to the one faced by the ARF in attempting to confine the concept of PD to specific actions taken to prevent violence, even though PD examples reveal a tendency for external involvement in disputes to come after the conflict has turned violent. The definition provided by Boutros Boutros-Ghali in *An Agenda for Peace* is prescient; it defines PD as being a useful mechanism throughout the conflict cycle to prevent hostilities from emerging and to limit the escalation, spread, or spillover effect and otherwise manage conflict once it has begun.

Other organizations have struggled with the "scope of activity" issue. Successful adaptations have developed separate approaches to what some refer to as structural vs. operational PD. While this distinction is a useful conceptual device for categorizing activity, in practice the two blend into a continuum of responses to potential violence. In a counter-intuitive twist, several organizations, especially the UN, OSCE, and OAS, originally developed their capacity for engaging in PD in the context of the post-violence stage of the conflict cycle through activity such as peacekeeping and peace-building. They have gradually moved back through the cycle to engage in conflict mitigation activity through mechanisms such as good

offices, special envoys, mediation, and even preventive deployment. Subsequently, as these organizations matured they have become more active in the pre-violence stage of the conflict cycle by engaging in longer-term structural activity such as poverty alleviation, protection of minority rights, security sector reform, and promotion of democracy. The organizations have also developed additional PD capacities designed to monitor goal achievement in capacity building and to provide better early warning of potential conflict. While these long-term, structural approaches offer less visibility for specific PD mechanisms than do the more immediate conflict mitigation mechanisms, interviewees readily acknowledged the linkage with creating an environment that encourages non-violent resolution of disputes.

It should be emphasized that PD is neither the first nor the last resort in the settlement of disputes or resolution of conflict. The first resort, or preferred alternative, is for the parties involved to peacefully resolve the situation directly between or among themselves. The last resort, all too frequently, is the use of violent means to resolve the problem. PD provides a middle alternative when and if the parties cannot directly resolve the issue. A common characteristic of those organizations that most successfully pursue or promote PD as a dispute resolution mechanism is a firm, if not binding, commitment to the peaceful resolution of disputes as one of its organizing principles.

Each organization is unique in how it has adopted PD. The differences stem from a variety of factors including the degree of unanimity in commitment to the principles articulated in the organizational charters, longevity of the organization, organizational structure, resources, and the historical circumstances of both the member states and the organization itself. Chapter 3 of this study provides a detailed description of the way in which PD evolved in the various organizations, the organizing principles, and a description of what interviewees felt were the best practices and lessons learned in the process of institutionalizing the concept within the organization. Finding the right balance between noninterference and protection of sovereign rights on the one hand and the collective responsibility to protect and a commitment to the peaceful resolution of disputes on the other was a central theme in developing organizing principles. Additional information on charter documents, mission and principles statements, agreements and documents used to institutionalize PD, organizational information, and a list of key officials with responsibilities for implementing PD is provided in Annex A. Below is a brief summary of each organization:

United Nations (UN). The primary focus for the examination of the UN in this study was its role in operational PD, specifically through the Secretary General and the Secretariat's Department of Political Affairs. Best practices highlighted during interviews included successful responses to outbreaks of violence, election monitoring initiatives, and the creation of regional capacity for engaging in "good office" diplomacy, and improving interagency coordination with other UN organizations such as the UN Development Program.

Organization for Security Cooperation in Europe (OSCE). The OSCE has the most institutionalized approach to PD of all the organizations examined and provides both a useful model and potential training opportunities. With its unique focus on the humanitarian dimension, the organization has established an elaborate set of binding commitments along with monitoring and reporting mechanisms to promote good governance and respect for human rights for the purpose of preventing conflict. Specific institutional aspects that were highlighted during interviews included its commitment to the protection of minority populations, the establishment of field offices in conflict-prone regions, effective coordination between the Chairman-in-Office and the Conflict Prevention Centre, and an elaborate election monitoring mechanism.

Organization of American States (OAS). The promotion of representative democracy is the central focus of the OAS. Its PD activity is focused on collective maintenance of "democratic peace" to ensure regional security. Specifically, election monitoring teams are regularly employed and the OAS Secretary General has appointed special envoys or special missions in response to perceived challenges to the strength of democratic institutions in member states. Additionally, the OAS has engaged in longer-term efforts to promote democratic institutions and norms in the region.

Pacific Island Forum (PIF). PD within the PIF has emerged in the context of a comprehensive approach to regional security. While most PD activity has been an ad hoc response to political conflict within smaller states, there has been some institutionalization of PD based on lessons learned from these activities. As a result, the PIF has started engaging in more systematic activities such as the implementation of eminent persons groups to evaluate conflicts and election monitoring. There also has been growing enthusiasm within the organization for improved reporting and monitoring of potential conflict situations.

African Union (AU). The AU has a comprehensive framework of agreements and an elaborate organizational structure to deal with preventive diplomacy and peaceful resolution of conflicts. Several protocols and mechanisms have been implemented to respond to political crises in the region. The Peace and Security Council established in 2003 has wide-ranging authority to engage in a variety of PD activities including intervention in crises deemed to threaten regional peace. The organization has successfully employed operational PD mechanisms such as special envoys, regional and international ostracism, humanitarian assistance, and observer missions in several member states.

Organization of the Islamic Conference (OIC). While lacking a formally documented approach to conflict prevention and PD, the OIC has engaged in a variety of PD activities based on the general principle of its commitment to peaceful resolution of disputes. Specifically, it has engaged in providing "good offices" services to disputants in Mindanao and has been active in promoting the rights of Muslim minorities in several regions of the world. In a more recent development,

the OIC endorsed its Enlightened Moderation Agenda. Several goals of this new vision statement for the organization focus on the importance of structural approaches to PD.

Shanghai Cooperation Organization (SCO). The SCO lacks specific commitments to PD in formal agreements. However, its charter does highlight the importance of cooperative efforts to combat transnational security issues, specifically terrorism. The organization has also engaged in a variety of confidence building measures in the region. These two developments suggest further articulation of a region-wide approach to PD as this organization matures.

European Union (EU). The EU has been actively engaged in a variety of PD-related activity throughout the world. The specific application of interest for this study is its extensive involvement in the Aceh peace-building process, which underscores the importance of perseverance.

One difficulty with isolating lessons learned and developing recommendations for the ARF is the fact that implementation in each organization has been based on a unique set of circumstances. The ARF also faces a unique set of conditions that will determine the path to improve regional capacity to deal with preventing violent conflict between and within member states. Further, despite the conceptual characterization in the early 1990s of mechanically moving from confidence building to preventive diplomacy to conflict resolution, in practice organizations move between these so-called stages in jumps and starts as events dictate. Unfortunately, as this study shows, there is no universal formula and no specific time-focused event that triggers implementation of PD. Instead, successful institutionalization of PD seems to cluster around three principle areas: the establishment of a normative framework and operational principles, the development of specific PD mechanisms, and capacity building and institutionalization of a PD role.

First, and fundamentally, the success of PD is based on the ability of the organization to *establish a normative framework* that provides the basis for preventive action generally and PD specifically. Although it is difficult to generalize, the one critical core value that appears to form the basis for organizational success is the recognition that collective responses by member states are necessary in some circumstances to prevent violence. Beyond that core value, each organization has developed other norms associated with the modalities of collective response, regional and local governance, inter-group interaction, and the protection of human rights. In most cases, these values were articulated in a vision statement or document that established goals and standards for successful accomplishment. It should also be noted that these norms are incorporated alongside norms of nonintervention and respect for sovereignty into agreements among member countries. An examination of charter documents included in Annex A shows that the ASEAN Charter, which was signed at the November 2007 ASEAN Summit, uses similar language in articulating its core values.

Ideally, a broad, all-encompassing vision statement should articulate the desirable conditions for preventing destructive conflict within the region. An important first step for the ARF will be to isolate key objectives to form the basis for developing a broader vision for conflict prevention. These objectives should focus on the importance of promoting good governance and the need to be responsive to the needs of people in crises. While the former creates the conditions for peaceful resolution of conflicts, the latter underwrites the recognition of the universal responsibility to protect the vulnerable, regardless of the cause of that vulnerability. As with all norms, there will always be a range of responses from individual members of the community of states and a range of perspectives on the appropriateness and adequacy of the collective response.

A second cluster of lessons learned and recommendations centers on the *development of specific mechanisms* that promote preventive diplomacy. There is near universal acceptance of the value of operational PD mechanisms such as the provision of good offices, special envoys, and mediation among organizations examined. The significant lesson learned regarding the use of these mechanisms is the importance of ensuring that individuals engaged in these activities have both individual and institutional credibility. In the narrowest sense of PD as a response to imminent violence, personal credibility is enhanced through the establishment of a cadre of eminent persons who have developed and are empowered to use the appropriate skills.

Institutional credibility is more difficult to assess and is often dependent on the local acceptance of the norms associated with the regional organization. As organizations broaden their definition of PD to include interaction at the local level by individuals involved in peacekeeping, peace-building, poverty alleviation, democracy building, and security-sector reform activities, effective training programs become more important to the ultimate success of PD activity. In practice, as organizations move beyond these conflict mitigation mechanisms toward conflict prevention and structural PD activities, the line between PD mechanisms and the creation of a capacity for conflict resolution becomes blurred.

Equally important has been the increased involvement in structural PD activities that focus on improving material conditions of vulnerable populations and institutionalizing norms of behavior that encourage nonviolent resolution of conflicts. While most of the organizations examined in this study initially focused their PD efforts on operational activities in response to violent conflict, most have increasingly recognized the value of long-term structural activity in setting the conditions for more effective responses during crises and the acceptance of outside assistance in resolving local security challenges.

Several key components of an effective PD program have been established by the ARF or by ASEAN. Although they are at various levels of institutionalization, these components, which are summarized below, can serve as the building blocks

for full program implementation. Similar components can be found in many of the organizations examined in this study. Their roles have also been examined by the ARF and by the CSCAP PD Study Group.

ASEAN Troika. The ASEAN Troika is comprised of the Foreign Ministers of the present, past, and future chairs of the ASEAN Standing Committee (ASC), which would rotate in accordance with the ASC Chairmanship. However, if the situation warrants, the composition of the ASEAN Troika could be adjusted upon the consensus of the ASEAN Foreign Ministers. The ASEAN Troika enables ASEAN to address in a timely manner urgent and important regional political and security issues and situations of common concern likely to disturb regional peace and harmony. This standing PD mechanism could serve as a model for the ARF or even expand its mandate to help perform an ARF PD function.

Friends of the Chair. The Friends of the ARF Chair (FOC) assists the ARF Chair. The FOC is an ad-hoc group, constituted for a specific task by the ARF Chair as and when the situation warrants, including instances where emergencies and crisis situations arise that have the likelihood of disturbing regional peace and stability. The Friends of the Chair is a troika composed of: (a) Foreign Minister of the incoming ARF chairing country; (b) the Foreign Minister of a non-ASEAN ARF Country; and, (c) the Foreign Minister of the immediate past ARF chairing country. The membership overlap with the ASEAN Troika should facilitate close cooperation and interaction between the two groups. The PD role of the FOC remains to be fully developed and articulated.

Expert and Eminent Persons Group. The experts and eminent persons are nominated and registered by each ARF participant country. The EEPs provide non-binding and professional views or policy recommendations to the ARF through the ARF Chair, or to serve as resource persons to the ARF on issues of relevance to their expertise. EEPs focus on issues and subjects that are relevant to the interests and concerns of the ARF that are not being adequately addressed elsewhere, and to which their expertise is directly applicable. EEPs would not only be available for fact-finding missions but could also play a more active "good offices" role by assisting in mediating disputes and offering practical solutions. The EEPG could also play an early warning role in advising the ARF of potential conflicts that might merit PD measures.

ARF Unit. The ARF Unit's role and functions are: to support the enhanced role of the ARF Chair, including interaction with other regional and international organizations, defense officials dialogue and Track-two organizations; to function as depository of ARF documents/papers; to manage database/registry; and to provide secretarial works and administrative support, including serving as the ARF's institutional memory. The current manning level makes even these tasks difficult. An expanded ARF Unit seems essential if the ARF is to transition into a PD role.

Annual Security Outlook (ASO). The ASO is a voluntarily produced document that lays out security concerns of ARF members. It is compiled without editing by the ARF Chair. There is no standard format and reporting is inconsistent. There is also no review process and no opportunity to follow up or gain insight into the thinking that goes into these reports. This severely limits the current utility of the ASO as a PD or early warning mechanism.

Regional Risk Reduction Center (RRRC). Although it has not been established, several concept papers produced for the ARF have recommended this type of center to monitor crises and provide an early warning system. While some of its functions could initially be accomplished by the other above-referenced PD mechanisms or could initially be outsourced to track-two mechanisms such as CSCAP, a serious PD effort by the ARF will eventually require some type of adequately staffed, funded, and empowered RRRC.

ARF Secretariat and Secretary General. At some point, an expanded ARF Unit could become a more institutionalized and more broadly manned Secretariat, headed by a Secretary General whose duties should mirror those of the ASEAN Secretary General, but with greater PD focus and authority.

From the experience of the organizations examined in this study, a key aspect of developing effective operational PD mechanisms that can be used in response to crises is the empowerment of a strong, recognizable focal point for implementing PD-related activity. In the case of the ARF, this leadership could be organized around the ASEAN Troika, FOC, EEPG, and the leadership of the ARF Unit. Given the centrality of ASEAN within the ARF, it should remain at the center of the organization's efforts to expand its role in PD, although its "driver's seat" role should be more clearly articulated and the support role of other members should be welcomed and more clearly defined.

Capacity building and institutionalization mechanisms form the third cluster of recommendations. The focus is on structural solutions centered on the underlying motivation for collective action within the specific organization. For example, in the OSCE, the focus is on creating a capacity for election monitoring and early warning mechanisms to detect human rights violations against minority populations. In the OAS, the focus is on creating the capacity for sustaining and monitoring democratic institutions through election monitoring and early warning mechanisms. The UN has begun to focus on using the UN Development Program and peacekeeping missions to develop local capacity to reduce violence. More generally, a key lesson is that local capacity for monitoring and identifying sources of potential conflict was critical to effective coordinated response that contributed to conflict prevention. The promotion of good governance and the peaceful resolution of conflict are potential areas of focus for the ARF.

One area where several regional organizations have established a basis for institutionalizing structural PD in the Asia-Pacific region is in nontraditional security

challenges. As highlighted in Annex C, there are a wide range of PD mechanisms that have been established in the region to improve both local and regional capacity to deal with nontraditional security concerns such as financial crises, infectious disease and pandemics, natural disasters, transnational crime and terrorism, and poverty alleviation. What is striking, however, is that there is a significant degree of overlapping activity and a general lack of effective partnering among the organizations involved in these efforts. Here, the ARF could take a leading role in establishing and institutionalizing norms of behavior for organizations and states involved in these activities and serve as the focal point for effective coordination of effort.

As evidenced in the examples of the OAS and OSCE, the institutionalization and organizational structure associated with confidence building measures could serve as a starting point for creating additional capacity for PD. The ARF Unit could serve as the initial organizational focal point for this expansion in anticipation of creating an ARF Secretariat. Given its current roles as the depository for ARF documents, database/registry manager, and institutional memory, its mandate could be expanded to include analysis of this information and the establishment of reporting requirements to support early warning and monitoring progress reports on PD initiatives. Additionally, its established role of supporting the enhanced role of the ARF Chair positions it to serve as the focal point for the development of an effective vision statement for the ARF. Specific recommendations for the time-phased expansion of ARF Unit responsibilities are summarized in Annex D.

It is worth noting that most of the organizations examined acknowledge that they have experienced some level of failure in their PD efforts. The recent rejection by Russia of election monitors from the OSCE, the refusal of Venezuela to accommodate democratic reforms, and Fiji's reluctance to move toward democracy all serve as reminders that even if an institutionalized PD program is in place, its success ultimately depends on the willingness of the parties involved in the dispute to cooperate with the regional organization. But, one lesson learned from the CSCAP examination of PD case studies is that "failure is never final." Even unsuccessful efforts lay the groundwork upon which future success can be built – witness the Aceh example. (Other general observations can be found in the Annex B listing of CSCAP Key Findings.)

An analysis of the institutions studied and the work done by CSCAP leads to the general conclusion that PD's effectiveness, depends on an expressed commitment on the part of the organization and its members to peaceful settlement of disputes and an acknowledgment that the organization has a legitimate role to play in bringing this about. Ultimately, preventing conflict emerges from the political will to assist people in the face of a perceived wrong. The challenge for all regional organizations is to create a normative framework to define those perceived wrongs, establish mechanisms to respond to violators of those norms, and create local capacity to resolve conflicts peacefully.

Based on an assessment of the evolution of PD within the ARF, examination of the various organizations included in this study, and the collective assessment drawn from the CSCAP Study Group on PD (See Annex B), the study offers the following additional specific recommendations for advancing the implementation of a successful PD program within the ARF:

- Create an organizational vision statement that articulates ARF goals and aspirations for promoting peace and serving as an institution for preventing, mitigating, and resolving conflict in the region. Specific PD-related objectives should be included in this document. This effort should eventually include benchmarks for specified goals and capacities. Developing an ARF mission statement or statement of objectives could serve as a useful first step in this process.

- Broaden the current working definition and statement of principles of PD to acknowledge that PD mechanisms can be applied within as well as between and among states, provided there is mutual consent of all the directly involved parties.

- Clearly define the scope of the ARF's PD effort: will internal ASEAN disputes be addressed by the ARF or only by ASEAN?; will the focus be on East Asia or will the inclusion of South Asia states in the ARF broaden its PD mandate?; will ARF good offices be offered or extended beyond its membership or extra-regionally?

- Create an institutional capacity for early warning and monitoring of emerging security challenges. Over the long term, the establishment of a permanent center (RRRC) that serves as a clearinghouse for existing confidence building mechanisms with expanded responsibilities to gather, store, analyze, and disseminate information and issue warnings of impending crises can provide a basis for establishing a credible and reliable source of information. The center could also play an important role in organizing and providing a regional response capability for disaster assistance.

- Enhance and articulate the PD role of the Expert and Eminent Persons Group and the Friends of the ARF Chair. Cataloguing qualifications, creating an advisory council, and encouraging the use of these resources by member countries can be the first step to creating a credible and respected group of individuals that can be relied on to lead fact-finding and goodwill missions and provide timely and accurate assistance to the ARF in response to emerging crises.

- Standardize the ASO and create a review and feedback mechanism, possibly involving the EEPG, to enhance its role as an early warning tool.

- Strengthen and expand the ARF Unit with an eye to the creation of an ARF Secretariat to include a General Secretary with a clearly defined role and mission. While the organizations examined in this study provide a variety of mechanisms for filling the Secretarial role, having a senior official who is generally recognized as having both institutional and personal credibility among the leaders of the member states has proven critical to the success of special envoy and operational PD activities. In the interim, develop a mutually supportive relationship between the ARF Unit and ASEAN Secretary General.

- Identify nontraditional security challenges that might lend themselves to the application of PD. These could include transnational environmental issues (Southeast Asia haze and Northeast Asia yellow dust), health issues (combating bird flu), and history issues (development of common textbooks), etc. The pursuit of nontraditional security issues should not be used as an excuse for ignoring traditional concerns, such as conflicting territorial claims, which could benefit from outside mediation.

- Develop procedures and mechanisms that can allow the ARF and/or its various PD mechanisms to be more responsive to impending or actual emergency situations in order to perform its PD role in a timely and effective manner.

A time-phased near (2008-2009), mid (2010-2012) and long-term (2012-2015) summary of the recommendations for expanding the ARF role in PD is provided in Annex D.

Chapter 1
Preventive Diplomacy: Concept and Practice

This chapter reviews the concept and practices of preventive diplomacy as defined and deployed in various parts of the world by different actors, be they international institutions, regional organizations, national governments, nongovernmental organizations (NGOs), individuals, and the like. The following discussion looks at preventive diplomacy (PD) in both the Cold War and post-Cold War contexts, and explores issues such as definitions (narrow and/or broad), approaches (structural/indirect and/or operational/direct), PD applications at various points in the conflict cycle, and conflict prevention as a basis for PD.

Evolution of a Concept

Preventive diplomacy is by no means a novel concept, dating back to Article 33 of the United Nations Charter, which identifies several PD measures and includes a reference to the importance of regional institutions in the process:

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.[1]

The subsequent work by two UN secretaries general, Dag Hammarskjöld and Boutros Boutros-Ghali, reinforces the provision of the original charter. In a 1959 UN report, Dag Hammarskjöld defines PD as any action to prevent disputes from arising between parties, prevent existing disputes from escalating into conflicts, and limit the spread of existing disputes when they occur.[2] His understanding of PD was clearly the product of the political circumstances of his time. Tasked with the mission of ensuring international peace at the height of the Cold War, Hammarskjöld saw the primary aim of PD as crucial to averting a major East-West crisis or, worse yet, war. Interestingly, he further argued that PD would "also apply to the economic sphere. Far less drastic in their impact as the economic activities must be, they are of decisive long-term significance for the welfare of the

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[1] See Article 33 of the UN Charter. Available: http://www.unhchr.ch/pdf/UNcharter.pdf (accessed February 2008).

[2] See, Salim Ahmed Salim, "Localizing Outbreaks: The Role of Regional Organization in Preventive Action," Kevin M. Cahill (ed.), *Preventive Diplomacy: Stopping Wars Before They Start* (New York: Basic Books), pp. 100-22, see p. 102.

international community"[3] – logic emblematic of dominant Cold War thinking that development and security were inextricably tied.[4] His vision of PD did not gain prominence as a distinct concept because of its easy accommodation within a power politics perspective.[5] Arguably, most PD efforts actually employed during the Cold War were aimed mainly at preventing wars between lesser powers. In the view of some, the UN tried in some instances to prevent escalation by insulating interstate and civil wars from the Cold War context.[6]

Following the end of the Cold War, a considerable loosening of the ideological-cum-political hold that Cold War logics had on international relations theory and practice was met by, among other things, a discernable rise in interest worldwide in PD. Post-Cold War attempts to redefine the concept by and large sought to expand the parameters of PD in line with parallel intellectual efforts to rethink security. The shift in the global political climate, aided by international outrage at avertable tragedies such as Rwanda, Burundi, and the Balkans, facilitated the rise of concepts such as humanitarian interventionism and human security, and the requisite policies that purportedly convert these ideas into reality.[7] According to a study, "As these values become embodied in procedures of the United Nations and other international institutions and in treaties, the international system also gains a greater institutional capacity to actualize the new spirit of political cooperation by addressing conflicts as they emerge."[8]

Against these new post-Cold War realities, one of Hammarskjöld's successors at the UN's helm, Boutros Boutros-Ghali, released a 1992 report, *An Agenda for Peace*, in which an entire chapter was devoted to PD.[9] Boutros-Ghali argued that PD is "the use of diplomatic techniques to prevent disputes from arising, prevent them from escalating into armed conflict if they do arise, and, if that fails, to prevent the armed conflict from spreading."[10] Thus understood, PD techniques are no different than peacemaking techniques, not least those that are diplomacy-based rather than force-based. For Boutros-Ghali, the key difference between the two is that peacemaking means are applied after armed conflict has broken out, whereas

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[3] Cited in Michael Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington, DC: United States Institute for Peace Press, 2005), p. 3.

[4] For example, W.W. Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto* (Cambridge: Cambridge University Press, 1960).

[5] Lund, *Preventing Violent Conflicts*, p. 33.

[6] Barnett R. Rubin and Bruce D. Jones, "Prevention of Violent Conflict: Tasks and Challenges for the United Nations," *Global Governance: A Review of Multilateralism and International Organizations*, Vol. 13, No. 3 (2007), pp. 391-408.

[7] See, Thomas G. Weiss, *Humanitarian Intervention: Ideas in Action* (Oxford: Polity Press, 2007); S. Neil McFarlane and Yuen Foong Khong, *Security and the UN: A Critical History* (Bloomington: Indiana University Press, 2006).

[8] Lund, *Preventing Violent Conflicts*, p. 11.

[9] Boutros Boutros-Ghali, *An Agenda for Peace* (New York: United Nations, June 17, 1992).

[10] Boutros Boutros-Ghali, "Challenges of Preventive Diplomacy: The Role of the United Nations and Its Secretary General," in Cahill (ed.), *Preventive Diplomacy: Stopping Wars Before They Start*, pp. 16-32, see p. 18.

PD is applied before the outbreak of conflict.[11] Nevertheless, his view of PD is by no means limited to the onset of conflicts, but to various "thresholds" in their development. Thus understood, the focus of PD differs from stage to stage: early on, the focus is on basic sources of dispute; later, the focus turns to preventing the dispute from turning into a violent conflict; and much later, the focus is on containing the violence from escalating.[12]

The UN has not been alone in emphasizing the importance of preventive action. Regional institutions – a key element of Boutros-Ghali's vision of a global PD regime – have not only shown rhetorical support for PD, but have established instruments such as high councils, special envoys, observer or fact-finding missions, and the like; in some instances, they have actually applied these mechanisms to areas of tension.[13] Likewise, nongovernmental actors – humanitarian relief organizations, human rights advocacy groups, development agencies, policy networks engaged in Track two diplomacy, etc. – have contributed to PD. Moreover, some countries have taken up the idea of PD. The United States, particularly during President Clinton's tenure, supported the concept. For example, the U.S. *National Security Strategy* for 1994 called for the development and deployment of PD, through means such as "support for democracy, economic assistance, overseas military presence, military-to-military contacts and involvement in multilateral negotiations…in order to resolve problems, reduce tensions, and defuse conflicts before they become crises."[14]

Finally, it should also be noted that some regions have taken PD beyond the sorts of concerns identified by the UN, to include democracy, human rights, protection of minorities, regional stability, and so forth. The 1975 Helsinki Final Act of the Conference (now Organization) on Security Co-operation in Europe (CSCE/OSCE), for example, identified the respect for fundamental human rights and freedoms of thought, conscience, religion or belief as a foundational commitment, alongside sovereignty and non-intervention, peaceful settlement of disputes, for all participating states.[15] As for the Organization of American States (OAS), its charter was again amended in 1985 to include the affirmation that "representative democracy is an indispensable condition for the stability, peace and development of the region."[16]

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[11] Boutros-Ghali, "Challenges of Preventive Diplomacy…," pp. 18-19.

[12] See, Boutros-Ghali, *An Agenda for Peace*.

[13] Lund, *Preventing Violent Conflicts*, p. 7.

[14] The White House, *National Security Strategy of Engagement and Enlargement* (Washington, DC: The White House, July 1994), p. 5.

[15] See, Conference on Security Co-operation in Europe Final Act, Helsinki, Aug. 1, 1975. Available: http://www.hri.org/docs/Helsinki75.html#H4.7 (accessed February 2008).

[16] See, Article 1 of the Protocol of Amendment to the Charter of the Organization of American States "Protocol of Cartagena de Indias," OAS Treaty Series No. 66, entered into force Nov. 16, 1988. Available: http://www1.umn.edu/humanrts/oasinstr/cartagena1988.html (accessed February 2008).

Definitions and Parameters

Prevention cannot be reduced to a set of tools and capacities. It also includes agreement on what is to be prevented – that is, consensus on what the main threats. To be sure, the UN was founded primarily to prevent war between states. The ending of the Cold War led to the development of a broader prevention paradigm focused on the prevention of civil wars, ethnic conflicts, state failure, gross violations of human rights (including war crimes and genocide), and humanitarian emergencies.[17] In short, PD shifted from a primarily *interstate* orientation during the Cold War to a more expansive interpretation after the Cold War that included both interstate and *intrastate* orientations. Nevertheless, despite widespread acknowledgement by policymakers of the significance of PD and a growing literature on the subject, no state or institution, not even the UN, has yet to establish standard operating procedures for early warning and preventive action, much less regularly applied them. In this respect, PD could rightly be described at this stage as "somewhat more than an idea but somewhat less than a policy strategy"[18] – a description that, in the view of some, may be overly generous of regions where PD remains for the most part an idea.

That said, despite the emerging international norms of humanitarian intervention and the responsibility to protect, there are some regions that continue to be characterized by political conservatism, where the principles of state sovereignty and noninterference still predominate. But as the following case studies suggest, conservatism at the intergovernmental level has not prevented the selective application of PD measures by certain regional, state and non-state actors in various conflict situations. In other words, while a general collective adherence to sovereignty norms by certain regional organizations and countries may have historically precluded the formal adoption of PD by states as part of their security policies, it has not prohibited the appropriation by some of PD measures in particular local contexts. As such, the general thesis that PD presents "a proactive yet prudent middle course between an unrealistically overreaching interventionism and a blanket isolationism"[19] likely describes the security orientation of most if not all regional institutions.

For the same reasons, it has been argued by some that the continued preponderance of sovereignty norms in the region argues against any overly ambitious vision and scope of PD, not least one that is unsustainable if not unrealizable. In this regard, the definition given in Boutros-Ghali's UN report, *An Agenda for Peace* – PD as action to prevent disputes from arising, to prevent extant disputes from escalating into conflicts, and to limit the spread of conflicts as they occur – has been deemed "unqualified," according to one assessment.[20]

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[17] Rubin and Jones, "Prevention of Violent Conflict: Tasks and Challenges for the United Nations."

[18] Lund, *Preventing Violent Conflicts*, p. 27.

[19] Lund, *Preventing Violent Conflicts*, p. 16.

[20] Desmond Ball, "Introduction: Towards Better Understanding of Preventive Diplomacy," in Desmond Ball and Amitav Acharya (eds.), *The Next Stage: Preventive Diplomacy and Security Cooperation in the Asia-*

Moreover, these critics also argue that its all-encompassing conception of PD as actions undertaken at various thresholds of a conflict cycle may not be tenable. It has been suggested that a narrower understanding of PD could help to avoid analytical confusion by precluding instruments that fit better in conflict mitigation and conflict resolution phases.[21] For example, Michael Lund restricts PD to the ascendant phases of a dispute or crisis: "Action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political disputes that can arise from the destabilizing effects of economic, social, political, and international change."[22] This narrow understanding is clearly not without merit. Nor, for that matter, is Lund's argument to confine PD to the realm of diplomacy, in contrast to the UN's (whether the vision of Hammarskjöld or of Boutros-Ghali) view that economic development assistance rightly belongs within the PD fold.[23]

Lund has a point. However, it is also evident that, in practice, regional organizations have taken the broader, more expansive approach to PD. In other words, the prevailing conception of prevention comprises both operational (or direct) as well as structural (or indirect) elements. *Operational prevention* refers to efforts using diplomatic, political or military tools, in the immediate or short term, to forestall incipient or escalating violence. *Structural prevention* refers to efforts involving developmental and economic tools in the longer term to address the "root causes" of conflict, in order to ensure they do not arise at all, or that, if they do, they do not recur. Also referred to as peace-building strategies, they include things as varied as establishing international legal systems and dispute settlement mechanisms; meeting people's basic economic, social, cultural, and humanitarian needs; and post-conflict rebuilding.[24] In short, operational prevention comprises strategies in the face of conflict, whereas structural prevention comprises strategies to address the root causes of conflict.[25]

Moreover, recent Asia-Pacific examples offer intriguing counterfactuals that suggest that timely and strategic injections of economic or financial assistance may reduce the prospect for severe political and humanitarian crises. For example, the severe restructuring policy imposed by the IMF on Indonesia following the Asian Financial Crisis, which led eventually to President Suharto's downfall, is well known. But could a timely infusion of Asian funds – available now in the form of the

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Pacific Region, Canberra Papers on Strategic and Defence No. 131 (Canberra: Strategic and Defence Studies Centre, Australian National University, 1999), pp. 1-14, see p. 7.

[21] Michael S. Lund, "Early Warning and Preventive Diplomacy," in Chester A. Crocker and Fen Osler Hampson (eds.), *Managing Global Chaos: Sources and Responses to International Conflict* (Washington, DC: United States Institute of Peace, 1996), p. 383.

[22] Lund, *Preventing Violent Conflicts*, p. 37.

[23] See especially Lund, *Preventing Violent Conflicts*, pp. 34-36.

[24] David A. Hamburg and Cyrus R. Vance (eds.), *Preventing Deadly Conflict* (Washington, DC: Carnegie Commission on Preventing Deadly Conflict, 1997), p. 64.

[25] Emma J. Stewart, *The European Union and Conflict Prevention: Policy Evolution and Outcome* (Munster: LIT Verlag, 2006), p. 30. The literature also refers to a third approach, systemic prevention, which seeks to reduce conflict on a global basis with mechanisms not focused on any particular state, such as the construction of better regulatory frameworks.

Chiang Mai Initiative – have prevented the domestic socioeconomic and political crisis that engulfed Indonesia during that difficult period?[26] Or, assuming regional governments and NGOs had failed to offer much needed aid to affected areas following the Boxing Day 2006 tsunamis, could that have resulted in a region-wide humanitarian and political crisis? While Lund is correct in drawing a distinction between development and diplomacy, the foregoing instances imply that economic assistance specifically earmarked to stave off severe humanitarian and/or political crisis could properly be regarded as PD.

The notion that PD should comprise humanitarian assistance is included in our third definition of PD, which is "diplomatic, political, economic and humanitarian action" taken by governments, international and regional institutions, and nongovernmental actors. Here, Amitav Acharya argues that the aim of PD is properly four-fold: (1) to prevent severe disputes and conflicts from arising *between* and *within* states; (2) to prevent such from escalating into armed confrontations; (3) to limit the intensity of violence from resulting and preventing it from spreading geographically; and (4) to prevent and manage acute humanitarian crises associated with such conflicts (whether as cause or effect).[27] Acharya's expansive definition of PD returns us to Boutros-Ghali's emphasis on multiple "thresholds" throughout the lifespan of a conflict as points at which different PD measures could and should be introduced. This for Lund is conceptually problematic because it risks turning PD into a catch-all label for every conceivable action taken. This is not to imply that Boutros-Ghali's emphasis on multiple thresholds is improper. In this regard, while Lund's definition presupposes PD solely as conflict prevention, it is not inconceivable that particular measures at the onset of crises or outbreak of violence (i.e., crisis-time responses) could equally be included as part and parcel of PD, if only because they involve instruments and practices similar to those pertinent to peace-time, if only an unstable peace.

A fourth definition of PD has the Asia-Pacific region and more specifically the ARF in mind: the 1999 report of the CSCAP Working Group on Confidence and Security Building Measures explicitly limits PD to conflicts "between States" and proposed the following principles: PD is about diplomacy; it is voluntary; it involves non-coercive activity; it rests upon international law; it is based on respect for state sovereignty and noninterference; it requires timeliness.[28] The emphasis on PD as essentially an interstate exercise underpinned by existing diplomatic conventions and norms is understandable, particularly given the ARF is an intergovernmental security forum predicated upon the ASEAN model of regional security (i.e., the "ASEAN Way" of consultation, consensus, and primacy of sovereignty norms).[29]

[26] Hadi Soesastro, "Comment on "Indonesia After the 'Asian Crisis,'" *Asian Economic Policy Review*, Vol. 2 (2007), pp. 142-43.

[27] Amitav Acharya, "Preventive Diplomacy: Issues and Institutions in the Asia Pacific Region," in Bunn Negara and Cheah Siew Ean (eds.), *Managing Security and Peace in the Asia Pacific* (Kuala Lumpur: ISIS Malaysia, 1996), p. 238.

[28] As discussed in Ball, "Introduction: Towards Better Understanding of Preventive Diplomacy," pp. 8-9.

[29] Michael Leifer, *The ASEAN Regional Forum*, Adelphi Paper 302 (London: Oxford University Press / International Institute for Strategic Studies, 1996).

But as the case studies in this present study show, this strictly state-centric definition does not reflect the ground realities of most regions – including, ironically enough, the Asia-Pacific – where PD efforts have been applied.

Of more recent vintage are definitions that link PD with conflict prevention.[30] In this regard, what these attempts seek to accomplish is to refocus attention – severely misplaced, in their opinion – back on the so-called "first promise" of the UN Charter, namely, the prevention of conflict.[31] While perceived failures in peacekeeping in Somalia, Bosnia and elsewhere during the 1990s might have stunted the enthusiasm of the international community for conflict management, they likely facilitated the growing interest in conflict prevention, despite lingering skepticism about the ability of preventive action to forestall conflict. The new studies that emerged examine how and why conflicts begin, what sustains them, and what kinds of intervention measures might be adopted to prevent them from occurring, escalating and recurring.[32] One study notes, for example, that there is a widening range of actors (e.g., business corporations, NGOs, regional organizations) with disparate competencies, mandates, and interests that are increasingly called upon to do conflict prevention.[33] Second, because these diverse actors approach conflict prevention from different directions and at different entry points of a conflict cycle, they need to be able to communicate with one another and find ways to collaborate. Finally, since conflict prevention is viewed as an imperative not an option, it is important that actors engaging in conflict prevention appreciate and enhance the link between their own institutional capacities, on one hand, and preventive measures on the other.[34]

Mechanisms of PD

Preventive diplomacy measures vary widely. The following items clearly do not exhaust the list of existing as well as possible PD mechanisms, whether operational or structural. Measures of operational (or direct/proximate) prevention include instruments ranging from a simple yet strategic communication by

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[30] Bruce W. Jentleson (ed.), *Opportunities Missed, Opportunities Seized: Preventive Diplomacy in the Post-Cold War World* (Lanham: Rowman Littlefield for Carnegie Commission on Preventing Deadly Conflict, 1999).

[31] Fen Osler Hampson, Karin Wermester, and David M. Malone, "Introduction: Making Conflict Prevention a Priority," in Fen Osler Hampson and David M. Malone (eds.), *From Reaction to Conflict Prevention: Opportunities for the UN System* (Boulder: Lynne Rienner for the International Peace Academy, 2002), pp. 1-11, see p. 1.

[32] See, Alice Ackermann, "The Idea and Practice of Conflict Prevention," *Journal of Peace Research*, Vol. 40, No. 3 (2003), pp. 339-47; Albrecht Schnabel and David Carment, "Conflict Prevention: Concept and Application," in Gustaaf Geeraerts, Natalie Pauwels and Eric Remacle (eds.), *Dimensions of Peace and Security: A Reader* (Brussels: PIE-Peter Lang, 2006), pp. 253-77; David Carment and Albrecht Schnabel (eds.), *Conflict Prevention from Rhetoric to Reality: Organizations and Institutions* (Lanham: Lexington, 2004); and Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, *Contemporary Conflict Resolution: The Prevention, Management and Transformations of Deadly Conflict* (Oxford: Polity, 1999).

[33] David Carment and Albrecht Schnabel, "Into the Mainstream: Applied Conflict Prevention," in Carment and Schnabel (eds.), *Conflict Prevention from Rhetoric to Reality*, pp. 3-18, see p. 3.

[34] Carment and Schnabel, "Into the Mainstream: Applied Conflict Prevention," pp. 3-4.

telephone during a crisis, to peace-time monitoring of events in potential flashpoints, to the dispatch of fact-finding and goodwill missions at the start of crises, to troop deployments following the outbreak of hostilities.[35]

i. ***Confidence building*** involves the use of various measures by an actor to clarify with other concerned actors regarding the true nature of potentially threatening military activities undertaken by the former. Such measures include transparency and information sharing, advanced notification of military exercises and deployments, the monitoring of regional arms agreements, and the production of annual regional security outlooks.

ii. ***Institution building*** refers to formal or informal arrangements that organize and coordinate attention, expertise and resources to meet common challenges and objectives. Institutions help to develop shared norms and principles of conduct, facilitate regularized consultations and dialogue, build trust, and encourage sustained commitment to multilateral coordination (and possibly even cooperation) among their members.

iii. ***Early warning*** (EW) is a form of systematic monitoring of developments in various areas (political, military, economic, environmental, etc.) that, if unattended to and unalleviated, could lead to outbreak of violence or major humanitarian disasters. In one observer's view, EW is "synonymous" with forecasting in the political and economic fields.[36] A good EW system enables preventive-diplomats to scan beyond the time horizon to identify latent and low-level conflicts; it allows them to buy time to build political support for action, design and implement proactive strategies and/or plan for assistance and rescue.[37] According to one assessment, contrary to what is often argued, cases of PD failures during the first decade of the post-Cold War period cannot be attributed to the lack of early warning because in most instances there was evident availability of early warning.[38]

iv. ***Preventive humanitarian action*** is aimed at managing and mitigating (1) the humanitarian costs of political conflicts and/or (2) the humanitarian and political consequences of natural disasters.[39]

v. ***Fact-finding missions*** involve the collection and analysis of timely and reliable information on conflict situations. Usually the facts found are rather

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[35] The following outline and discussion of various PD measures is indebted to Amitav Acharya, "Preventive Diplomacy: Background and Application to the Asia-Pacific Region," in Ball and Acharya (eds.), *The Next Stage*, pp. 15-37.

[36] Salim, "Localizing Outbreaks…," p. 118.

[37] Ted Robert Gurr, "Early Warning Systems: From Surveillance to Assessment to Action," in Cahill (ed.), *Preventive Diplomacy: Stopping Wars Before They Start*, pp. 123-43, see p. 123-34.

[38] Bruce W. Jentleson, "Preventive Diplomacy: Analytical Conclusions and Policy Lessons," in Jentleson (ed.), *Opportunities Missed, Opportunities Seized*, pp. 319-48, see p. 324.

[39] See, Boutros Boutros-Ghali, "Empowering the United Nations," *Foreign Affairs*, Vol. 71 (Winter 1992-93), p. 101.

comprehensive, covering the domestic, regional, and global aspects of a conflict as well as its social, economic, and political antecedents.

vi. ***Good offices and goodwill missions*** are undertaken before or at the start of a crisis by key actors (e.g., UN Secretary General) or their emissaries. While such missions could involve mediation, they are also vehicles for promoting a climate of trust among the parties to the conflict as well as channels through which the concern of the international community could be conveyed. The imperative for secrecy in such missions cannot be overstated. As former UN Secretary General U Thant once put it, "the perfect good offices operation is one which is not heard of until it is successfully concluded or even not heard of at all."[40]

vii. ***Crisis management*** involves measures such as arbitration, mediation, and reconciliation aimed at reducing the immediate possibility of violence in conflict situations.

viii. ***Preventive deployment*** involves the dispatch of troops to trouble spots to prevent escalation of a conflict. In contrast to peacekeeping, which consists in the separation of rival parties to the conflict who have mutually reached a settlement of their differences, preventive deployment does not require the consent of rival parties. For this reason, preventive deployments are not necessarily neutral exercises.

Structural (or indirect) preventive measures include the following:

i. ***Development aid*** consists in the provision of developmental and economic assistance to alleviate conditions (poverty, economic deprivation, etc.) that, if left unattended, could facilitate the rise of conflict.

ii. ***Local capacity-building*** involves helping conflict-prone regions to overcome their institutional weaknesses through providing both material and intellectual resources. There is a governance bias here simply because "bad leadership" or poor governance can encourage the exploitation of insecurity. For example, it has been argued that "the humanitarian tragedies of today were caused mainly by leaders who were interested in neither reaching non-violent resolutions to conflicts nor making concessions."[41] Yet if this argument were at all an indictment of operational PD, it nevertheless underscores (if only inadvertently) the importance of structural PD.

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[40] Cited in Boutros-Ghali, "Challenges of Preventive Diplomacy…," p.19.
[41] Stephen John Stedman, "Alchemy for a new world order overselling preventive diplomacy," *Foreign Affairs*, Vol. 74 (May/June 1995), pp. 14-20, see p. 18.

iii. ***Assistance in election and human rights monitoring*** is equally an important form of structural prevention.[42]

Conclusion

All said, it would seem that many if not most conceptions of PD are relatively congruent with the definition provided in *An Agenda for Peace,* notably, *the use of diplomatic measures to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts, and to limit the spread of conflicts when they occur.* The latitude afforded by this broad definition implies that PD is not restricted to officials, be they representatives of state governments or intergovernmental organizations. Private individuals and international civil society organizations could also be included as legitimate agents of prevention. Despite valid criticisms that such a broad definition lacks analytical rigor and conceptual acuity, the fact remains that extant PD understandings and practices in the global context tend to favor a broad rather than narrow definition. As such, PD is therefore (1) inclusive of both operational and structural prevention mechanisms, and (2) takes place at various points of a conflict cycle.

Ultimately, the success of preventive diplomacy is dependent on the creativity, ingenuity, and courage of its strategists and practitioners, not least those who "do" prevention in the various regional organizations examined in this study. As Bruce Jentleson reminds us:

There is no more important challenge facing the international community than preventive diplomacy. What this challenge entails is to be neither underestimated nor overestimated. This means on the one hand refraining from glib criticisms and rhetorical condemnations that do not give sufficient analytic weight to the very real difficulties of preventing ethnic wars and other deadly conflicts. It also means not subscribing to historically deterministic theories or accepting at face value claims by policymakers and others about failed attempts at prevention that nothing more or different could have been done.[43]

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[42] Fred Tanner, "Conflict prevention and conflict resolution: limits of multilateralism," *International Review of the Red Cross*, No. 839 (September 30, 2000), pp. 541-58. Available:
http://www.icrc.org/Web/Eng/siteeng0.nsf/html/57JQQ2 (accessed February 2008).
[43] As Jentleson notes in the preface to his edited volume, *Opportunities Missed, Opportunities Seized*, p. xv.

Chapter 2
The ARF: Achievements and Challenges in Preventive Diplomacy

The ASEAN Regional Forum (ARF) was formed in 1994 with the goal of sustaining and enhancing the peace and prosperity of the Asia-Pacific region by enhancing dialogue on political and security cooperation.[1] It was envisioned that it would achieve this aim through a gradual evolutionary approach encompassing three stages – Stage I: Promotion of Confidence-Building Measures (CBMs); Stage II: Development of Preventive Diplomacy (PD) Mechanisms; and Stage III: Development of Conflict-Resolution Mechanisms. To date, the ARF has concentrated mainly on Stage I and to a lesser extent, concurrently, on Stage II measures.

This chapter will seek to make a critical assessment of the ARF's achievements in contributing to regional security through Preventive Diplomacy (PD) and Confidence Building measures. Opinion with regards to the ARF's achievements in Preventive Diplomacy is sharply divided. On the one hand, the ARF has been accused of merely being a "talking shop" for regional security issues. The critics of the ARF point to a failure to implement and execute Preventive Diplomacy on the part of the organization and the absence of mechanisms and institutions to implement legally binding policies[2] to bolster their criticism that the ARF is, in effect, a solely consultative body. Some ARF members have been critical of the pace of progress, particularly in terms of the implementation of PD. Supporters of the ARF, however, point out the important role the ARF has played in inculcating norms, with its primary contributions being to enhance trust and confidence through inculcating a habit of intense consultation and a degree of cooperation among its members on political, security, economic, and other issues.[3]

As a first step, the chapter will seek to define preventive diplomacy (PD) and note the essential and fundamental role that confidence building measures (CBM) play in setting a foundation of mutual trust on which PD can be built. It will then provide an overview of the ARF's achievements in CBMs and PD, outlining the controversy over PD within the ARF itself over the thorny issue of how it would affect sovereignty. There are also questions of how compatible PD is with the "ASEAN Way" of consensus dialogue that is the cornerstone of the ARF. The chapter will then offer an assessment of the ARF with regards to its role in PD, contending that any such assessment will have to be made based on the organization's own scope and definition of PD and the inherent security

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[1] See, "ASEAN Regional Forum: A Concept Paper," adopted at the Second ASEAN Regional Forum, Bandar Seri Begawan, 1995. Available: http://www.aseansec.org/3635.htm (accessed February 2008).
[2] Axel Berkofsky, *Can the EU Play a Meaningful Role in Asian Security through the ASEAN Regional Forum?* EIAS Policy Brief No. 03/01 (Brussels: European Institute for Asian Studies, November 2003).
[3] Mohamed Jawhar Hassan, "The ASEAN Regional Forum: A Critical Appraisal," presented at the 2001 National Defense University Pacific Symposium, "Enhancing Regional Cooperation Through New Multilateral Initiatives," Honolulu, March 26-28, 2001. Available: http://www.ndu.edu/inss/symposia/pacific2001/jawharpaper.htm (accessed February 2008).

considerations that it faces. The theoretical lens through which the ARF is viewed will also drastically affect whether it is viewed in a positive or negative light.

Defining Preventive Diplomacy and Confidence Building

The concept for Preventive Diplomacy was first clearly articulated by then-UN Secretary General Boutros-Ghali in *An Agenda for Peace* as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and limit the spread of the latter when they occur."[4] He foresaw that this would "require measures to create confidence; early warning based on information gathering and informal or formal fact finding; and it may also involve preventive deployment and, in some situations, demilitarized zones."[5] This could be carried out by individuals (such as the good offices function of the UN Secretary General), governments, nongovernmental and multilateral organizations.

Boutros-Ghali himself noted that measures to build confidence were an important prerequisite for PD. For this chapter's purposes, Confidence Building Measures (CBMs) are defined as "attempts to make clear to concerned states, through the use of a variety of measures, the true nature of potentially threatening military activities."[6] The fundamental purpose of CBMs is to reduce strategic uncertainty. A wide range of activities can be carried out to this end, including enhancing transparency through information exchanges; advanced notification of military exercises and military deployments; the monitoring of regional arms agreements; and increased dialogue and exchange of visits.

The ARF approach itself prioritizes the promotion of CBMs as the first stage toward creating greater regional security, with PD (Stage II) seen as the "natural follow up to CBMs." We can thus first examine the ARF's goals and achievements in promoting CBMs before moving on to examine the extent to which it has moved on toward the adoption of PD itself.

The ARF's Confidence Building Initiatives

The key goal upon the foundation of the ARF was to create a "predictable and constructive pattern of relationships for the Asia-Pacific region" and as such it was decided that "in its initial phase the ARF should therefore concentrate on enhancing the trust and confidence among participants and thereby foster a regional environment conducive to maintaining the peace and prosperity of the region."[7] It was envisioned that the ARF adopt two complementary approaches to

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[4] Boutros Boutros-Ghali, *An Agenda For Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*, Report of the UN Secretary General (New York: United Nations, 1992)

[5] Boutros-Ghali, *An Agenda for Peace*.

[6] James Macintosh, *Confidence-Building: Its Contribution to Peacekeeping*, Occasional Paper No. 11 (Toronto: York Centre for International and Strategic Studies, March 1990), p. 2.

[7] See, "ASEAN Regional Forum: A Concept Paper."

building confidence. First, this could be done by following the ASEAN established practice of consultation and consensus and frequent dialogue through the exchange of high-level visits. In practical terms, this has been embodied in the ARF's endorsement of the terms of the Treaty of Amity and Cooperation (TAC) and the requirement that all new members first accede to the TAC before admission into the ARF. Second, concrete CBMs could be implemented at both a Track one (government) and Track two (NGOs and other nonofficial organizations) level.

In a 1997 study on the ARF commissioned by the Canadian Government, the following set of common objectives that underscore confidence-building efforts in the Asia Pacific region were identified:

1. Reducing tensions and suspicions.
2. Reducing the risk of accidental war or war by miscalculation.
3. Fostering communication and cooperation in a way that deemphasizes the use of military force.
4. Bringing about a better understanding of one another's security problems and defense priorities.
5. Developing a greater sense of strategic confidence in the region.

Three categories of CBMs were also identified: principles/declaratory measures, transparency measures, and constraining measures. (Further detailed information on CBMs is contained in Table 1 of the Appendix).

As noted above, the key goal of CBMs is to reduce uncertainty and suspicion. As such, a number of initiatives have been established within the ARF to increase transparency and to encourage the exchange of information between ARF member states. Chief among these have been the ARF Inter-sessional Support Group (ISG) on Confidence Building Measures (which has since become the ISG on CBM and PD). Other Inter-sessional Meetings have also been conducted to promote the sharing of expertise and discussion in such areas as Search and Rescue Coordination and Cooperation, Peacekeeping, Disaster Relief among others. Seminars and expert group meetings have also been organized on such areas as De-mining, Transnational Crime, Terrorist Financing and Prevention, Marine Security Challenges, and many others. (An outline of multilateral CBMs in the ARF and CSCAP is contained in the Appendix at Table 2). Furthermore, a number of military to military meetings and exchanges (such as the meeting of the heads of Defense Colleges and Institutions) have also been held under the ARF ambit. In addition to this, ARF member states have taken the initiative to increase transparency by publishing defense White Papers and statements outlining their perspectives on regional issues. It is worth noting that the CBMs undertaken by the ARF are predominantly principle/declaratory and transparency measures, with very few, if at all, constraining in nature.

Assessing the ARF's Contributions to Confidence Building

On the whole, the ARF has been successful in achieving its twofold approach toward building confidence, first, by successfully institutionalizing "the ASEAN way" as a shared code of behavior and second, by establishing CBMs as the central action program for the member states to implement.[8] It is a measure of the ARF's success that the forum has expanded to 27 countries, incorporating the majority of states in the Asia-Pacific region and it continues to be the predominant platform for the discussion of political and security issues by high-ranking representatives from these States. It was acknowledged at the very first ARF meeting that the creation of the forum itself was a "historic event for the region"[9] and it has been assessed that the initiation of the multilateral process itself "must count as one of the outstanding achievements,"[10] particularly in bringing together under a single security umbrella China and the United States, two larger regional powers hitherto not well disposed to regional multilateral processes.[11] It is thus important to acknowledge not only the continuation but the rapid expansion of this process of dialogue and cooperation into numerous areas as outlined above.

However, it is important to note that the building of confidence itself is only seen as the first stage in the ARF's approach toward enhancing regional security, which would then evolve toward PD and conflict resolution mechanisms. One common criticism that has been leveled against the ARF is that its focus on the "ASEAN Way" and consensus building, while useful in providing a shared basis for cooperation, had led to slow progress within the forum, particularly in evolving toward a PD stage of the process. Another criticism leveled against the forum is that the focus on sovereignty and non-interference enshrined within the "ASEAN way" has meant that the CBMs put in place have been on the whole non-binding principle/declaratory and transparency measures that are carried out on a voluntary basis, with hardly any constraining measures. This has led to the ARF being dismissed as merely being a consultative organization and a "talk shop." As noted above, confidence building itself is seen as providing the foundation for PD, and is seen as having considerable overlap with PD. The ARF's achievements in confidence building should thus be assessed within its wider goal in implementing PD – to which we now turn.

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[8] Tsuyoshi Kawasaki, "Neither Skepticism nor Romanticism: The ASEAN Regional Forum as a Solution for the Asia-Pacific Assurance Game," *The Pacific Review*, Vol. 19, No. 2 (2006), pp. 219-237.

[9] Chairman's Statement: The First ASEAN Regional Forum Ministerial Meeting, Bangkok, Thailand, July 25, 1994. Available: http://www.state.gov/t/ac/csbm/rd/4377.htm (accessed February 2008).

[10] Mohamed Jawhar, "The ASEAN Regional Forum: A Critical Appraisal."

[11] Mohamed Jawhar, "The ASEAN Regional Forum: A Critical Appraisal."

From Confidence Building to Preventive Diplomacy

Despite the stated intention of the ARF to enhance security in the region through PD there has been considerable controversy and debate among its participating members and a clear divergence in attitudes toward the idea of PD. This is particularly with regards to concerns over the erosion of sovereignty as well as how PD would affect their countries' security interests. As such, ARF members have shown varying degrees of willingness and preparedness with regards to the development of PD measures and in moving the ARF toward the PD stage of its evolutionary approach.

Controversy over Preventive Diplomacy

In its initial stages this divergence was clearly seen between countries that were active advocates for developing concrete PD mechanisms (such as the US, the EU, Japan, Canada, and Australia) and those that were reluctant to move the ARF forward to a PD stage (specifically China and some ASEAN countries such as Myanmar and Vietnam). The activist countries stressed the need to implement concrete PD measures such as early warning systems, fact-finding missions, and an enhanced good offices role of the ARF Chair that would have an active role in mediating in disputes.

The more reluctant countries, however, were keen to establish a clear definition of PD before studying specific measures that could be implemented. They also strongly adhered to the principles of non-interference (as established in the Treaty of Amity and Cooperation) and feared that applying PD to interstate (let along intrastate) conflicts "would allow for intervention in security problems involving sovereignty and internal affairs."[12] The "reluctant" view was clearly expressed in a paper by Chinese Ambassador (and Secretary General of CSCAP China) Shi Chunlai that stressed sovereignty and refraining from interference in a country's internal affairs among its "seven principles."[13] The conservative and more limited role that the Chinese envisioned for PD can also be seen in a paper submitted as part of a CSCAP Working Group Report on Preventive Diplomacy that stressed that further approaches to PD could focus on "(1) Enhancing confidence and trust in the Asia-Pacific, (2) Initiate cooperative and constructive discussions of traditional and nontraditional regional security issues, (3) consistent support for ASEAN as the ARF Chair and (4) explore concrete measures to implement PD."[14] The first two points are essentially

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[12] Takeshi Yuzawa, "The Evolution of Preventive Diplomacy in the ASEAN Regional Forum: Problems and Prospects," *Asian Survey*, Vol. 46, Issue 5, pp. 785-804, see p. 790.

[13] Shi Chunlai, "Preventive Diplomacy in the Asia-Pacific Region," in Desmond Ball and Amitav Acharya (eds.), *The Next Stage: Preventive Diplomacy and Security Cooperation in the Asia-Pacific Region*, Canberra Papers on Strategic and Defence No. 131 (Canberra: Strategic and Defence Studies Centre, Australian National University, 1999), pp. 183-84.

[14] Ding Kuisong, "Preventive Diplomacy and its Relevance to the Asia Pacific," Report of the CSCAP Workshop on Preventative Diplomacy Security (Hanoi, April 24-28, 2002), pp. 31-32. Available:

related to confidence building and even in terms of the concrete measures mentioned in point four focused on information exchange; closer cooperation between officials, diplomats, and scholars; and organizing training courses for officials[15] which is more closely related to enhancing trust and building confidence.

Defining PD in the ARF context

Partly as a result of the controversy over PD, the ARF in its first seven years focused on confidence building, which was, however, still in line with the ARF's stated objective of creating a sense of trust and confidence among its participants initially. It was emphasized that the ARF process had to "develop at a pace that was comfortable to all participants."[16] However, continued discussions within the ISG meetings on CBMs, as well as within three CSCAP workshops on PD led to the development of a working definition and statement of principles on PD. The ISG on CBM was also tasked with exploring areas in which PD and CBMs overlapped. This led to the adoption, at the 8th ARF meeting in Hanoi in 2001, of the "ARF Concept and Principles of Preventive Diplomacy" which specified a definition for, concept of, and principles of PD.

PD was defined as "consensual diplomatic and political action taken by sovereign states with the consent of all directly involved parties":

- To help prevent disputes and conflicts from arising between States that could potentially pose a threat to regional peace and stability;

- To help prevent such disputes and conflicts from escalating into armed confrontation; and

- To help minimize the impact of such disputes and conflicts on the region.

The Paper also outlined the key principles of PD as drawn from the CSCAP discussions, noting that the principles guiding PD would draw on the approach that has made ASEAN a success, including "the non-use of force, peaceful settlement of disputes, non-interference in internal affairs, pragmatism, flexibility, consensus, consultation, and accommodation." The eight key principles of PD that were outlined were:

- *Diplomacy*: It relies on diplomatic and peaceful methods

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http://www.victoria.ac.nz/css/docs/CSCAP_Reports_Contributions/2002/RepPDWS02.pdf (accessed February 2008).

[15] Ding, "Preventive Diplomacy and its relevance to the Asia Pacific," p. 32

[16] See, among others, Chairman's Statement, The Sixth Meeting of the ASEAN Regional Forum, Singapore, July 26, 1999. Available: http://www.aseansec.org/3587.htm (accessed February 2008).

- *Non-Coercive*: Military action and the use of force are not part of PD.

- *Timeliness*: Action is preventive rather than curative; PD methods are most effectively deployed at an early stage of a dispute or crisis.

- *Requires Trust and Confidence*: PD can only be exercised successfully when there is a strong foundation of trust and confidence.

- *Consultation and Consensus*: Any PD effort can only be carried out through consensus after careful and extensive consultation among ARF members.

- *Voluntary*: PD practices are to be employed only at the request of all the parties directly involved in the dispute and with their clear consent.

- PD applies to conflicts between and among States

- It is conducted in accordance with universally recognized basic principles of international law and inter-state relations.

Finally, a number of PD initiatives that could be undertaken by the organization were identified. This included *Confidence Building Measures, Norms Building, Enhancing Channels of Communication,* and *Role of the ARF Chair.* The first two clearly overlapped with the Stage 1 process of engaging in confidence building. Two initiatives stemming from the original conception of PD stated in *An Agenda for Peace* have also been put under consideration by the ARF. The first, as noted explicitly above, is a possible good offices and fact-finding role of the ARF Chair or representatives appointed by the Chair. This has been explicitly set out in a paper on the "Enhanced Role of the ARF Chair." The second is the creation of a Regional Risk Reduction Centre, which was a PD measure first considered as part of the initial ARF Concept Paper and is associated with information gathering and enhancing channels of communication.

Assessing the ARF's role in PD

An assessment of the ARF's progress with regards to PD is important on two counts. First, despite the fact that the Asia-Pacific region has witnessed growing economic prosperity and interdependence, the region still contains a number of potential military flashpoints and territorial disputes in which the risk of armed conflict cannot be discounted (e.g., cross-Taiwan Strait tensions, South China Sea territorial disputes such as the Spratlys, and the North Korean nuclear issue). Thus, the "failure or success of the ARF in its effort to develop PD is a significant factor in future prospects for regional peace and stability."[17]

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[17] Yuzawa, "The Evolution of Preventive Diplomacy in the ASEAN Regional Forum," p. 786.

Institutionally, the ability of the ARF to adopt PD mechanisms is being used as a yardstick for assessing the effectiveness and progress of the forum as a whole.[18] It is possible to argue that the credibility of the ARF, and thus the extent to which some of its members will play a pro-active role in the organization, is dependent on its ability to implement and execute PD. Failure of the ARF to actively move toward a role in PD and to play an active role in ongoing security challenges in the region would add to the criticism that it is merely an institution for dialogue and a "talk shop."

As noted, opinion with regards to the ARF is sharply divided. To a large degree, any evaluation of the ARF is heavily dependent on the expectations placed on the ARF. The ARF itself has been compared unfavorably to similar organizations, in having CBMs that are neither mandatory nor enforceable. Another common criticism is that the ARF's adoption of the policy of sovereignty and non-interference as enshrined within the TAC is contradictory to the effective implementation of PD. However, in making any assessment of the ARF, it is important to take into consideration the inherent strategic and geopolitical constraints in which the ARF operates. Giving these limitations, the achievement of the ARF in creating a broad consensus on CBMs and PD that takes into account issues over sovereignty should not be underestimated. Indeed, any assessment of the ARF should be made based on the ARF's own definition of PD and the specific goals it has set itself in that area – in creating an enhanced role for the ARF Chair and institutionalizing an ARF information gathering apparatus through a mechanism such as a Regional Risk Reduction Centre (RRRC). Finally, whether the Forum is assessed negatively or positively is also heavily influenced by the lens – neorealist or constructivist – through which such assessments are made.

Differing Expectations and Inherent Limitations

The ARF has been largely successful in its goal of building confidence among its members, with initiatives to share information and expertise undertaken in a wide variety of areas. However, these initiatives were largely voluntary and nonbinding in nature, while the ARF has been compared unfavorably to other similar organizations such as the OSCE or the OAS in which collective policies are jointly implemented and enforceable. Critics claim that the ASEAN Charter's fundamental principle of noninterference in the internal affairs of its member states inherently limits the ARF's ability to carry out PD measures and limits the efficacy of any CBMs due to the lack of any enforcement mechanism. Critics argue that the ARF and its measures are essentially toothless.

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[18] Raymond Jose G. Quilop, "Moving Towards Preventive Diplomacy, Challenges and Prospects for the ARF," in Preventive Diplomacy: Charting a Course for the ASEAN Regional Forum," A Council for Security Cooperation in the Asia Pacific (CSCAP) Confidence and Security Building Measures (CSBM) International Working Group Report, *Issues and Insights*, No. 3-02 (July 2002), pp. 13-28, see p. 13. Available: http://www.csis.org/media/csis/pubs/issuesinsights_v02n03.pdf (accessed February 2002).

The ARF must be understood in the context of the wider strategic environment of the Asia-Pacific region which influences the nature of the ARF, the pace of its progress, and the way it carries out PD. One key challenge that has faced the ARF since its inception is the fact that its member states are diverse with vastly different security cultures and concerns, and together they cover a large geographical expanse. There is also a lack of trust and confidence between a number of states within the region due to a legacy of historical conflict.

It can be argued that the ARF, understanding these constraints, has chosen to operate within a more limited context, through the use of non-binding mechanisms and at a much looser level of integration (as compared to other regional organizations such as the OSCE). The ARF's CBMs have thus been "designed to increase transparency and not to constrain," unlike the OSCE CBMs which "had to be deep and binding and 'have teeth.'"[19] The main goal of the CBMs was increasing the possibility for mutual trust and cooperation between the ARF states, a task that the ARF has, on the whole, been successful in. In this light, the very fact that a consensus has been reached with regard to the implementation of PD that is able to overcome concerns over sovereignty is an achievement in and of itself.

Meeting Its Own Benchmarks

However, even given the inherent limitations of the ARF, it can be argued that the organization has been slow in reaching its own benchmarks. This can be seen first, with regards to putting in place a good offices role for the ARF Chair. Thus far, in accordance with the paper on "enhancing the role of the ARF Chair," the Chair has been given the role as a coordinating body for information gathering and a liaison role with other organizations (such as the OSCE and OAS). A register of eminent persons has also been created for the Chair to draw upon for expertise. However, there remains considerable debate on two levels with regards to the role of the Chair – first, expanding the ARF Chair beyond the 10 ASEAN countries, and second over how an ARF Chair with an expanded good offices capacity might impinge upon sovereignty. It is quite telling that during the recent internal unrest in Myanmar, the UN was able to play an active good offices role in the form of UN Special Envoy Ibrahim Gambari, while the ARF Chair did not possess a similar capacity. The lack of consensus on this issue is also reflected by the fact that "expanding the role of the chair" remains on the ARF agenda even up to the 2007 ARF meeting. An inherent aspect of expanding the role of the Chair, as well as creating a greater capacity for information gathering within the ARF itself, is the question of greater institutionalization of the organization itself and the creation of an independent secretariat, or a body such as a Risk Reduction Centre (a benchmark that was outlined in the original ARF concept paper). Very limited progress has been made to this end, with questions of whether the costs of such an independent secretariat can even be justified.

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[19] Kawasaki, "Neither Skepticism Nor Romanticism…," p. 224.

Differing Prisms: Neorealist and Constructivist Views of the ARF

Finally, an assessment of the independent role of the ARF in enhancing security within the Asia-Pacific region is likely to differ according to the theoretical lens that is utilized. Neorealists, who are fundamentally concerned with the balance of power, tend to be deeply skeptical about the ability of the ARF to enhance regional security. Constructivists however, believe that a state's interest extends beyond concerns with power and material gain and can be influenced by norms – shared understanding of behavior. Thus, for them, neorealism provides an inadequate structural lens through which to view multilateral organizations such as the ARF which are able to create regional identities through shared norms.

According to the neorealist arguments, the perception that multilateral organizations like the ARF are able to enhance security is a chimera. This is because such organizations are merely a reflection of the existing balance of power between states. As such any inherent stability that is present in the region is not the work of the regional organization, which is unable to affect the balance of power. To Michael Leifer, the ARF is a "highly imperfect instrument" that "suffers inevitably from intrinsic defects." In fact, the fundamental fact is that "multilateral mechanisms like the ARF may work well in the presence of a balance [of power], but are not inherently capable of creating one" by which logic "the prerequisite for a successful ARF may well be the prior existence of a stable balance of power."[20] Robyn Lim sums it up best when she states that the ARF is an organization that is "built on sand."[21]

For the constructivists, "to understand the emergence of multilateral institutions in the region, one needs to look beyond the material interests and rational utility maximizing behavior of regional actors."[22] That is because organizations such as the ARF are able to institutionalize shared norms that go beyond power politics, perhaps leading to a fundamental identity transformation. In the case of the ARF it can be argued that this is brought about through the institutionalization of the diplomatic norms of the "ASEAN way" in the form of the habit of dialogue and consultation to create mutual trust. This in turn leads to the creation of a regional identity where the fundamental notion of regional security is created through multilateral security cooperation.

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[20] Michael Leifer, *The ASEAN Regional Forum: Extending the ASEAN Model of Regional Security*, Adelphi Papers No. 302 (Oxford: Oxford University Press, 1996).
[21] Robyn Lim, "The ASEAN Regional Forum: Building on Sand," *Contemporary Southeast Asia*, Vol. 20 No. 2 (1998), pp. 115-36.
[22] Amitav Acharya, "Ideas, Identity and Institution Building: From the 'ASEAN Way' to the 'Asia-Pacific Way,'" *The Pacific Review*, Vol. 10, No. 3 (1997), pp. 319-46.

Conclusion

In conclusion, there are many sharply contrasting assessments of the ARF's contributions to regional security through confidence building and preventive diplomacy. To a degree, whether one has a positive or negative view of the ARF's role in PD is dependent on the expectations placed on the ARF. This chapter argues that given the inherent limitations that the ARF faces, we should assess the ARF in terms of its more "minimalist" definition of PD that is largely nonbinding and taking into account concerns over sovereignty. However, it must be acknowledged that even given the inherent constraints, the ARF must work toward achieving the objectives it has set itself in terms of enhancing the role of the ARF Chair and creating an institutionalized mechanism for information gathering. The ARF should also try and expand its notion of PD, something that it has already done with the inclusion of nontraditional security issues such as counterterrorism and the prevention of epidemics under the PD ambit.

Appendices

Table 1
Types of Confidence-Building Measures (CBMs)

Principles/ Declaratory Measures	-generalized statements of interests, norms, and beliefs -statements can be either explicit/formal (e.g., declarations, treaties) and implicit/informal (e.g., communiqués) -common to other approaches to security cooperation, e.g., preventive diplomacy (PD) or conflict resolution (CR)
Transparency measures	-defense White Papers publications -calendar of military activities -exchange of military information -military-to-military contacts -arms registry -military personnel/student exchanges -mandatory consultation on unusual/dangerous activities -notification of military maneuvres/movements -invitation of observers -surveillance and control zones -open skies troop separation and monitoring
Constraining measures	-prevention of dangerous military activities -incidents at sea agreements -demilitarized zones -disengagement zones -air/maritime keep-out zones -weapons of mass destruction (WMD)-free zones -limits on personnel numbers, categories and deployment zones -limits on equipment deployment (by geographical area or numbers), category and storage -limits on troop and equipment movements/maneuvres by size and geographical area -limits on readiness -limits on number of military exercises per year -bans on simultaneous exercises/alerts and/or certain force/unit types

(Source: Amitav Acharya, *The ASEAN Regional Forum: Confidence-Building* [Ottawa: Department of Foreign Affairs and International Trade, Government of Canada, 1997])

Table 2

Multilateral CBMs in the ARF and CSCAP

Date	Development
1993	The ASEAN-PMC SOM discussed the following CBMs: information exchanges among defense officials, prior notification of military exercises, and ZOPFAN. SOM leaders stressed the need to develop regional dialogues and conduct research into CBMs applicable to the region.
1994	The ISG-CBMs in Australia (in November) proposed a multi-tiered framework for CBMs, based on likely time scales for implementation. In the short term, the ARF would focus on: promoting dialogue on security perceptions, enhancing military contacts at both senior and other levels (e.g., information and training exchanges), voluntary invitations of observers at military exercises, participation in the UN Conventional Arms Register (UNCAR), sea lanes of communication (SLOC) cooperation, etc. Over the medium term, ARF would explore the following: establishing a regional arms register, developing a regional security studies centre and coordinating security studies activities, cooperating in maritime information data bases and publishing defence White Papers. Over the long term, the ARF would extend such practices to include notification of major military deployment and maritime surveillance cooperation.
1995	ASEAN released a Concept Paper which proposed the following CBMs: explore the possibility of a regional arms register; establish a regional security studies centre and/or coordinate existing security studies activities; develop maritime information data bases; develop SLOC cooperation, beginning with information exchanges and training (in search and rescue, piracy and narcotics control, etc.); develop a humanitarian assistance mobilising mechanism for natural disasters; establish zones of cooperation (e.g., in the South China Sea); develop prior notification systems for major military deployments that have region-wide implications; and encourage arms producers and suppliers to reveal the destination of their exports. After meetings in October 1994 and May 1995, the CSCAP CSBM Working Group proposed the following CBMs: promote greater transparency in military doctrine, capabilities and intentions via contacts and exchanges among military establishments; intelligence exchanges; prior notification of military exercises; greater openness regarding defence planning, procurement and budgets, including the preparation of defence White Papers or reviews; increased military-military and military-

	civilian dialogues on security matters; develop a regional arms register, etc. It argued that formal CBM mechanisms modeled after Europe's OSCE are neither desirable nor feasible in this region. Instead, it advocated the unilateral and bilateral implementation of CBMs, and proposed that the ARF oversee the implementation of any multilateral initiatives. The 2nd ARF meeting held in Brunei formally adopted the following proposals from the Concept Paper: to keep the ARF as a forum for regional security dialogue, and to continue discussions on how best to implement CBMs. It convened an ISG-CBMs that focuses, inter alia, on a dialogue on security perceptions and voluntary submission of defence White Papers.
1996	At two meetings held in 1996, the ISG-CBMs agreed to maintain and further develop defence contacts and exchanges. They recommended to the forthcoming ARF SOM meeting in Indonesia the following: ARF to continue dialogue on security perceptions, including during ISG sessions; voluntary sharing of defence information by ARF members on dialogues and other activities; voluntary annual submissions of defence policy statements to the ARF, including White Papers, and the exchange of views given in those statements; opening the ARF SOM to defence officials and encouraging their greater participation in ISGs; encourage information and personnel exchanges among national defence colleges; ARF to maintain a current list of contact points, exchange information on the role of defence authorities in disaster relief (including convening an ISG on it), and voluntarily exchanging information on observer participation in and notification of military exercises. The above measures were approved at the 3rd ARF meeting in Jakarta on 23 July 1996.
1997	At the ISG-CBMs meeting, participants expressed satisfaction with the progress on CBMs, but emphasised that more work was needed on current and new CBMs in the ARF agenda. Several inter-sessional CBM-related activities were conducted: conference of heads of national defence colleges, disaster relief, search and rescue (SAR), etc. The meeting of national defence college heads emphasised the importance of cooperation in security education and research, and networking, faculty and student exchanges, publications exchanges, seminars and conferences on mutually agreed topics, in enhancing confidence-building. The SAR meeting noted the positive steps made by various ARF participants to implement recommendations by the 1st ISM SAR in 1996 to enhance greater SAR coordination and cooperation. It agreed to submit a list of SAR Training Centres (SARTRs) to ARF Ministers for endorsement, and to recommend a list of principles and objectives to the

	ARF SOM for consideration and adoption by the ARF.
1998	At the ISG in March, participants emphasised the need to continue focus on core military defence-related CBMs, but also to address non-military CBMs in accordance with the ARF's comprehensive security approach. They also addressed the overlap between CBMs and PD. It was agreed to recommend to the ARF SOM that the mandate for the ISG on CBMs be extended for the next inter-sessional year, based on the following developments: good progress made in exchanges on regional security perceptions at the ISG, SOM and ARF Ministerial levels; rapidly expanding numbers of high-level bilateral defence contacts; frequent defence training and exchanges; high level of ARF member participation in UNCAR; encouraging participation in global disarmament and non-proliferation regimes; voluntary submission of annual defence policy statements by several ARF members and good progress in voluntary development of defence White Papers.
1999	The 6th ARF meeting in Singapore agreed that ASEAN remains the driving force of the ARF process, and that the ARF would maintain its evolutionary approach as the process progresses, at a pace comfortable to all members and on the basis of consensus, from confidence-building to PD, and eventually to conflict resolution. It requested the ISG-CBMs to explore further the overlap between CBMs and PD. The ISG-CBMs considered two lists or "baskets" of new CBMs for implementation in the near future. Basket 1 consists of: military medicine cooperation, building a multilateral communications network called "ARFNET," defence language schools conference, etc. Basket 2 consists of: ARF liaison with other regional fora, a 2nd ARF SOM and counter-narcotics/port interdiction seminar, preventing and combating illegal small arms trafficking, etc. New CBM proposals by China and the Maritime Specialists Officials Meeting (MSOM) were added to the two baskets. Other CBM-related activities under ISG-CBMs auspices were as follows: 3rd ARF Meeting of Heads of Defence Universities in Ulan Bator; ARF Professional Training Programme on China's Security Policy in Beijing; ARF Seminar on Law of Armed Conflict in Newcastle, etc.
2000	The 7th ARF meeting in Bangkok emphasised the importance of CBMs to the overall ARF process and agreed that such efforts be intensified. Ministers underscored CBMs as the foundation and primary focus of the ARF process. The meeting also took note of the ARF Track-II Expert Meeting on Pacific Concord in Moscow and continuing efforts to that end. There also was agreement to convene an ARF Expert Group on transnational crime in conjunction with the ISG-CBMs. At the ISG-CBMs meeting held in Seoul, Korea from 1-3 November,

	participants attributed stability of regional security partly to cooperative arrangements that had contained the effects of economic and financial crisis, but agreed to strengthen the process of regional security dialogue and cooperation under the ARF. They welcomed positive developments in the Korean peninsula, Mekong sub-region, East Timor, and dialogue in the ASEAN-China SOM consultations on—as well as the informal Track-II workshop on conflict management in—the South China Sea. They agreed that adoption of a regional Code of Conduct between ASEAN and China would contribute to peace and stability in the South China Sea. The overlap between CBMs and PD was explored.
2001	The ISG-CBMs in April held in Kuala Lumpur noted efforts to achieve progress on securing accession of Nuclear Weapons States (NWS) to the Protocol to the Southeast Asia Nuclear Free Zone (SEANWFZ) Treaty. It noted the reports of the following CBMs for consideration at the next ARF SOM: meetings of Heads of Defence Colleges/Institutions; 2nd seminar on Law of Armed Conflict; seminar on economic security for Asia Pacific in the first decades of the 21st century; an ARF Peacekeeping Seminar, etc. It was agreed that New Zealand would prepare a concept paper on maintaining a record of CBM activities.
	The 8th ARF meeting in July held in Hanoi on 25 July affirmed CBMs as the foundation and main thrust of the ARF process. The Ministers noted the general utility of Expert Groups meetings (EGMs) on transnational crime, and endorsed the recommendation of the ARF SOM and ISG-CBMs to discuss transnational crime in alternative formats, e.g., ad hoc workshops, seminars and symposia. The ARF paper on the Concept and Principles of Preventive Diplomacy as well as on Expanding the Role of the ARF chair were adopted.
	The ISG-CBMs meeting in New Delhi in December 2001 focused on international terrorism and it was noted that conventions against terrorism would constitute a CBM. The meeting revised the proposed list of CBM activities, and reviewed draft papers on CBMs to be presented at the ARF SOM. It was agreed that preventative diplomacy would continue to be discussed by the ISG.
2002	The ISG-CBMs met in Hanoi in April. The region was agreed to be stable, with positive developments in major power relations. It was noted that the COC constituted an important CBM, contributing to the stability of the region. Terrorism and transnational crime were agreed to be important issues. As terrorism dominated the agenda, it was noted PD would be discussed in the next ISG. CSCAP-IIR work done on PD was proposed as a useful reference for future work.
	At the ARF meeting in July 2002 it was decided that the ISG should

	continue its work on CBMs, possibly exploring the overlap between CBMs and PD. Work done on terrorism was hailed as a milestone in the ARF's preventative role.
2003	The next ISG meeting was held in Vientiane in March 2003. The issue of terrorism remained of the utmost importance, and concern for the impact on the region discussed. The meeting took note of CBMs including a seminar held on humanitarian assistance and disaster relief and a workshop on maritime security. A CBM Workshop on managing the consequences of terrorism was held in June in Darwin. At the 10th ARF meeting in Phnom Penh workshops done on military and defense cooperation, as well as military logistics outsourcing support were also commended. At the meeting, satisfaction was expressed at the level of confidence and trust that had been developed under ARF auspices and with the activities in the overlapping areas between CBMs and preventive diplomacy that the ARF had begun to undertake. The significance of enhancing the role of the ARF chair in advancing the ARF process was underlined. At the following ISG-CBM meeting held in Beijing from November 20-23, there was an in depth discussion on non-security issues. It was agreed that non-traditional security issues, including terrorism, drug trafficking, trafficking in persons, money laundering and cyber crimes continued to pose a threat to the peace and prosperity of the region and should remain as one of the priorities of the ARF agenda. The importance of capability building, information sharing and intelligence exchanges among ARF participants was also stressed.
2004	An ARF Workshop on Preventative Diplomacy was held in March 2004 in Tokyo. One session focused on the concrete measures toward implementation of preventative diplomacy, while another focused on the new perception of security, particularly, transnational problems. In the future it was suggested that the possibility of an ISG-PD be considered, in contrast to having existing ISG-CBMs cover PD. The ISG on CBM held in April in Yangon saw the proposal of the following CBM topics for the ARF: regional cooperation in maritime security, alternative development, non-traditional security and civil-military operations. The meeting also reiterated the need to explore PD in the future. At the 11th ARF meeting in Jakarta on 2 July 2004, the importance of the adopted "Concept and Principles of Preventive Diplomacy" in guiding the ARF in its action and work in PD was stressed. It was noted that some of the concepts have been translated into actions. A paper on the

	"Guidelines for the operation of the ARF Experts and Eminent Persons" was adopted. The first ISG-CBMs following the 11th ARF meeting was held in Phnom Pen on October 26-28 2004. The meeting took note of the following CBMs: the 8th ARF meeting of the head of defence colleges/ institutions, an ARF workshop on Alternative Development, a workshop on maritime security and a seminar on cyber terrorism. It was the view of some that these measures in themselves constitute preventive diplomacy.
2005	The second ISG-CBM meeting following the ARF meeting in Jakarta was held in February in Berlin/ Potsdam. Sympathy and solidarity for the tsunami victims was expressed, as well as support for an early warning system in the Indian Ocean. Disaster relief was accordingly a large focus on the ISG meeting. New CBMs for the intersessional year relating to the following topics were considered: cooperation for maritime security, cooperation in non-traditional security, peace arrangements, changes in the security perceptions and military doctrines of ARF members, cyber terrorism. PD was again agreed to be an important area for the ARF to move toward. An ARF workshop on "Evolving changes in the Security Perceptions of the ARF countries" was held in Ulaanbataar, Mongolia from 21-22 June 2005. Among the agenda items discussed were security perceptions of the ARF participants, prospects for ASEAN security community and prospects for security cooperation in Northeast Asia. In July 2005, the 12th meeting of the ARF was held in Vientiane. In regard to CBMs, the Ministers reviewed the above-highlighted efforts and urged the ISG to continue its work. The Ministers also agreed to establish the ISG on Confidence Building Measures and Preventive Diplomacy to replace the existing ISG-CBM. PD was agreed to be important, and the hope for concrete measures to be adopted was stressed. The first ISG CBM/PD following the 12th ARF meeting was held in Hawaii over October 17-19, 2005. With regards to PD, a discussion regarding how to move further on the issue was discussed, with the following suggestions made: 1) tasking the ARF EEPs to examine how the ARF could implement PD, 2) tasking the ARF Units to undertake studies on PD, and 3) compiling a list of best practices. Recently implemented CBMs on missile defense, civil-military operations and cyber terrorism were also discussed and others proposed.
2006	The following ISG CBM/PD meeting was held in Manila on March 1-3, 2006. The meeting took note of several intersessional CBM efforts,

	including workshops on the following: cooperative maritime security, capacity building of maritime security, small arms and light weapons, and export control licensing. The first plenary meeting of the ARF experts and eminent persons was held at Jeju Island, Republic of Korea from 29-30 June 2006. It was agreed that despite its progress, the ARF lacks some of the institutional structure and cohesion among members to respond effectively to regional security challenges and concerns. It was generally agreed that there was a need for the ARF to shift from a forum for discussion to more of an institution for implementation. Institutional issues discussed included enhancing the role of the ARF Chair, reexamining the leadership structure, creating a Secretariat and strengthening relations with other multilateral and regional organizations. At the subsequent ISG CBM/PD meeting in Bataam in November, CBMs including ARF seminars on cyber security, the role of Military and Civil Cooperation in the control of communicable diseases and energy security as well as an ISM on disaster relief were noted.
2007	The second meeting of the group of Experts and Eminent Persons was held in Manila from 5-6 February to discuss multilateral security cooperation in Northeast Asia. Multilateral security cooperation was considered to be the best approach to cope with the region's actual security challenges. Non-traditional security was also seen as offering opportunities for regional coo-operation. At the second ISG CBM/PD meeting (following from the 13th ARF meeting) in Helsinki in March, CBM measures such as the ARF Maritime Security Shore Exercise, and the first ARF Peacekeeping Experts meeting were noted. A discussion on the working methods of the ARF, with a view of enhancing overall efficiency and streamlining procedures, was also held. At the 14th ARF meeting in Manila on 2 August 2007, the Terms of Reference of Friends of the ARF chair was adopted to extend further cooperation and support for the ARF chair in carry out its mandate. The proposal for a study of best practices and lessons learned from other multilateral organizations in PD was welcomed with the results to be implemented by the ARF Unit.

Chapter 3
Preventive Diplomacy in other International and Regional Organizations

Preventive diplomacy has been applied in a variety of circumstances by multilateral organizations. This chapter provides a brief description of how PD has developed within seven separate organizations including the United Nations, the Organization for Security Cooperation in Europe, the Organization of American States, the Pacific Island Forum, the African Union, the Organization of the Islamic Conference, and the Shanghai Cooperation Organization. For each organization, the description offers insights into the evolution and institutionalization of the concept of PD within the organization and the specific mechanisms that have been utilized in a variety of contexts. Additional information on these organizations including charters, key documents that were instrumental in the establishment of conflict prevention capabilities, and organizational structure are provided in Annex A. The chapter concludes with an examination of the European Union's involvement in Aceh as a specific case study of how an organization engaged in PD activity in the context of peace-building activities.

United Nations (UN)

The office of the Secretary General of the United Nations arguably has a unique and special role in the promotion of "good offices" to promote preventive diplomacy as a means of forestalling conflict between states. The role derives naturally from his access and ability to communicate with global leaders the concerns of UN Security Council members and the international community regarding the potential outbreak of conflict in specific situations. Successive Secretaries General have recognized and attempted to develop this role since the publication of Boutros-Boutros Ghali's *Agenda for Peace* in 1991. During the period following that report, the primary focus of the UN was on building a capacity for peacekeeping operations to stabilize regions following conflicts. These deployments, combined with other methods of prevention in the post-conflict phase, constitute important tools for promoting preventive diplomacy since half of all armed conflicts are reported to reignite within five years of achieving a peace settlement.

Kofi Annan further highlighted the importance of prevention in a 2001 report, endorsed the conclusions of a 2004 High Level Panel on Threats, Challenge and Change that advocated that the UN focus on strengthening its role in conflict prevention, and issued a follow-up report in 2006 that affirmed the need for a comprehensive approach that included "operational prevention," or short-term efforts to forestall conflict, "structural prevention," which attempts to use developmental and economic tools to prevent conflict from arising, and "systemic prevention," a generalized effort to mobilize mechanisms for preventing conflict.

These reports mark gradual progress in changing the attitude of the international community regarding the types of response capacities that the UN might employ in the service of conflict prevention.

Following these reports, a Peace Building Commission (PBC) was established to enhance early warning and prevention capabilities. Although the PBC did not win support at the 2005 Global Summit, it was subsequently established as a new structure with ties to both the UN Security Council and the General Assembly. The PBC controls an associated Peacebuilding Fund and includes representatives from the UN Security Council, UN General Assembly, and donor countries. The PBC may expand capacity by providing additional funding for UN-associated conflict prevention efforts.

The unique circumstances the Secretary General faces in practice require dual functions in relation to PD. The first function is a coalition-building or consensus-building function to build support among the international community for UN action regarding a conflict or potential conflict. This requires the development of consensus especially among permanent members of the Security Council. This function might involve "testing the waters or encouraging people to do the right thing," building consensus on how to approach a particular conflict situation, and coordinating with other stakeholders and/or regional organizations regarding which approaches or methods would be most likely to gain necessary political support.

The second function is generally termed "good offices," or the diplomatic activity necessary to wield the Secretary General's influence, with the backing of key international and regional actors, so as to support prevention, management, or resolution of conflict. A critical aspect of this is keeping channels of communication through conversations, statements, visits, public reports, institution-building, and assistance. In other words, preventive diplomacy is the use of all tools available that will allow the Secretary General to "diplome" – to perform diplomacy. Fulfilling these two functions is the "art" of diplomacy; this is no science, given that there are no hard and fast rules for how to coordinate with regional bodies or build sufficient consensus within the international community to act. However, it has increasingly been the case that the ability of the Secretary General in preventive diplomacy is enhanced to play an effective role when he acts in concert with "friends" or primary stakeholders with a special interest, capacity, or influence on the conflict situation at hand. The primary goal of preventive diplomacy is to prevent deterioration into greater conflict in situations where conflict already exists.

The Department of Political Affairs (DPA) has primary responsibility for preventive diplomacy within the United Nations Secretariat. Its primary roles include monitoring and assessing global political developments, advising the Secretary General on actions that could advance the cause of peace, providing support and guidance to U.N. peace envoys and political missions in the field,

and serving member states directly through electoral assistance and through the support of DPA staff to the work of the Security Council and other UN bodies. While there is no official definition of PD, a "common sense" definition would be "the ability to use the UN's 'good offices' role to predict and forestall conflict." That requires an effective monitoring and analysis machinery on the ground and the ability to intervene. The recently redesigned DPA structure attempts to expand its political analysis capacities and focuses on enhancing its in-house crisis-response capacity. In addition, UN country teams around the world provide a local presence, but they are not equipped or well-positioned to do political analysis.

The DPA is responsible for supporting the "good offices" function of the Secretary General, a function that is receiving greater emphasis by the Secretary General through the following methods: "the quick dispatch of special envoys and mediation experts, the deployment of fact-finding missions to gather information on the ground and an analysis of information and trends, with the provision of options for action, as well as the establishment of short- and long-term special political missions to directly facilitate the on-site efforts of the United Nations and its partners."

Where the Secretary General's "good offices" are employed to help bring warring parties toward peace or to prevent political and armed conflicts from escalating, DPA is typically working behind the scenes to define and plan the mission, and to provide U.N. special envoys and mediators with guidance and backing from headquarters. The DPA is organized by regional office to provide support and coverage to conflicts around the world. As a practical matter, staff support capacities take precedence over analysis functions in these small offices. The DPA is also the focal point for electoral assistance by the United Nations, evaluating requests from member states and ensuring consistency in the delivery of services by the different UN agencies and departments involved. The major departments within the DPA directly involved in preventive diplomacy are the regional affairs divisions, the Policy and Partnerships Unit, the Mediation Support Unit, the Electoral Assistance Division, and the Security Council Affairs Division, which is responsible for supporting the sanctions committees authorized by the UN Security Council. Another emphasis is on recruitment and retention of young professionals in specialized fields to replace senior staff who will soon be lost to retirement.

The practical and political challenge the Secretary General faces in fulfilling his mandate to conduct preventive diplomacy is that in theory, he has this mandate, but politically there is rarely consensus within the world body, among member states, or even the UN Security Council. For this reason, the institutional capacity to support the Secretary General to implement preventive diplomacy has been weak and the lack of consensus within the Security Council has posed a formidable political obstacle to the Secretary General's role. However, support is materializing for the Secretary General to dramatically

expand the capacity, personnel, and role of the DPA. The budget priorities and restructuring of the DPA reflect the priorities, lessons learned, and desired capacities of the organization based on its past experiences with conflict prevention.

The DPA is emphasizing the development of the following capabilities in connection with its conflict prevention mandate. First, through its Mediation Support Unit, DPA is attempting to support ongoing peace negotiations by building a standing team of experts that have technical specialization in the areas of power-sharing, economics (wealth sharing), constitutional design, transitional justice, and security sector reform, including disarmament, demobilization, and reintegration (DDR). The development of "niche experts" in these areas is designed to provide technical support to a chief mediator who can push forward negotiations at a technical level. The decision to develop this professional capacity comes from hard experience: "if people are good, they are not available when you need them," this suggests that standing lists are often insufficient to meet the immediate needs of a negotiation. These staff resources are "paid to be on stand-by for deployment within 24 hours based on the needs of the mediator or special envoy of a conflict in question.

Other structural changes the DPA is seeking include the expansion of regional expertise so as to unburden the responsibilities for such wide coverage at the staff level; the establishment of regional offices, preferably with office directors who would have the capacity to play a role in PD and conflict prevention; the establishment of an office of best practices to enhance the ability of the organization to apply lessons learned from past experiences; and the development of enhanced training in mediation skills to enable concerned staff to play a more effective role in mediation support. The head of the regional office would also play an active role in liaising with regional and sub-regional organizations that have conflict prevention mandates and capabilities.

The establishment of regional offices would have the practical advantage of locating UN expertise closer to potential areas of conflict, and the selection of a capable office director would provide the UN with an opportunity to decentralize preventive "good office" diplomacy. One difficulty is recruiting highly respected regional office directors with the capacity to facilitate communication and conduct diplomacy with actors at the regional and local level. Having deeper local knowledge and proximity to potential sources of conflict and enhanced capacity represented by the office director may enhance the UN's preventive diplomatic capacities. A regional office head might also be able to address the bureaucratic challenge of coordinating with the extensive field office network of other UN organizations that have a technical rather than a political role in development, humanitarian aid, food relief, etc., but whose presence in-country requires political support. Although UNDP and other offices focused on development have political relevance, the issue of coordination with DPA or development of a regional office remains sensitive, and requires consent of member states. While

UNDP offices have extensive local relations, too much coordination with DPA would give such an office a political color. Other challenges associated with the establishment of regional UN offices is coordinating with regional organizations to avoid duplication of effort, strengthening regional organization capacity (for instance, the UN has promoted capacity strengthening of the AU) and sharing niche strengths and capacities effectively.

In addition, the UN faces the daunting bureaucratic task of coordinating within a far-flung global institution composed of many different agencies. Most of these agencies have specialized missions, but some agencies such as the UNDP do have specialized capacities to respond to crisis that are relevant to the mission of preventive diplomacy. Although political obstacles, including concerns by member states that a powerful DPA might result in unwanted political interventions, have prevented DPA from building capacity in some relevant areas, the UN system may contain needed capacities if bureaucratic channels can be effectively manipulated to promote cooperation.

UN officials urged Asian states to utilize the capacities that the UN has built rather than replicating them at a regional level. As the UN moves to establish regional offices, one question connected to PD is how a UN regional office would influence ARF attempts to build capacity as part of its PD efforts while avoiding overlap. Another senior official pointed out that the ARF is associated with many talented senior people who should become more involved in UN work as special envoys or in other capacities to contribute to mediation efforts outside of Asia. This experience would enhance and benefit the capability of the ARF to promote its own capacity and abilities in the region.

UN-based informants identified critical characteristics necessary for effective PD as: marrying knowledge and action, access to the right technical expertise in mediating conflict, and being "nimble" to respond in time to prevent escalation of conflict.

A real-time example of PD that preoccupied the informants at the time of interviews was the question of how to prevent conflict escalation during the rising conflict in Kenya following disputed elections in which both the incumbent and challenger claimed victory. Post-electoral strife had occurred along ethnic lines and threatened to spin out of control. UN officers described their involvement in PD in optimistic terms, noting that many pieces were falling into place, including (1) the fact that UNSC members supported UN involvement in mediation efforts among the key parties in Kenya, (2) there was effective coordination with regional actors including the AU, and (3) although Kofi Annan's mediating role in the Kenyan conflict was endorsed by the AU and not explicitly endorsed by the UN, it was being supported, including through the work of three UN DPA political officers on the ground. On the other hand, UN officials acknowledged the challenge of knowing when and how to act: early signs of conflict existed, but the

window of opportunity for prevention was very limited given the political obstacles that would have prevented intervention at an earlier stage.

Another case of successful preventive diplomacy was the UN role in promoting peace in El Salvador in the early 1990s. This case also has highlighted the coalition and international consensus building aspect of PD. This may be a particularly important consideration and potential opportunity in the UN context as compared to a regional organization context.

Organization for Security Cooperation in Europe (OSCE)

The OSCE is perhaps the most highly institutionalized of all the regional organizations, combining institutional tools for carrying out preventive diplomacy in anticipation of or in response to crises with elaborate structural efforts to strengthen institutional mechanisms of governance in participating states, thereby reducing potential for disputes that might result in conflict. These institutional capacities are designed based on a comprehensive approach, the basis for which was laid in the early 1970s under the auspices of the Conference on Security and Co-operation in Europe (CSCE), the precursor to the OSCE. These negotiations resulted in the 1975 *Helsinki Final Act*, a politically binding agreement that affirmed and linked together principles of sovereignty and non-intervention, peaceful settlement of disputes, and respect for fundamental human rights and freedoms of thought, conscience, religion or belief as the foundational commitments of participating states. The work that followed was spread across three "baskets" (now called "dimensions") – confidence and security building measures, promotion of commercial exchange and cooperation, and promotion of human contact, information, cooperation, and respect for fundamental human rights. Substantial progress toward institutionalization of the Conference did not occur, however, until the thawing of the Cold War, and the direction of institutionalization was strongly shaped by Europe's specific historical circumstances in the early 1990s.

At the Paris Summit in 1990, participating states agreed to create a Committee of Senior Officials supported by a decentralized "skeleton staff" including a Secretariat in Prague, a Conflict Prevention Centre in Vienna, and an Office for Free Elections in Warsaw. But the rise of ethnic conflicts in Georgia, Moldova, and the former Yugoslavia in 1990-1991 catalyzed rapid institutionalization of procedures in an effort to prevent and manage conflict. These included the adoption of a wide array of institutional procedures for responding to perceived violations in the human dimension, mechanisms for risk reduction, early warning, and peaceful settlement of disputes. In 1992, the Office for Free Elections in Warsaw was renamed the Office for Democratic Institutions and Human Rights and was strengthened to provide support for states in "complying with human dimension commitments," an annual Economic Forum was established to support economic transitions by former socialist states to a market economy, the Conflict Prevention Centre was authorized to initiate fact-

finding and monitoring missions, the Secretariat was moved to Vienna and the post of Secretary General was created, and the principle of consensus minus one that could be invoked in the event that a state undertook a serious violation of CSCE commitments was introduced. In addition, the office of the High Commissioner of National Minorities was established jointly with the Council of Europe to address political and social issues facing ethnic minorities among participating states. By 1995, the CSCE decided to change its name to the Organization of Security Council in Europe (OSCE), reflecting the institutional transition of the grouping from a conference to an organization.

The OSCE governing structure includes weekly meetings among participating state representatives to the Permanent Council (which focuses primarily on political issues of concern) and the Forum for Security Cooperation (which focuses on military and security issues of concern) in Vienna. The Chairman-in-Office takes political leadership of the organization and the chairmanship rotates annually among OSCE members, while the Secretary General of the OSCE is responsible for the direct management of the organization and its extensive network of missions and field offices. The Chairman-in-Office also receives assistance from his immediate predecessor and successor, who together form the OSCE Troika. Both the Chairman-in-Office and the Secretary General are able to conduct preventive diplomacy and to meet with heads of participating states as peers within the OSCE. In addition, the Chairman-in-Office has standing Personal Representatives who are empowered by the OSCE organization to conduct diplomacy on specific issues, and most Chairmen have appointed personal Special Envoys who are also empowered to conduct PD on behalf of the Chairman-in-Office. In addition, the OSCE Secretariat, primarily through the Conflict Prevention Centre, supports a large number of field offices and advisors in various countries where the OSCE is involved with capacity building and other assistance to Participating States to enable them in meeting their OSCE commitments. The focus of these offices depends specifically on the mandate of the OSCE Permanent Council and their activities proceed with the consent of the concerned Participating State.

Given the deep institutionalization of the OSCE and the comprehensive approach embodied in the founding commitments undertaken by participating states, OSCE representatives find it difficult to define PD, but easy to point to mechanisms across the organization that contribute to the function of prevention. One OSCE representative pointed out that the organization is a process precisely because any attempt to achieve broad consensus on definitions would be futile. For OSCE representatives, it becomes nearly impossible to talk about PD without discussing institutionalization – both through establishment of institutions and through adherence to mechanisms and procedures based on shared participating state commitments.

A late 2006 crisis regarding the unexplained firing of a missile in territory near the Georgia-Russia border led to multiple fact-finding missions, some undertaken

at the behest of the Spanish Chairman-in-Office. Aside from stimulating conflict prevention and conflict management mechanisms within the organization, that incident also stimulated questions among participating states regarding the full range of instruments available for conflict prevention and conflict management, given that some instruments created in the early 1990s had fallen into disuse and multiple "mechanisms" have been established to respond to different sorts of problems. Under the leadership of the Director of the Conflict Prevention Centre, an internal review of those mechanisms was prepared and circulated to Participating States on November of 2007. The paper reveals many of the available mechanisms for conduct of PD and conflict prevention in the OSCE context.

With regard to human dimension commitments, the 1989 Vienna Mechanism and 1991 Moscow Mechanism establish a provision that calls for participating states to exchange information and respond to information requests by participating states regarding human dimension cases, and notify all participating states of cases that have been raised. The Vienna Mechanism was used extensively between 1989-1992 to draw attention to human rights abuses in Bulgaria over treatment of its Moslem population, concerns about the Hungarian minority in Romania, civil war issues in Yugoslavia and actions of Soviet forces in Lithuania, and Turkish treatment of its Kurdish minority. The Moscow Mechanism establishes an expert list and the authorization of expert missions to investigate specific violations of the human rights dimension. A rapporteur mission can be authorized upon request of a participating state with the support of five other participating states regardless of the consent of the requested state. Missions have been authorized in only five cases: Croatia and Bosnia and Herzegovina—attacks on civilians (September 1992); Estonia—implementation of citizenship law and language legislation (December 1992); Moldova—national minorities legislation implementation (January 1993); Serbia-Montenegro—alleged human rights violations (June 1993); and Turkmenistan—investigation of attack on President Niyazov (December 2002).

"Mechanisms for risk reduction" are set forth in the Vienna Documents, which outline detailed commitments that come out of the Conference on Confidence and Security-Building Measures (CSBMs) and Disarmament in Europe. These commitments include consultation and cooperation regarding unusual military activities, voluntary hosting of visits to dispel concern about military activities, and cooperation regarding hazardous incidents of a military nature, but these mechanisms have only been activated in 1991 by Italy, Austria, and Hungary in response to military activities in the Former Republic of Yugoslavia and by Portugal on behalf of the European Union in the wake of the downing of a helicopter carrying EU monitors in Yugoslav territory. The normative aspects of the Vienna Documents appear to have been successful, but the specific mechanisms to be implemented are not currently active.

OSCE early warning mechanisms focus on the right of participating states to raise with the Chairman-in-Office specific situations of concern for discussion at the Permanent Council or the Forum for Security Cooperation. The PC may request clarification or make other requests for information regarding emergency situations. The Chairman-in-Office also has at his disposal the capacity to promote mediation through the appointment of a personal representative or special envoy. The OSCE Document on Small Arms and Light Weapons, adopted in 2000, is also regarded as a mechanism for early warning, conflict prevention, and crisis management. Finally, the OSCE has authorized an elaborate set of mechanisms for peaceful settlement of disputes through the Valletta Mechanism, which lays out an arbitration process through the activation of the International Bureau of the Permanent Court of Arbitration or through direct conciliation. The Convention on Conciliation and Arbitration within the OSCE established a Court of Conciliation and Arbitration in Geneva with an ad hoc roster of conciliators and arbitrators, but it has not yet been formally established because no dispute has been brought before it.

An examination of the major activities of OSCE field offices shows a strong organizational commitment to building capacity in the spheres of governance and institutionalization of mechanisms and norms at the state level designed to promote adherence to state commitments. In addition to providing logistical and technical support in a variety of areas including training for border management, implementation of economic and development projects, and promotion of human dimension commitments, field offices have played a secondary role in promotion of dialogue and early warning regarding potential conflict escalation depending on the activities that the OSCE has mandated for supporting an office. However, the existence of an OSCE office in a participating state can also be regarded as a symbol that the country concerned has not fully "graduated" to meet all its OSCE commitments. OSCE field offices have played a major role in supporting the building of governance capacities in Eastern Europe and in implementation of the Dayton Accords in countries comprising the former Yugoslavia as well as providing sustained attention to management of ongoing conflict situations in Muldova, the Georgia-Ossetia region, and in Nagorno-Karabakh. Increasingly, the budget and focus for OSCE activities are shifting to the strengthening of governance and institutions of states in Central Asia.

In recent years, the activities and scope of operation of the OSCE appear to be under greater challenge. Some participating states have objected to what they perceive as a lack of accountability within the organization, as a result of which participating state commitments are interpreted expansively so as to allow the OSCE to operate in areas that have not been explicitly authorized by the Permanent Council. Divisions over the future of the Conventional Forces in Europe (CFE) Treaty also are regarded as threats to the foundational commitments of the organization. For instance, in certain areas such as implementation of human dimension commitments, "extra-budgetary" funds may be contributed by participating states outside the normal organization budget

process to enable implementation of projects that might face challenges from individual states on technical grounds of being too intrusive. At the same time, the overall budget for the OSCE appears to have reached its peak as some participating states are objecting to the financial burdens they have been asked to bear as a proportion of the overall financial commitments to support the organization.

The issue of "extra-budgetary" funds and the questions of broad interpretation of mandate are most directly connected with the Office of Democratic Institutions and Human Rights based in Warsaw. This office has developed an active role in election monitoring across the institution that requires comprehensive cooperation from participating states that are conducting elections. If the terms of cooperation are not met, the elections office of ODIHR may decide not to observe elections, which would have implications for the international credibility of specific election processes. Thus, ODIHR's actions on a technical basis can create political sensitivities within the organization. Likewise, the human rights division of ODIHR promotes the implementation of human dimension commitments in the area of implementation of legislation guaranteeing human rights, freedom of the press, and peaceful assembly, but these activities have primarily been funded through extra-budgetary contributions. At the same time, most participating states have cooperated in these areas as the office attempts to promote and disseminate best practices. The activities of ODIHR should be regarded as efforts to promote common norms and capacities and thus promote institution- and norm-building as contributions to the missions of preventive diplomacy and conflict prevention.

One unique structure within the OSCE is the Office of the High Commissioner for National Minorities (HCNM), created in 1992 and led by senior officials with a high reputation and relative autonomy. Thus far, three commissioners have served: Max van der Stoel (Netherlands, 1993-2001), Rolf Ekeus (Sweden, 2001-2007), Knut Vollebaek (Norway 2007-present). The mandate of the High Commissioner is to "work in confidence" through a process of quiet diplomacy to provide "early warning and, as appropriate, early action at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage but in the judgment of the High Commissioner have the potential to develop into a conflict within the CSCE area." The High Commissioner is autonomous and his office stresses confidentiality, although there is confidential communication with the OSCE Chairman-in-Office as well as the Council of Europe. In certain cases, the High Commissioner may travel with the Chairman-in-office to regions of concern. The High Commissioner is not subject to the guidance of the Permanent Committee, unlike the Chairman-in-office. Interviews with OSCE officers suggest that the HCNM activities are not widely known or coordinated with other parts of the organization, yet HCNM is able to operate in an environment of confidentiality in the context of the collective commitments of the OSCE's participating states. Interestingly, the HCNM has remained nonpolitical despite the politically sensitive

nature of its work; the High Commissioner may be better positioned to conduct quiet diplomacy in some areas because he is not the focal point for political attention within the leadership of the organization.

The focus on national minorities within the OSCE also allows the High Commissioner to focus on long-term structural problems and to apply tools of more effective governance as the primary means by which to consider amelioration of national minority concerns. No participating state can refuse to see him and much of the ongoing work of the High Commissioner is focused on visits, mediation, inquiries, workshops, seminars, or other projects designed to address minority issues. The HCNM may also commission reports from local sources related to specific issues concerning national minorities. The staff capacity includes political and legal advisors on implementation of legislative issues concerning minorities. Among the areas where the Office of the HCNM has been active are Montenegro, where the office of the HCNM provided assistance in constitution drafting, and in Kosovo, where the protection of minorities remains a sensitive issue. It is hard to evaluate the work of the HCNM because it is held quiet and confidential.

Macedonia is promoted as the biggest example of the success of preventive diplomacy within the OSCE, although it is not clear which of the prevention actions that were undertaken would have been decisive. Actions taken included high-level interventions, field office efforts, active diplomacy on the part of the HCNM and other high-level diplomatic efforts in addition to preventive deployments at various times. It also remains to be seen whether OSCE efforts over the past decade will succeed in mitigating conflict after Kosovo's declaration of independence, an issue that also exacerbates divisions within the Permanent Council and threatens to make the OSCE as a whole less effective.

Organization of American States (OAS)

The adoption of "representative democracy" as the near-universal system of governance in the Americas led to the strengthening of the OAS from the mid-1980s. Although Article 5 of the 1948 OAS Charter stated that member states should be organized "on the basis of effective exercise of representative democracy," differences in systems of governance and periodic U.S.-led unilateral interventions had limited the effectiveness of the OAS until the 1980s.

One outside observer characterized the primary instruments for intervention prior to the 1980s as focused on the Inter-American Treaty of Reciprocal Assistance or the Rio Treaty, (which was originally adopted to promote joint action against potential external aggression), which were "more suited to coercive enforcement than to the art of conflict resolution," while the OAS was "a secondary player." By the mid-1980s, however, converging norms and the adoption of new instruments strengthened the commitment of member states to the idea that collective maintenance of "democratic peace" would serve to

effectively preserve regional security. On this basis, the OAS member states strengthened their collective commitments to peaceful cooperation and developed more effective mechanisms by which to maintain peace within and among member states.

The OAS Charter refers to a robust array of specific procedures for peacefully managing conflicts, including "direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time," but does not point to concrete measures through which to pursue such processes. Amendments to the OAS Charter in 1985 affirmed that "representative democracy is an indispensable requirement for the stability, peace, and development of the region." Simultaneously, the office of the Secretary General was strengthened and authorized to bring to the attention of the OAS Permanent Council any matter that "threatens the peace, security, and/or development of a member state." The office of the OAS Secretary General was further strengthened in 1989 under a General Assembly Resolution on "Human Rights, Democracy, and Electoral Observations" that gave the OAS a role in observing elections at the request of member states.

During the late 1980s, the OAS Secretary General engaged in preventive diplomacy, often with cooperation from the UN Secretary General, to promote peace and strengthen democratic institutions of Central American states that had experienced protracted internal and inter-state conflicts such as Costa Rica and Nicaragua. Tools used included fact-finding missions and informal facilitation of negotiations between parties in conflict. The OAS also became involved in the International Verification and Monitoring Commission to verify that parties were upholding their commitments as well as a subsequent Verification Commission for Nicaragua to monitor agreements among parties in conflict and reestablish peaceful electoral processes within Nicaragua.

The adoption of Resolution 1080 at the 1991 General Assembly in Santiago, Chile, reiterated the commitment of member states to take joint and immediate action to protect democracy among member states and further strengthened the Secretary General's authority to convene a meeting of the Permanent Council of the OAS when there is "a sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by a democratically elected government." The resolution was applied on four occasions during the 1990s: Haiti (1991), Peru (1992), Guatemala (1993), and Paraguay (1996). Among the tools used in these cases was the authorization of civilian missions to encourage respect for human rights and to facilitate the restoration of democracy. In the case of Haiti, coercive measures such as sanctions, freezing of assets, and trade embargos were also utilized, and eventually, military action was taken under UN Security Council authorization in 1994. In the cases of Peru, Guatemala, and Paraguay, leaders attempted to sideline or abolish democratic institutions within the state, triggering ad hoc

meetings of the Permanent Council that led to OAS missions that promoted dialogue among government representatives and opposition groups and facilitated the restoration of democratic institutions with the participation and monitoring of the OAS in the electoral process.

In 1997, the 1992 Washington Protocol was ratified and took effect in 1997 as Article 9 of the OAS Charter. Article 9 allows governments of member states not selected by democratic means to be excluded from the organization, but this article has never been applied.

The Inter-American Democratic Charter is the latest instrument to be adopted by the OAS in 2001. The Democratic Charter allows any member state to request a meeting of the Permanent Council to assess any extra-constitutional development that "seriously impairs the democratic order in a member state" and further strengthens the preventive role of the OAS by authorizing the Secretary General "with the consent of the government concerned, [to] arrange visits or other actions in order to analyze the situation" (Article 18).

Among the institutional mechanisms that contribute to the political capacity of the OAS to mediate or manage conflict are the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, the Permanent Council, the Advisory Defence Committee, the Inter-American Defense Board, the General Secretariat, and the Inter-American Peace Committee. In practice, the main activities in the area of preventive diplomacy have been carried out by the Secretary General through his management of the Secretariat, through consultation with and under the instruction of the Permanent Council.

The primary institutional capacity to carry out the authorities that have been given to the Secretary General lies with the Secretariat for Political Affairs within the OAS. The Political Affairs Secretariat is comprised of three departments: the Department of Electoral Cooperation and Observation (formerly the Department for the Promotion of Democracy), the Department of State Modernization and Good Governance (formerly the Department for the Promotion of Governance), and the Department of Sustainable Democracy (formerly Crisis Prevention) and Special Missions. A primary function of the Department of Democratic Sustainability and Special Missions is "to prevent political and institutional crisis in the region" by providing political analysis and developing economic and political early warning indicators of potential crisis through regular visits and dialogue with various sectors within society. One unique project of the Department of Democratic Sustainability and Special Missions has been its effort to develop a series of economic and political indicators to enhance the ability to provide an early warning of potential political crises within member states.

The Department of Political Affairs provides reports and recommendations to the Secretary General and provides support to any special envoys or missions he might appoint as his personal representatives to deal with conflict in member

states, and provides the capacity to conduct election monitoring or other specialized technical support in to strengthen democratic institutions within member states. These capacities have evolved following the adoption of the Inter-American Democratic Charter in 2001 from an office that had focused primarily on providing technical cooperation to member states in the area of conflict resolution, rather than building capacity for early warning.

The OAS Secretary General has utilized special envoys or special missions to conduct good offices as the primary vehicle to facilitate dialogue and respond to requests of governments that have faced political or institutional crises that challenge democratic institutions. For instance, during 2005 the Secretary General dispatched special envoys to Bolivia to support the electoral process, to Ecuador to support the reestablishment of the Supreme Court of Justice, to Haiti to provide technical support for elections, and to Nicaragua to facilitate political dialogue among parties. The objective of each mission was "developing governance so the democracies in the region can become democracies in practice." Each of these cases may be considered examples of "best practices" in preventive diplomacy that the OAS has highlighted as successful examples of its work.

The Secretariat for Political Affairs continues to develop a roster of potential special envoy candidates, with the following qualifications: "a capacity for political analysis, knowledge of a country's political dynamics and sensitivity to national idiosyncrasies…and be ready to address situations without preconceived ideas."

The OAS can intervene in inter-state conflicts only if both parties to the conflict accept an OAS role. Currently, the only inter-state conflict that the OAS is working on involves a border office within a zone that is subject to a territorial dispute between Belize and Guatemala and is funded through extra-budgetary contributions by member states known as the Fund for Peace. Within the disputed zone, the OAS has operated an office since around 2004 to promote confidence building and provide a channel for verification and communication to manage the dispute.

In addition to the practice of preventive diplomacy, the OAS has played an important role in norm-building as a long-term means of prevention through the development of an institutional capacity to promote and strengthen democratic institutions in the region through the creation of the Unit for Promotion of Democracy (UPD), established in 1990 by the General Assembly in Asuncion, Paraguay. The UPD was established by consensus, but can only take action at the behest or on the instruction of member states. The UPD takes actions in member states through the "promotion and development of a democratic culture." Activities of the UPD included education on the functioning of democratic institutions, sponsorship of regional training courses and seminars to promote democratic values and practices, sponsorship of dialogue among civil society

organizations, academics, and policymakers on challenges to the proper functioning of democratic institutions, and the organization of special missions to support strengthening of democratic institutions, including the sponsorship of electoral observation missions. In addition, the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights focus on promotion of human rights among OAS member states.

The OAS Secretariat also includes a Secretariat for Legal Affairs, the Inter-American Drug Abuse Control Commission (CICAD), the Inter-American Committee Against Terrorism (CICTE), and the Inter-American Convention Against Illicit Manufacturing of and Trafficking of Firearms, Ammunition, Explosives and Other Related Material (CIFTA). These offices have been the focal point for collective action to address shared trans-national challenges such as drug- or weapons-trafficking, money-laundering or cross-border criminal or potential terrorist activities, and have attempted to strengthen the capacity of local border enforcement to prevent illicit activities.

In recent years, Venezuela has challenged the OAS consensus that has developed regarding its core missions. Caracas has contested the use of the phrase "representative democracy" as too narrow because it excludes other forms of democracy. Although the core consensus underlying collective action that has enabled the strengthening of the OAS remains strong, this issue is a reminder that divergence from a strong institutional consensus in favor of a particular mission can also weaken the institutional strength and capacities of the regional organization. At the same time, the strengthening of OAS mechanisms and institutions during the past two decades has reflected a convergence within "inter-American political culture" in favor of "the democratic paradigm" to the extent that collective action to preserve proper functioning of democratic institutions among member states may be valued more highly than the principle of nonintervention.

Pacific Island Forum (PIF)

Within the Pacific Island Forum, the practice of preventive diplomacy has evolved in the context of crisis prevention. Although lacking a formal definition of the concept, most interviewees accepted a definition that included the range of peaceful dispute resolution approaches mentioned in Article 33 of the UN Charter (negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice), when applied before a conflict crosses the threshold of open violence. The PIF has engaged in what it refers to as "quiet diplomacy" dating back to the early 1990s in Bougainville and beginning in the late 1990s in the Solomon Islands. In both cases the PIF, then known as the South Pacific Forum, engaged the political leadership in the respective governments in attempts to prevent conflicts from becoming violent or creating a political or economic crisis. Another feature of the PIF's interest in preventive diplomacy has been a concern

with its ability to influence the outcome of a security crisis in the smaller states in the region given Australia's and to a lesser extent New Zealand's ability to respond to a crisis with preventive deployment of military forces.

Although there are several references to security cooperation for the purpose of preventing conflict within the PIF over the early years of the organization, it is generally accepted that the Declaration on Law Enforcement Cooperation (Honiara Declaration) of 1992 is the first mandate for the regional states to engage in conflict prevention activity. The declaration calls for establishing a framework for increasing contacts among law enforcement agencies throughout the region and engaging in mutual assistance on transnational crime to include information sharing and reporting mechanisms.

The Aitutaki Declaration on Regional Security Cooperation of 1997 reinforces the Honiara Declaration and expands on it by recognizing the "region's vulnerability to natural disasters, environmental damage and unlawful challenges to national integrity and independence." It also "accepted the need for the region to take a more comprehensive approach to regional security consistent with the relevant principles of the United Nation's *Agenda for Peace.*" More importantly for the institutionalization of preventive diplomacy within the PIF, the Aitutaki Declaration also specifically links preventive diplomacy to good governance, sustainable development, and security cooperation.

While the Aitutaki Declaration established the linkage, it was not until 2000 and the Biketawa Declaration that the PIF set out a number of implementing guidelines to "constructively address difficult and sensitive issues" that required regional responses. Specifically, the Biketawa Declaration calls for the PIF's Secretary General to consider implementing a variety of preventive diplomacy measures such as creating a ministerial action group, establishing a fact finding or similar mission, convening an eminent persons group, utilizing third-party mediation support, or convening a special high-level meeting of the Forum Security Committee or an ad hoc meeting of Forum ministers. Since 2000, the PIF has consistently used the Biketawa Declaration as a starting point for discussions regarding regional security cooperation and the basis for expanding the organization's role in monitoring and responding to internal security issues and utilizing a variety of preventive diplomacy mechanisms to prevent conflicts from escalating.

The Auckland Declaration in 2004, which was drafted following a special leader's retreat, established a vision for the PIF in promoting cooperation in the region. Specifically, the declaration calls for the development of a Pacific Plan to implement the vision based on the four goals of economic growth, sustainable development, good governance, and security. The plan itself, which was completed in 2006, establishes a broad institutional framework for establishing goals and monitoring mechanisms to improve governance and security cooperation in the region. Specifically, the plan calls for regional support of key

institutions such as audit and ombudsman officers, leadership codes, anti-corruption training, good governance education, election monitoring, and implementation of human rights conventions within member states. More importantly, the plan also has an elaborate implementation strategy that calls for reporting, monitoring, and evaluation through existing government planning mechanisms. It is here that PIF officials see the opportunity for the use of preventive diplomacy as a means for preventing crises.

In practice, preventive diplomacy initiatives have been developed since the late 1990's primarily through the individual efforts of the Secretary General and based on the principles of cooperative security articulated in the Aitutaki and Biketawa Declarations. The most visible case is the Regional Assistance Mission to the Solomon Islands (RAMSI). Although the operation was initiated by Australia and primarily for the purpose of restoring peace and peacekeeping, it did introduce a range of activities associated with preventive diplomacy, including an eminent persons report on the conditions in Honiara, the deployment of a special envoy to mediate the conflict, and an attempt to use the customary practice of *kastom* to resolve differences between groups. A second case is the PIF response to the coup in Fiji in 2000. Here, the Forum responded to the crisis by establishing an eminent persons group to assess conditions surrounding the coup and make recommendations to restore democracy. A similar group was also established in 2004 to evaluate the economic and political crisis in Nauru. In each of these cases, the response was *ad hoc* and relied to a great extent on the PIF General Secretary's personal involvement.

With just over one year of experience, it is still too early to determine the effectiveness of the implementation measures associated with the Pacific Plan as an institutional framework for preventive diplomacy. Nevertheless, since the plan was approved October 2005, the PIF has engaged in a wide variety of preventive diplomacy activities in conjunction with election monitoring in Samoa, Fiji, Solomon Islands, and the Marshall Islands. It has also constituted a working group to monitor the return to democracy in Fiji following the 2006 coup as part of the PIF's commitment to good governance as articulated in the plan.

While preventive diplomacy activity continues to be focused on the PIF Secretariat and the Political and Security Programme, the Forum Regional Security Committee is the main regional consultative forum that identifies security threats and agrees on strategies to address them and the Forum Economic Ministers Meeting has responsibility for establishing standards for good governance." In addition, the United Nations Development Program (UNDP) and the Asia Development Bank provide assistance to the PIF Secretariat in the areas of monitoring and evaluating conflict prevention measures and good governance mechanisms. The Commonwealth has also cooperated with the PIF in providing "good offices" involvement in discussions with the leadership in Fiji regarding the return to democracy.

Interviewees involved with the PIF were reluctant to offer any specific comments regarding the strengths and weaknesses of the various preventive diplomacy mechanisms. However, all those contacted did agree that the creation of an institutional framework that included operational programs such as election monitoring and peace building provided a necessary basis for effective utilization of "quiet diplomacy" to prevent conflict escalation. However, they also felt that crisis prevention was the primary motivation for engaging in collective responses to internal conflicts in the individual countries of the region. One interviewee noted that the successful cases of "quiet diplomacy" in the region (specifically citing RAMSI) have occurred in the context of engagement with practical assistance while leaving decision-making in the hands of the parties concerned. Also, most saw the active involvement of the current General Secretary as being critical to the success of eminent persons' reports and special envoys, especially in the case of Fiji.

Interviewees were more willing to articulate what they saw as lessons learned from past experience with preventive diplomacy. First, several agreed that the most important lesson from RAMSI is that it was necessary to have effective oversight at the regional level to avoid the appearance of domination by the larger countries in the region and what some saw as the manipulation of individuals involved in the operation. Others suggested that the lack of regional oversight was a function of the way the RAMSI operation evolved from being directed by the Australian military to a more regionally focused operation. Second, several felt there was a need for better monitoring and assessment of developments in individual countries to allow early utilization of preventive diplomacy, although there was a lack of consensus on how best to achieve that goal. While some suggested the lesson learned was that there was a need for an early warning system based on a set of security indicators, others argued that the lesson was that too much focus on information collection would distract from the PIF's ability to react in a timely manner. A third lesson learned with specific reference to RAMSI was that there was a lack of capacity to engage in "quiet diplomacy" based on the lack of training in conflict assessment, mediation, and diplomacy. Some averred that the lesson was the need to create a register of individuals with these skills such as retired diplomats, judges, academics, and senior public officials.

African Union (AU)

The establishment of the African Union (then the Organization of African Unity) came amidst trying times for many African nations, underscoring the dire need for unity, peace, and solidarity on the continent. This resulted in various initiatives that purported to entrench peaceful coexistence and cooperation in the political mentality of member countries. The AU has a comprehensive framework and an elaborate organizational structure to deal with preventive diplomacy and peaceful resolution of conflicts. Besides provisions in the OAU charter, three vital documents of direct relevance to PD are The Mechanism for Conflict Prevention, Management and Resolution (adopted in Cairo in 1993), The Framework For an OAU Response to Unconstitutional Changes of Government (Lome, 2000), and The Protocol Relating to The Establishment of The Peace and Security Council of The African Union (PSC) that entered into force in 2003. Four principal organs are directly involved in PD: the Assembly, the Commission, the Executive Council, and the PSC.

The Mechanism for Conflict Prevention, Management and Resolution provides an elaborate structure through which immediate efforts can be directed at the prevention and resolution of disputes. In consultation with the Central Organ and the parties involved in a conflict, the Secretary General of the mechanism is tasked to "deploy effort and take all appropriate initiatives to prevent, manage and resolve conflicts." He is encouraged to make use of good offices and send special envoys, or initiate fact finding missions in the spirit of finding peaceful resolutions to conflicts. When deemed necessary, the mechanism provides for the OAU's recourse to United Nations assistance for conflict prevention, management and resolution in accordance with Chapter VIII of the UN Charter on the role of regional organizations in the maintenance of regional and international peace and security.

The adoption of the Framework for an OAU Response to Unconstitutional Changes of Government in 2000 mandated the current chairman of the OAU, and the Secretary General to instantly and publicly denounce such change, declare it illegal and unrecognized by the organization; and urge a speedy return to democratic government. They are to convene an emergency meeting of the Central Organ to discuss what should be done in addition to the condemnation. They also have the power to suspend the illegal regime for a period of six months within which a return to constitutional rule must be accomplished. During this period, the Secretary General must collaborate with the "Regional Grouping to which the 'country in crisis' belongs" to return to constitutional rule. Failure to comply would result in further sanctions imposed on the illegal government, with the support of the international community. This cooperation is manifested in the OAU's supporting role to ECOWAS during the Liberian crisis. It is well understood that rejecting unlawful governments, and promoting democracy and the rule of law are inextricably linked with conflict prevention and/or avoidance.

Subscribing to and upholding democratic principles are seen as sure ways to conflict avoidance.

The transmogrification of the OAU to AU witnessed a monumental shift in the normative structure and character of the AU. The AU, unlike its predecessor, adopted the principle of intervention as indicative of Article 4(h) and (j) of the Constitutive Act. It reflects the conscious determination of the leaders to forestall peace and to prevent the emergence and escalation of conflicts that characterize Africa's contemporary experience. The Protocol Relating to The Establishment of The Peace and Security Council of The African Union (PSC) that entered into force in 2003 has an elaborate structure for preventive diplomacy.

Article 2(1) reads, "There is hereby…a Peace and Security Council within the Union, as a standing decision-making organ for the prevention, management and the resolution of conflicts. The Peace and Security Council shall be a collective security and early warning arrangement to facilitate timely and efficient response to conflicts and crisis in Africa." While Articles 3 and 4 respectively outlined the objectives and principles of the PSC, with emphasis on democratic principles, good governance and cooperation, Article 6 stipulates its functions to include early warning, preventive diplomacy, peace support operations, including the use of good offices in conflict resolution, mediation and conciliation, peace building and post-conflict reconstruction. These measures, indeed, are practical and remedial diplomatic measures. In the quest to prevent "genocide and crimes against humanity," Article 7 empowers the PSC, with section (g) authorizing it to "approve of modalities for intervention by the union in a member state" in accordance with Article 49(j) of the Constitutive Act.

In addition to PD measures, Article 11 provides for a Panel of The Wise made up of five eminent African personalities to assist in the efforts of the PSC in finding peaceful solutions to disputes. Article 12 established a Continental Early Warning System (CEWS) "to facilitate the anticipation and prevention of conflicts." It also calls on member states to "commit themselves to facilitate early action by the Peace and Security Council and/or the Chairperson of the Commission based on the early warning information." The protocol indicates a comprehensive structure for preventive and remedial measures in its drive to secure and promote peace and security for the peoples and states of Africa.

Case Studies

Sudan. The AU played a significant role in finding a diplomatic solution to the conflict situation in Sudan's Darfur region. It has sponsored and led mediation efforts, with its chief mediator Hamid Algabid, to reach a "political solution to the tensions in Darfur." The AU invited all parties to the conflict – the Government of Sudan (GOS), Justice and Equality Movement (JEM), and the Sudan Liberation Movement/Army (SLM/A) – and an agreement was reached, culminating in the Humanitarian Ceasefire Agreement in Chad in April 2004. In July of the same

year, at the recommendation of the PSC and The Assembly, all parties to the conflict were invited to AU headquarters in Addis Ababa to find a comprehensive political settlement to the dispute. Consequent to these diplomatic efforts, and with the establishment of the Ceasefire and Joint Commission to provide a mechanism for peacefully resolving the conflict, the AU deployed a special AU Observer Mission (AMIS) to Sudan with the mandate to monitor the ceasefire agreement and the peace process. The AMIS presence in Darfur is to forestall hostilities and pave the way for a peaceful solution. Rounds of Inter-Sudanese Peace Talks on Darfur were held in Abuja, Nigeria in October 2004 with all parties involved in the conflict and AU partners such as the UN, the EU, the League of Arab States (LAS), France, the UK, and the US.

AU Special Envoy for Darfur, Dr. Salim Amed Salim, with the support of the Special Envoy of the UN Secretary General Mr. Eliasson reinvigorated the peace process through diplomatic efforts. In February 2007, further talks were held with all parties and partners involved, and with high-level consultations, and in line with the decisions of the PSC and UN Security Council, a "joint mediation support team" was established to work with the special envoys. This was implemented with the "AU/UN Deputy Joint Special Representative Designate in Sudan," coordinating efforts for the implementation of AU/UN Hybrid Operation in Darfur (UNAMID). On Dec. 31, 2007, AMIS handed over authority and control to UNAMID, making it responsible for the protection of civilians and humanitarian supplies and offered protection to AU/UN envoys to further consult and mediate and to find peaceful means to solve the crisis. AU's efforts, actively supported by the UN and the international community as a whole, exemplify the extent to which it has employed preventive diplomacy to find a peaceful and legitimate solution to the Darfur crisis.

Kenya. Following the Dec. 27, 2007 presidential election dispute between the incumbent president of Kenya Mwai Kibaki and the opposition party led by Raila Odinga, there was an outbreak of violence that has killed hundreds and displaced thousands of people. The AU was timely in calling for restraint, the immediate cessation of violence, and a peaceful resolution of the crisis. As the Chairperson of the AU, President John Kufuor embarked on a two-day mediation mission to intervene, and urged the feuding factions "to work together" to find a common nonviolent means to end the conflict. In support of his initiative, the Panel of The Wise, (as provided by article 11 of the Constitutive Act) made up of eminent African personalities was dispatched to Kenya. This group is led by former UN chief Kofi Annan, and included Mr. Benjamin Mkapa and Mrs Graca Machel. Their mediation has yielded a positive result, with agreement on ending the violence and a commitment to pursue dialogue to peacefully resolve the crisis. These efforts are expected to lead to a power-sharing agreement between the feuding parties.

Togo. Following the death of President Gnassingbe Eyadema of Togo in February 2005, the ruling party, with the help of the military, swore in Faure

Gnassingbe, son of the deceased president, as successor in contravention of the Togolese constitution. This act violated the democratic principles enshrined in the Constitutive Act of the AU prohibiting the "unconstitutional change" in government. The AU was at the vanguard of preventive diplomatic efforts to remedy the situation from erupting into violence. It acted in accordance with the provisions of The Mechanism for Conflict Prevention, Management and Resolution (MCPMR). AU Chairman Alpha Oumar Konare immediately convened a meeting of the Central Organ as a matter of urgency to discuss the situation in Togo. He publicly condemned the act and declared the government illegal "…and urged speedy return to constitutional rule." The AU took further action by suspending Togo from the Union and threatened further sanctions with the Economic Community of West African States (ECOWAS), the sub-regional grouping to which Togo belongs. The AU further called on the international community to ostracize the government if it didn't heed the AU. These measures by the AU were firmly supported by the international community and produced the desired effects. The illegitimate president resigned, paving the way for Deputy Speaker of Parliament Abass Bonfoh to become the interim president. An election was held and Togo returned to constitutional rule. The AU's action served as a signal that it would not tolerate an unconstitutional change of government on the continent.

Burundi. OAU/AU observer missions serve as one of the main methods through which the AU employs preventive diplomacy in resolving conflict in Africa. In October 1993, in the wake of the assassination of Burundian President Melchior Ndadaye, the OAU/AU, through its Central Organ initiated a mediation process led by the Chairman, President Hosni Mubarak of Egypt, and the Secretary General between the feuding parties to defuse tensions, avoid escalation, and peacefully resolve the crisis. By consensus the OAU/AU deployed an Observer Mission (OMIB) to monitor the peace process and contribute to confidence building measures between the warring factions and the people of Burundi. The mission was seen as "preventive diplomacy" rather than a "peacekeeping" force. OMIB, though small in number, served "useful intermediaries between the military authorities and civilian leaders," and through its relentless effort "defused numerous explosive situations." The team, led by Col. Djibril Sangare, provided medical care and humanitarian services, and assisted in confidence building measures. Although the military coup July 25, 1996 dented OMIB's efforts and complicated the situation – engulfing the Great Lakes region – the OAU/AU was unwavering in its resolution to work out a means of maintaining peace in Burundi. These efforts led to the Arusha Peace Process facilitated by the former president of Tanzania, Julius Nyerere, in 1998. OMIB continued to play a significant role under the leadership of a Special Representative of the General Secretary of the OAU/AU.

The Great Lakes Region. In a combined effort to find a permanent peaceful settlement to the disputes in the countries of the Great Lakes Region, the OAU/AU played a significant role in the process leading to the International

Conference on the Great lakes Region in Dar-es-Salaam, Tanzania. Through a series of initiatives by the AU and other partners, the "Declaration on Peace, Security, Democracy and Development in the Great Lakes Region" was adopted in 2004, which led to the formation of The Regional Inter-Ministerial Committee (RIMC). The aim was to use this medium to find a peaceful settlement of disputes, facilitate cooperation, build good will, democratic governance and development of the region to forestall the outbreak of war. Two meetings were held in February and July 2005 and attended by the AU Commissioner for Peace and Security.

The AU and UN established a Joint United Nations/African Union Secretariat, with the AU's Special Envoy of the Chairperson of the Commission, Mamadou Bah, and the Special Representative of the UN Secretary General to the Great Lakes Region, Mr. Ibrahima Fall, working closely. Their efforts with all the parties /states resulted in the adoption of the "Pact on Peace, Security and Development in the Great Lakes Region" during the second summit of the International Conference in December 2006. The RIMC, constituting the executive arm, worked hand-in-hand with the AU/UN Joint Secretariat in coordinating activities on the various protocols signed. The AU's Commissioners for Peace and Security and Political Affairs attended RIMC meetings. Although the UN did not extend its mandate for the Special Representative of the UN Secretary General to the Great Lakes Region after it ended on March 31, 2007, the AU continuous to offer support, and coordinates and cooperates within the "AU Policy Framework for Post Conflict Resolution and Development" in close partnership with the UN. The efforts of the AU, supported by the UN and other partners, have helped bring some stability, peace, and security to the Great Lakes Region. The Chairperson of the AU Commission continues to "ensure regular follow-up of the whole process and the implementation of the Pact."

Others. The OAU/AU has employed preventive diplomacy in resolving crises or helping to find peaceful solutions in a wide range of political crises, including that of Chad, Liberia, Sierra Leone, Ivory Coast, Angola, The Comoros, Ethiopia and Eritrea, Guinea-Bissau, and Central African Republic. In various ways and with varying degrees of success, the OAU/AU has always been involved in PD on the continent.

Organization of Islamic Conference (OIC)

Official documents of the Organization of Islamic Conference do not have a section that explicitly stipulates preventive diplomacy. However, this has not precluded the organization from undertaking a large number of ad hoc preventive diplomacy measures, in keeping with its principle of peaceful means of dispute through negotiations, mediation, conciliation, and arbitration.

Case Study: Peace Agreement in Southern Philippines

The OIC has played an active role in the search for a political settlement of the Muslim secessionist problem in the southern Philippines. As far back as 1976, the government of Libya under Col. Muammar Qaddafi was instrumental in achieving the Tripoli Agreement that which became the basis for finding a "just, comprehensive, honorable and final solution to the problem of Muslims in Southern Philippines."[1] Signed under the auspices of the OIC, the Tripoli Agreement has set out the framework for talks between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) toward achieving a peace agreement.

Following the Tripoli Agreement, the OIC appointed the Ministerial Committee of Six, under the Chairmanship of Ali Alatas, the former foreign minister of Indonesia, and member representatives from Libya, Saudi Arabia, Senegal, Bangladesh, and Somalia, to facilitate several rounds of meetings. The first exploratory meeting commenced in October 1992. It eventually led to the signing of two Memoranda of Understanding between the two parties, setting the stage for more serious peace negotiations. After four rounds of peace talks under the auspices of the OIC and facilitated by the active leadership of Indonesia, the GRP and MNLF signed the Peace Agreement on 2 September 1996.

The OIC continues to support the ongoing peace processes taking place between the GRP and MNLF. Since 1996, it has been sending an OIC Observer Team to monitor the ceasefire agreement between the two parties.

Preventive Diplomacy through OIC's "Enlightened Moderation" Agenda[2]

Apart from its active role and interest in the peace process in southern Philippines, the OIC has also set out a comprehensive agenda that complements its efforts in providing avenues for peace and development. In 2005, the OIC endorsed its Enlightened Moderation Agenda during the Third Extraordinary Islamic Summit in Makkah, Saudi Arabia. The goals of this new vision complement and advance the Millennium Development Goals (MDGs) of the United Nations (UN) and the two entities coordinate and collaborate in the development, preparation, and implementation of projects and programs leading to the achievement of their common objectives. The New Vision's principal action areas can broadly be categorized into 12 thematic groups:

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[1] See Resolution No. 47/25-P, "On Question of Muslims in Southern Philippines Resolutions on Political Affairs at the 25th ICFM." Available: http://www.oic-oci.org/oicnew/english/conf/fm/25/resolutions25-p-3.htm#47 (accessed February 2008).
[2] Available: http://www.oicun.org/articles/37/2/New-Vision-of-the-OIC/2.html (accessed February 2008).

1. OIC Reform and Joint Islamic Action
2. Inter-Civilizational and Inter-Religious Dialogue
3. Combating Terrorism
4. Combating Islamophobia
5. Promoting Good Governance and Human Rights
6. Protecting the Rights of Muslim Minorities
7. The Question of Palestine
8. Peace Building, Conflict and Post-Disaster Management
9. Empowerment of Women & Children
10. Education Reform, Research and Development
11. Trade Promotion and Economic Cooperation
12. Poverty Alleviation in Least Developed Countries (LDCs)

Aspects of preventive diplomacy are reflected mainly in themes 5 to 8:

Theme # 5: Promoting Good Governance and Human Rights[3]

The promotion of Good Governance and Human Rights go hand in hand with the realization of effective democracy and the attainment of the Millennium Development Goals. Acknowledging the particular challenges faced by OIC member states in this regard, the New Vision places great emphasis on broadening the scope of political participation, ensuring access to civil liberties and social justice, reducing socio-economic inequality, promoting transparency and accountability, and reducing corruption.

Several OIC member states have already undertaken serious reform efforts on their own accord. Additionally the OIC continues to evaluate and examine the roles of various inter-governmental organizations in the development of the member states and the prospects for developing cooperative ventures with these entities. The first capacity building staff-exchange between the OIC and the United Nations Development Program (UNDP) occured in 2007; it was designed to hone the technical expertise of the OIC Secretariat and develop their programs in line with the UN Development initiatives.

In addition to being a regular participant in the Good Governance for Development Initiative for Arab States, the OIC has supported recent initiatives including a joint capacity building program for OIC member states by the Government of Malaysia and the Islamic Development Bank (IDB). The OIC continues to support initiatives to enhance the performance of public-private institutions and promotes inter-country cooperation in this regard. In promoting democracy through free and fair elections, the OIC sent election monitors to oversee the historic elections in Mauritania in November 2006.

The New Vision has mandated the Islamic Conference of Foreign Ministers (ICFM) – the principal OIC entity tasked with reviewing progress pertaining to the

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[3] Available: http://www.oicun.org/articles/37/7/New-Vision-of-the-OIC/7.html (accessed February 2008).

implementations of decisions – to work toward the elaboration of an OIC Charter on Human Rights. Under its new mandate, the ICFM will also evaluate the feasibility of establishing an OIC Permanent Commission on Human Rights – an independent permanent body to promote human rights in accordance with the provisions of the Cairo Declaration on Human Rights in Islam. The ICFM will also work with member states to introduce changes to their national laws and regulations in order to guarantee respect for human rights. Additionally, member states will review their educational curriculum to include the subject of human rights with the purpose of emphasizing the cultural component of the issue.

The OIC has already signed a Memorandum of Understanding with the UN Office of the High Commissioner on Human Rights (OCHCR) in July 2006 and the two bodies will jointly organize a workshop to draft the Charter for Human Rights in Islam. The OIC advocates for universality, objectivity and non-selectivity in the construction of the UN Human Rights Council (HRC) as outlined in the high-level meeting of the Council in Geneva in March 2007. The OIC will also work with the HRC to explore the possibility of drafting a Convention on Respect towards Religions and encourages HRC members to focus on the violation of the rights of the Palestinian people in particular and on discrimination and intolerance against Muslims in general. In combating racism, an Inter-governmental Group of Experts (IGGE) on the follow-up to the Cairo Declaration on Human Rights in Islam met in December 2006 to advance the draft OIC Covenant against Racial Discrimination.

Theme # 6: Protecting the Rights of Muslim Minorities[4]

In addition to undertaking a strategy of proactive engagement with governments of countries hosting Muslim communities, the New Vision seeks to cooperate regularly with regional and international organizations to guarantee the rights of Muslim minorities and communities in non-OIC countries that face increasing levels of persecution and profiling in defiance of their civil and religious rights.

In recent years, the OIC has actively engaged with the governments of China, Myanmar, Philippines, and Thailand to protect the rights of the Muslim minorities in these countries. Utilizing Thailand's Observer Status at the OIC and its membership in the Association of Southeast Asian Nations (ASEAN), the OIC-SG has initiated dialogue with pertinent Thai authorities and Muslim representatives from southern Thailand to advance necessary socio-economic reforms in the region. Based on the findings of the OIC's fact-finding mission to the southern Philippines in May 2006, the OIC-SG had engaged ASEAN and the Filipino authorities in a tripartite conference in Jeddah in 2007 to concretize the peace process.

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[4] Available: http://www.oicun.org/articles/37/8/New-Vision-of-the-OIC/8.html (accessed February 2008).

To protect the rights of Muslim minorities in Europe, the OIC has coordinated with regional organizations including the OSCE and the new Council on Human Rights in Geneva. The OIC Secretary General has also undertaken missions to China, Russia, UK, and France to undertake dialogue with authorities on the creation of relevant structures and safeguards for Muslim minorities. Additionally, the OIC will organize an international conference to resolve the challenges facing charitable Islamic organizations globally.

Theme # 7: The Question of Palestine[5]

The New Vision places fresh impetus on the urgent need to end the Israeli occupation of Palestinian and outlines clear strategies to advance the socio-cultural-political-economic rights of the Palestinian people. The OIC Secretary General has undertaken several visits to the region since taking office in 2005 and has issued numerous statements condemning Israeli aggression including the construction on new settlements, the racist separation wall, defamation of the sanctity of the Al-Aqsa Mosque, and the imposition of collective punishment upon the Palestinian people.

Through international institutions including the UN, the OIC continues to unanimously impress upon the international community the need to exercise moral and political pressure upon Israel such that it comply with UNSC Resolutions 242, 338 & 1515. In coordination with the UN Committee for the Exercise of the Inalienable Rights of the Palestinian people, the OIC will continue to exert pressure upon Israel and the international community to guarantee the inherent rights of the Palestinian People and ensure the free movement of Palestinians within their own territories. The OIC fully supports the initiatives of the National Unity Government and supports the resumption of the Arab Peace Initiative and the Roadmap. In this regard, the OIC closely monitors the activities of the Quartet and insists on full Israeli withdrawal from the territories occupied since 1967 as a precondition for peace.

The New Vision places great emphasis on Al-Quds (East Jerusalem) as central to the identity of the Palestinian people and the meeting point for the monotheistic religions of the world. The OIC condemns all Israeli efforts to change the character of the Holy City as a direct violation of UNSC resolutions and has a taken a united stand with the Arab League and the Non Aligned Movement (NAM) in condemning Israeli aggression against the Al Aqsa Mosque. To promote and preserve the inherent Islamic heritage of Al-Quds, the New Vision has propelled the OIC to take concrete steps towards the establishment of the Al-Aqsa University in Al-Quds. The OIC General Secretariat has already issued a justification paper and the IDB is currently conducting a feasibility study to realize the project. The IRCICA will conduct annual workshops on the architectural heritage of Al-Quds until 2015 and continues to develop its database on the heritage of Al-Quds & Palestine.

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[5] Available: http://www.oicun.org/articles/37/9/New-Vision-of-the-OIC/9.html (accessed February 2008).

Theme # 8: Peace Building, Conflict and Post-Disaster Management [6]

The New Vision deems as inadequate the mono-dimensional approach of viewing crises solely from the angle of security and seeking solutions exclusively through military means. Such a course does not lead to the resolution of conflicts in a lasting and comprehensive manner. Rather, it promotes short-cut and short-term solutions that increase the vehemence and complexity of ongoing conflicts. Consequently, effective, lasting, and comprehensive settlements necessitate a paradigm shift in approaches.

Peace-building, conflict, and post-disaster management necessitate political engagement and the reinvigoration of the time-tested doctrine of multilateralism. They require world leaders to reject unilateral interventions in favor of respecting international legitimacy and advancing long-term solutions in the spirit of mutual recognition, cooperation, and dialogue, particularly among representatives of cultures, civilizations, and religions. They entail an understanding of political grievances, backwardness, and the underdevelopment of societies and their need for good governance.

Consequently, the New Vision has adopted a multifaceted strategy to solve the underlying reasons to these problems and is working with the international community to promote moderation, modernization, and development within the Islamic world. In this regard, the OIC and the IDB will closely coordinate with the recently established UN Peace-Building Commission in achieving common objectives. A Memorandum of Understanding (MoU) has been signed between the OIC and the United Nations Office of the High Commissioner for Human Rights (OHCHR) and OIC Troikas have become proficient in their rapid response to early warning to neutralize potential conflicts. OIC member states contribute heavily to UN Peace Keeping Operations and countries like Pakistan and Bangladesh rank among the largest individual contributors of UN peace-keeping troops.

The OIC has played an active role in recent and ongoing conflicts in Iraq, Somali, Sudan, Palestine, Lebanon, Thailand, Cyprus, Jammu and Kashmir, and the dispute between Sudan and Chad. Diverse initiatives have been undertaken toward the resolution of the Iraqi conflict, including participation by the OIC-SG in the Iraq Compact and the 9th Conference of Iraq's neighboring countries in Tehran, visits by the OIC Special Envoy to Baghdad, Cairo, and Amman to coordinate reconciliation efforts, and meetings at the OIC Secretariat among leaders of Iraq's Sunni and Shiite Sect. The OIC played a pivotal role in mediating the conflict between Chad and Sudan; those efforts resulted in a negotiated settlement in 2006. Efforts continue in Sudan to resolve the situation in Darfur and the OIC-SG has undertaken visits to Khartoum for consultations in

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[6] Available: http://www.oicun.org/articles/37/10/New-Vision-of-the-OIC/10.html (accessed February 2008).

this regard. In addition to dispatching a number of OIC delegations to assess the situation in Somalia, the OIC has also actively participated in the Arab League sponsored peace talks between the Somali government and the Islamic Courts.

The OIC's effective and timely response to the most devastating natural disasters in recent years (Kashmir, Indonesia) has established the organization as a major player in post-disaster humanitarian relief efforts. The 2004 tsunami in Indonesia is a case in point: OIC entities and member states provided US $1.3 billion in aid to the victims – the largest contribution by any group.   This overwhelming response is a direct consequence of the organization's New Vision, which calls for cooperation and coordination between individual relief efforts of Islamic States and Islamic civil society institutions on the one hand and international civil society institutions and organizations on the other.

In Kashmir as in Indonesia, this strategy allowed for the greatest number of OIC member states to contribute to the relief efforts and allowed for the OIC to coordinate its efforts with the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). These initiatives fall within the broader scheme of Islamic Relief Action and the ICCI, IDB, Islamic Solidarity Fund, Islamic Committee for International Crescent (ICIC), and other regional and national relief agencies and organizations are currently working toward developing a clear strategy to maximize coordination and cooperation.

Shanghai Cooperation Organization (SCO)

Like the OIC, the SCO's official documents do not have an explicit stipulation about preventive diplomacy. However, many of its documents contain articles that facilitate and require member states to cooperate and carry out preventive measures against three so-called "evil forces" – terrorism, separatism, and extremism – as well as an assortment of nontraditional security issues.

For example, Article 8 of the "Declaration on Establishment of Shanghai Cooperation Organization" (2001) calls for the SCO to makes all necessary efforts to ensure regional security. Member states will cooperate closely to implement the Shanghai Convention on Combating Terrorism, Separatism and Extremism, including setting up an Antiterrorist Center.

Furthermore, the "Shanghai Convention on Combating Terrorism, Separatism and Extremism" (2001) contains detailed provisions for inter-member cooperation in combating those three concerns. Article 2 stipulates that the Parties, in accordance with this Convention and other international obligations and with due regard for their national legislations, shall cooperate in the area of prevention, identification and suppression of terrorism, separatism, and extremism. Article 6 and Article 7 have detailed descriptions of cooperation measures in preventing and fighting the three forces and other nontraditional security issues.

Future Development of PD in SCO

Confidence-building measures have been and appear to continue to be a key area for the SCO, as evidenced in the two treaties regarding border security signed in 1996 and 1997, and the recently signed treaty regarding the Treaty among the Member States of the Shanghai Cooperation Organization on Good-neighborly Relations, Friendship and Cooperation. Currently, preventive diplomacy in the SCO is essentially carried out in areas of nontraditional security. It is carried out by a wide range of agencies, including the military. However, there are signs that the SCO is increasingly moving toward a more traditional practice of preventive diplomacy. The SCO is likely to discuss preventive diplomacy in tackling traditional security issues, including in dealing with domestic crises. Two recent official documents of the SCO clearly refer to this possible development.

The "Declaration on the Fifth Anniversary of Shanghai Cooperation Organization" says that the SCO has the potential to play an independent role in safeguarding stability and security in this region. The document points out that in case of emergencies that threaten regional peace, stability, and security, SCO member states will have immediate consultation on effectively responding to the emergencies to fully protect the interests of both the SCO and its member states. The paper calls for studies on the possibility of establishing a regional conflict prevention mechanism within the SCO framework.

The "Joint Communiqué of Meeting of Council of Heads of SCO Member States" has noted the vital significance of implementing preventive measures against processes and phenomena that cause instability in the SCO territory. It also notes that the process of creating a mechanism of joint response to situations threatening peace, stability, and security in the region would be expedited.

A few scholars at various Chinese government-sponsored institutions have conducted studies on the need for and feasibility of formal preventive diplomacy measures in the SCO. They justify the establishment of such formal mechanisms on the ground that the SCO would not be able to grow further without preventive diplomacy given the fact that the Euro-Asian region is rich in cultural, ethnic, geo-strategic contentions, potential conflicts among Central Asian states in terms of territorial borders, water and other resources, and internal socio-political instability in smaller members of the SCO. They conclude that all these issues have the potential to not only hamper further progress of the SCO, could also derail the SCO process.

Still, it is hard to find a specific case study of PD for the SCO. But, numerous SCO official documents and pronouncements have noted the success of their cooperation in fighting and curbing the growth of terrorism, separatism, and extremism in member states. Preventive measures and cooperation among

member states have been successful in preventing a number of terrorist attacks; thwarting a few attempts to destabilize the region, wiping out some terrorist organizations and their training bases, and helping catch dozens of terrorists suspects.

European Union (EU):
The Case of the Aceh Monitoring Mission

The European Union (EU) has emerged as an influential actor when dealing with security sissues. The EU relies on its Common Foreign and Security Policy (CFSP) as a basis for its global role where insecurity and instability of a region, at whatever distance from Europe, has direct or indirect impact on the security of Europe. Conflict prevention is therefore a strategic objective of EU's CSFP, especially through the 2001 Göteborg Programme on Preventing Violent Conflicts.

The contribution of the EU within the field of conflict prevention is steadily growing in Europe, Asia, and Africa. To strengthen its preventive diplomacy, the EU's Council Secretariat has developed a Watch-list, established a Situation Centre, a Civil Military Cell, and is elaborating Early Action strategies. It is also engaged in conflict prevention through its root-causes-of conflict check-list and Country Strategy Papers, as well as a variety of instruments within the development, human rights, trade, and democratization spheres.

As early as 2001, the EU put preventive diplomacy through conflict prevention at the heart of its security strategy, basing its approach on the key principles of comprehensiveness and effective multilateralism. The European Union's Programme on Conflict Prevention and the Commission's Communication on Conflict Prevention (i.e., the Göteborg Programme) were adopted in 2001 to enhance the EU's commitment to address the emergence and re-emergence of conflict through prevention and long-term peace building. These documents emphasize the need to build and sustain mutually reinforcing partnerships – with and between governments, international organizations, regional organizations, and nongovernmental organizations. This rationale is based on the fact that effective conflict prevention strategies must engage all relevant actors in a coherent manner to create sustainable peace processes.

Eventually, such strategies must strike the right balance between short-term security concerns and long-term development, making use of civilian and military capacities in a coherent interplay. Thus, the EU is focusing on bringing its short-term and long-term instruments closer together. For example, the new Instrument for Stability, which complements efforts carried out under the European Security and Defence Policy (ESDP), enables rapid support for up to 18 months in conflict prevention, post-conflict stabilization, and early recovery from natural disasters. Meanwhile, the EU's 120 delegations in third countries play a central part by

strengthening coordination through dialogue with national stakeholders and other international actors.

In many contexts, the EU cooperates closely with other donors and major players in peace processes through donor coordination and joint funding of projects and programs. Thus, the EU is taking an ever more active role in the prevention of violent conflicts and continually expanding the array of instruments available. Seeking ways to enhance the role of civilian action in conflict prevention, its current priorities include: strengthening of the rule of law, support to participatory processes and democratic institutions, development of civil society, security sector reform, and strengthening of cohesive economic and social actions, including demobilization, disarmament, and reintegration programs in post-conflict situations.

However, aware that conflict prevention can only be effective if carried out at a multilateral level, the EU is strongly committed to enhance cooperation with other international and regional organizations, civil society, and partner countries. This multilateral mechanism can also be seen as a burden-sharing mechanism. In addition, the EU believes that development policy and other cooperation programs provide the most powerful instruments for treating the root causes of conflict. This means that a long-term and integrated approach is seen as a necessity to address all aspects of structural stability in countries at risk.

On a practical level, documents like the Country Strategy Papers will be the key tool to mainstream such an approach. For example, in countries showing conflict potential, there may be a need to focus aid on the reemergence of a favorable political environment – which means that the EU should focus on programs such as rehabilitation. In other countries, and in parallel to long-term preventive action, the EU could also react quickly where a situation seems to be entering a downward spiral. This is where instruments such as the Rapid Reaction Mechanism come in handy, although a variety of options ranging from political dialogue to Special Representatives and civilian crisis management mechanisms are also available.

In post-conflict situations however, a lot more effort has to be put into consolidating the peace after peace agreements are signed, to avoid a relapse into armed conflict. Thus, dialogue processes at different levels are essential to include the needs and interests of all stakeholders and develop mechanisms to resolve conflicts in a peaceful way.

More important however, a sustainable peace cannot be achieved without meeting economic needs and social development. There has to be coherent and inclusive programs to create access to economic opportunities. As the next section will show, all of these factors would come in play in Aceh, where an EU-ASEAN partnership was deployed to assist the implementation of the 2005

Helsinki peace agreement between the Indonesian government and Free Aceh Movement (GAM).

The Helsinki Peace Process and the Road to AMM

While the European Security Strategy called for a more capable and more coherent Europe, the first ESDP mission in Asia demonstrated how difficult that task really was. Preceding the AMM, tensions naturally emerged between the need to implement conflict prevention mechanisms fully while bridging institutional divides and respecting the prerogatives of each body.

The EU was nevertheless seen as the top candidate for the job, especially when supported by a partnership with ASEAN. Observers have commented that the United States was not a likely candidate since it might arouse negative domestic sentiments, while a UN force would be too complicated to be feasible – not to mention the lack of credibility and impartiality of these forces in the eyes of the conflicting parties.

The EU's direct involvement began when a Finnish businessman working in Indonesia (who had a close relationship with both Indonesian Vice President Jusuf Kalla and Former Finnish President Marti Ahtisaari) saw a window of opportunity for negotiations after the tsunami hit Aceh in December 2004. Moreover, domestic developments within Indonesia and Aceh itself provided added impetus to move toward negotiations, including the strengthening of civilian control over the military with the arrival of newly elected President Susilo Bambang Yudhoyono and GAM's decreasing international support.

Subsequently, President Ahtisaari contacted Javier Solana, the EUs Secretary General and High Representative for CSFP. Eventually, these contacts led to five rounds of negotiations supported financially by the European Commission Rapid Reaction Mechanism and by the Dutch and Finnish governments and facilitated by Crisis Management Initiative (CMI), an NGO chaired by President Ahtisaari.[7] CMI enjoyed the EU's full support, in both legal and financial terms, and its efforts were based on Council Regulation No. 381/2001 establishing the Rapid Reaction Mechanism (RRM) and fell within the scope of the RRM Policy Advice and Mediation Facility Decision 2002-04.

These negotiations eventually became the basis of the Aug. 15, 2005 Helsinki Memorandum of Understanding (MoU) between the Government of Indonesia and GAM, ending the decades-long conflict. The MoU covers a variety political process, *inter alia*, political reforms in Aceh, human rights, amnesty and re-integration of GAM members into society, appropriate security arrangements for

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[7] This shows that the EU has been involved in preventive diplomacy mechanisms in Aceh even prior to the AMM mission; the European Commission, UNDP, and USAID were financially involved in the failed negotiations under the auspices of the Geneva-based Centre for Humanitarian Dialogue in 2000.

the implementation of the MoU provisions, establishment of the Aceh Monitoring Mission (AMM), and agreement on a dispute settlement mechanism.

Deployment of the AMM was under consent and followed an official invitation addressed to the EU and the five ASEAN contributing countries made by both the Indonesian government and GAM. Prior to that, an EU "assessment mission" was sent to Aceh at the end of June 2005 to look at the possibilities of an EU deployment on the ground to help monitor implementation of the MoU. Although full-fledged planning and assessment were difficult because the terms of the agreement were kept secret, officials from the European Council and Commission managed to conduct meetings with key figures and participants in both Aceh and Helsinki during the last round of talks in July. The EU was also briefed through informal meetings with the representatives of CMI in Brussels.

On July 18, the EU's General Affairs and External Relations Council (GAERC) sent a positive but cautious note concerning the possibility of a European deployment in Aceh, although there was little enthusiasm for such operations within the relevant bodies (especially the Political and Security Committee). In addition, although some countries favored engagement (e.g., Finland, Sweden, the Netherlands, and France) a "silent majority" of other EU members did not see Aceh as a priority mission: few members had extensive knowledge of Aceh and Indonesia, and the general feeling was that developments closer to home such as the Balkans seemed to be more pressing.

The argument made in favor of involvement in Aceh basically revolved around the following. *First*, it would demonstrate that ESDP was up and running and able to deliver. *Second*, a mission in Indonesia would match the vision of those who regarded the EU as a global player, and not limited to stabilizing its own neighborhood. *Third*, the mission would offer a test case for the civil crisis management of the ESDP machinery, especially the newly established Civil-Military Cell. *Finally*, it appeared that, based on past experiences and developments, the absence of credible and impartial monitors would lead to a breakdown of the peace agreement and resumption of hostilities.

Given the fact that implementation of the MoU relied on an efficient monitoring mechanism to overcome the accumulated mistrust of the Acehnese toward Jakarta, and vice versa, an EU mission was crucial in this regard.[8] Javier Solana eventually had to address the council and nudge them toward a "compromise" approach, leading to what was considered an anomaly within standard EU crisis management: two parallel and related developments took place from mid-July onward. On the one hand, debates continued among Brussels-based institutional actors surrounding the political, legal, and budgetary issues of the mission. On the other hand, teams on the ground were paving the way for deployment on Sept. 15 – which was done though the Technical

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[8] The lack of such a mechanism was one of the fatal flaws of the 2002 Accord.

Assessment Mission. The puzzle of this "dual process" was finally pieced together with the appointment of Peter Feith as head of the delegation.

The first development made it unlikely that a full-fledged AMM could be deployed on Aug. 15 – the D-day of the MoU signing – creating a one-month vacuum that could destabilize the peace process. The EU Initial Monitoring Presence (IMP) was thus crafted and deployed to cover the gap. This consisted of 80 monitors from EU and ASEAN countries and covered the period between the signing of the MoU and the full deployment of the AMM. The IMP provided an early demonstration of the commitment of EU and ASEAN contributing countries to monitoring the peace process while contributing to confidence-building among the Acehnese.

EU's First ESDP in Asia and the Role of AMM

Finally, in September 2005, the EU, along with five contributing countries from ASEAN (Brunei, Malaysia, Philippines, Singapore, and Thailand), as well as with Norway and Switzerland, deployed the AMM with a mandate of six months (which later would be extended thrice until Dec. 15, 2006). During this time, the number of monitors deployed steadily decreased as security situations on the ground improved.

The main mission of AMM was to monitor the implementation of aspects of the MoU aimed at achieving a peaceful, comprehensive, and sustainable solution to the conflict. This includes: (1) monitor the demobilization of GAM and monitor and assist with the decommissioning and destruction of its weapons, ammunition and explosives (completed); (2) monitor the re-location of non-organic military forces and non-organic police troops (completed); (3) monitor the reintegration of active GAM members; (4) monitor the human rights situation and provide assistance in this field in the context of the tasks set out in the above points; (5) monitor the process of legislation change; (6) rule on disputed amnesty cases; (7) deal with complaints and alleged violations of the MoU; (8) establish and maintain liaison and good cooperation with the parties. It should be noted however that the AMM did not take on a negotiation role, which was the responsibility of the two parties and the original facilitator (CMI).

The AMM was a civilian mission within the framework of ESDP where the EU's Political and Security Committee exercised political control and strategic guidance of the AMM under the responsibility of the Council of the EU. The mission was financed from the EU budget and by contributions from EU member states and participating countries. The AMM consisted of 199 international unarmed personnel (108 from EU member states as well as Norway and Switzerland, and 91 from the five ASEAN countries) with appropriate expertise.

The mission, whose headquarters is in Banda Aceh, established a monitoring capability comprised of 12 district offices and 2 sub-district offices geographically

distributed. The Head of the Mission (HoM), Pieter Feith, was supported by three deputies, two EU and one from ASEAN. Initially, the AMM focused primarily on security issues, including monitoring the amnesty for GAM prisoners, the decommissioning of GAM weapons, the redeployment of security forces, and reintegration of former combatants.

The AMM became operational on Sept. 15, 2005, the day when the decommissioning of GAM armaments and the relocation of military and police forces began. On Dec. 19, 2005 the Free Aceh Movement (GAM) met its commitments stated in the MoU by handing over the last of its 840 weapons to the Aceh Monitoring Mission (AMM). On Dec. 20, 2005 the GAM leadership also confirmed in writing that there are no more weapons under GAM command in Aceh. GAM officially disbanded its military wing (TNA) on Dec. 27, 2005.

The relocation of Indonesia's armed forces and national police during phase one was successfully completed two weeks ahead of schedule and was a positive response to GAM's initial surrender of weapons between Sept. 15-17, 2005. During this phase, around 6,671 TNI and 1,300 police personnel were relocated out of Aceh, and a total of 243 arms were handed over by GAM and acknowledged by the AMM. The decommissioning of the 840 agreed GAM weapons was divided into four stages and completed by the end of December 2005 and was carried out under the supervision of specially trained decommissioning team.

The fourth and final phase of non-organic TNI military and police withdrawal was finalized on Jan. 5, 2006. During this final phase, a total of 7,628 troops and 2,150 police personnel were withdrawn. The total for all four phases is 25,890 military and 5,791 police. This brought the decommissioning and relocation process to an end. As of Jan. 5, 2006, in accordance with the Helsinki Memorandum of Understanding (MoU), the number of military forces remaining in Aceh is not supposed to exceed 14,700 and the number of police forces 9,100.

Since the signing of the MoU, some 2000 GAM prisoners have been given amnesty and released. The AMM's role here is to make sure a speedy and complete amnesty was carried out so as not to disrupt the peace process. The European Commission also released €4 million under its Rapid Reaction Mechanism to help former political prisoners and fighters reintegrate into civilian life, and provide immediate assistance to the 2,000 detainees and 3,000 GAM fighters in the field at the point of release/demobilization. The level of assistance is benchmarked against the level of aid provided to victims of the tsunami. A communication and outreach program was also launched to explain the peace and reintegration process and to encourage reconciliation and acceptance of the returnees by their communities.

Additionally, development efforts were also aimed not only at former GAM fighters through the reintegration process, but the entire tsunami-effected areas

of Aceh were being rehabilitated and reconstructed. The EU in this regards supported such efforts by committing EUR 200 million for 2005-6 alone, while planned EU member state contributions amount to an additional EUR 391 million.

Key to the success of the AMM was the Committee on Security Arrangements (COSA). These meetings were held weekly at the headquarters in Banda Aceh, chaired by Pieter Feith and attended by representatives from both GAM and the Indonesian government and security officials. Additionally, district-level COSA meetings were also held on a regular basis. These COSA meetings provided a forum for the parties to raises issues of concern in a timely manner and try to resolve them before they developed into real obstacles. A testament to the success of COSA meetings is the fact that both the Indonesian government and GAM never challenged any rulings made by the AMM during the meetings.

Chapter 4
Conclusions and Recommendations

As the previous chapter shows, there is a wide variety of approaches to integrating PD into an organization's efforts to prevent, mitigate, and resolve violence throughout the conflict cycle. Our survey of other organizations shows that often the most difficult part of the process is creating the political will to act. The following represents our collective conclusions regarding the practice of PD and some specific recommendations for the ARF based on the best practices and lessons learned by other organizations.

- There are a growing number of international multilateral organizations that have explicitly taken on a PD role and others that have become gradually involved in this activity without it being part of their formal mandate. All possess a shared commitment to the peaceful resolution of conflict.

- Different organizations have different definitions of PD but all contain a few key common elements, including respect for the principle of noninterference, the voluntary nature of participation by all parties, and a common desire to avoid conflict or to prevent tensions from escalating. These principles are all consistent with the working definition and statement of principles of PD adopted by the ARF.

- Almost all institutions surveyed acknowledged a role for PD not only in avoiding conflict between or among member states but also within member states, provided the involved government and other concerned parties agree. In fact, some (like the PIF) place their greatest emphasis on stability within rather than between states. While PD principles have clearly been applied in East Asia in this context – the case of Aceh being a recent prominent and successful example – the ARF definition at present appears to limit PD to actions between and among but not within states. This limits the opportunities for and the potential utility of ARF PD efforts.

- There are a number of common tools or vehicles for promoting and achieving PD within the institutions studied, including some type of early warning and/or investigation function, a good offices approach, an experts and/or eminent persons group (EEPG), mediation or arbitration services (including in some instances a judicial settlement mechanism), a conflict prevention center, and provisions for special fact-finding or mediation-oriented missions.

- While PD does not necessarily require deep institutionalization, structural approaches to prevention that attempt to address underlying sources of conflict are common. An institutionalized approach may require a significant investment in manpower and financial resources to create a credible response capability. While many of the organizations studied have elaborate conflict prevention and conflict resolution rules and mechanisms, they do not always work as envisioned.

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Nonetheless, they provide an institutional framework from which to begin engaging disputants.

- Most organizations provide a legal basis for PD either in their charters or through specific resolutions which, while respecting non-interference principles and state sovereignty, include a specific commitment to the peaceful resolution of disputes. In the OAS case, in the event of disputes between states, both are expected to agree to some "peaceful procedure" if, *in the opinion of one party*, the problem cannot be solved through normal diplomatic channels.

- For most regional organizations, the definition of PD has been less important than the institutionalization of norms designed to discourage a resort to military means; building of crisis response capacities (both diplomatic and institutional), and early warning/early intervention to prevent crisis escalation were key elements related to the task of PD.

- Organizational capacity to carry out PD depends on the breadth and depth of consensus among participating states regarding the core principles that the regional or inter-governmental organization is committed to uphold. The greater the degree of consensus among participating states and acceptance of core principles, the greater the capacity for organizations to accept and implement robust capacities to implement PD. This was especially true among organizations with a strong commitment to promoting, achieving, and/or maintaining "good governance" among the member states. Several institutions specifically listed good governance and the promotion of democratic values among their core objectives, even while acknowledging each state's right to choose its own form of government free from outside pressure or coercion.

- Quiet diplomacy was one of the most important and recurring attributes among institutions, organizations, and individuals empowered to conduct preventive diplomacy. PD tends to be more effective when done in a quiet environment that is less politicized or that is buffered from outside political pressure.

- Advance agreement on principles and criteria for such a role in the abstract appears critical to advancing a PD capacity that might otherwise be subject to political interference in the heat of the moment. For example, the OSCE's High Commissioner for National Minorities retains a PD capacity that remains outside the political sphere. However, such a requirement can never empower regional organizations to conduct activities without consensus and approval among member states and especially among the parties to the actual or potential conflict.

- The key to promoting diplomacy in the face of rising conflict is to empower and maintain capacity to engage in effective dialogue and persuasion to address the main actors engaged in conflict. By requiring member states to accept dialogue through commitments to resolve conflicts by peaceful means as part of

membership, an expectation is created that regional actors have legitimacy and respect state sovereignty. Most regional organizations have strong sovereignty/nonintervention norms and, in reality, regional organizations can do little or nothing without the consent of member states or other protagonists involved in the dispute or conflict.

- While virtually all organizations recognize that PD may apply within as well as between or among states, the bar for regional organization intervention into domestic or internal conflicts is usually higher than for inter-state conflicts. Regional organizations may be allowed to assist in promoting certain capacities or mediation services to help defuse internal political crises when invited by the state in question to do so.

- Most commonly used tools for promotion and implementation of preventive diplomacy involve commissioning of reports on situations of concern, the sending of investigative missions, or the appointment of a special envoy empowered to interact with the parties in conflict. A special envoy is often chosen based on his/her prior experience with the parties and leaders concerned in specific conflicts. Often, the secretariat of the regional organization will be expected to provide staff support for the special envoys in the course of carrying out their tasks.

- Most regional organizations have a limited staff capacity designed to support communications with field offices, provide confidential analysis/early warning to the head of the regional organization or to support effective diplomacy by the organization's representative, and to assist in internal communications among actors and foreign offices of member states. The need for mediation training or for a listing of potential interlocutors with proven mediation skills was cited by many specialists. EEPGs can be helpful in this regard although not all EEPs are skilled mediators and those who are must also be viewed as "honest brokers" in order to be effective.

- Although some regional organizations have units devoted to conducting early warning through the routine gathering of information from governments, concerned citizens, media, or civil society groups involved in areas of rising tension, other organizations focus on building technical crisis-response capacities among staff rather than devoting staff time to analysis of potential sources of conflict, given the availability of wide varieties of open-source information from multiple sources. Others have established mechanisms for information sharing or a venue in which a state's concern about a potential or impending crisis can be vetted in advance.

- One dilemma associated with the conduct of preventive diplomacy at the regional level is that the involvement of the head of the regional organization or the appointment of a special envoy may by definition suggest that a conflict has already moved from the prevention to the conflict management phase. A

standing institutional capacity to focus on and contribute to the prevention of potential sources of conflict before they arise can be one means by which to preempt politicization of potential conflicts that would otherwise require preventive diplomacy/conflict prevention responses.

- In most organizations, the distinction between PD and conflict management is blurred since classic definitions of PD (including the one adopted by the ARF) acknowledge that the role of PD is not only to prevent conflicts from arising, but also to prevent escalation in terms of the level of violence or the geographic area involved. Most institutions see the various definitions as more academic than practical and do not feel inhibited to apply PD techniques where needed.

- Most regional organizations have institutional capacities to respond using PD mechanisms through the entire cycle of conflict, including not only conflict prevention, but also conflict resolution and post-conflict stabilization. PD capacities often are emphasized in post-conflict recovery situations as a means by which to prevent the recurrence of conflict.

- In comparing other institutions with the ARF, it should be noted that the ARF has already served as an important and successful vehicle for promoting security cooperation and building confidence among its members while also taking some important steps toward achieving its stated goal of evolving from promoting confidence building measures (CBMS) to promoting PD measures and the elaboration of approaches to conflict.

- ARF initiatives such as the EEPG, the Friends of the ARF Chair, the establishment of the ARF Unit, and the examination of an expanded role for the ARF Chair are all consistent with mechanisms being utilized by other institutions and, with proper focus and adjustment, can facilitate progress toward PD within the ARF as well. The production of voluntary Annual Security Outlooks (ASO) can also help in the identification of potential crises and thus serve an early warning function if it is focused in such a direction. This will require standardization of its content and some sort of examination process, either by a track two institution such as CSCAP or by the EEPG.

- The ARF EEPG can be an important PD tool. At present, it does not appear to have a clear mission or mandate and has only met twice, with limited expectations or results. The EEPG could become involved in helping to draft the ARF 2020 Vision Statement and could also provide an "early warning" function while serving in an advisory capacity. Attention should be paid to cataloguing qualifications of EEPs, with focus on areas of expertise and also on mediation skills and experience. The EEPs should be available to the ARF and to individual member countries to encourage the use of this resource both multilaterally and bilaterally.

- In examining the role of the EEPG, the ARF might also want to make a distinction between experts and eminent persons. The latter, having political weight, are capable of playing a political role, while experts appear better suited to working behind the scenes on particular issues. Experts could brief the ARF and the eminent persons. They should be familiar with the ARF and the role it is expected to play. Given the size of the EEPG – five participants from each country – consideration should be given to forming an EEP Advisory Council or vision group, consisting of one EEP from each member committee, for a renewable two-year term. This group would deal with questions such as the ARF's future PD agenda, including the presentation of options.

- One important first step for the ARF would be to further endorse and institutionalize its PD role through the identification of specific PD-related objectives. Ideally, this would be done in the context of a broader ARF Vision Statement. CSCAP has recommended the creation of an ARF 2020 Vision Statement to refine and further clarify ARF objectives and provide specific benchmarks for progress, consistent with and building upon the 1995 ARF Concept Paper. Such a Vision Statement could better define the ARF's PD role and objectives.

- The ARF should also reexamine the current Working Definition and Statement of Principles of PD, recognizing that, in practice, PD can also be applied within states, as long as it is "employed only at the request of the parties involved or with their consent."

- While PD has traditionally been applied to prevent traditional disputes or conflicts from arising or escalating, PD mechanisms and procedures may also have a role in dealing with nontraditional security challenges. This may provide a less controversial method of developing and refining PD practices and procedures, but should not distract the ARF from responding to more traditional (and more potentially destabilizing) security challenges.

- Effective PD requires effective early warning, which could be accomplished through the establishment of a Regional Risk Reduction Center or RRRC (as envisioned in the ARF Concept Paper). The EEPG could also be given an early warning mission, and a more standardized ASO that focused on emerging security challenges could serve as a vehicle for providing early identification of potential challenges against which PD measures might be successfully applied. Additional details and lessons learned regarding the establishment of an RRRC are provided below, given that this is the one PD element that has received the least amount of attention or analysis by the ARF to date.

- An RRRC or early warning center appears to be an important component of most PD programs. Its roles would include: gathering, storing, and disseminating information; analyzing information; flagging issues that require the attention of the ARF or individual member states; cultivating public awareness; and

promoting ARF action on potential or emerging crises. An RRRC would gather information from official and unofficial sources and should not serve as a mere clearinghouse for information, but should also become actively involved in disseminating information through public awareness campaigns. It would play a key role in drawing the attention of ARF leaders to urgent issues and promoting ARF action on them. In addition, the RRRC should work closely with the EEPG.

- Since PD methods are most effectively employed at an early stage of a dispute or crisis, the creation of early warning mechanisms could help facilitate PD actions by the ARF, provided there is a willingness to act upon the information once received. Without a willingness and ability to act, there is little value in early warning. However, institutionalized early warning also helps to prod action by making it difficult, if not impossible, to ignore formal notices of impending crisis. Concerns about interference in another country's internal affairs or possible threats to national sovereignty further complicate the issue, especially when the troubled states (or internal elements within a state) resist a helping hand (or try to deny that a problem even exists). This is where a neutral, objective early warning mechanism can be potentially the most helpful: in highlighting a problem that might otherwise be ignored or denied until conflict erupts.

- In developing an early warning mechanism, attention must be given to its various components. The first component is information. Here the challenge is separating good information from bad information, i.e., separating facts from perceived facts or myths, and then putting the good information into proper perspective. This requires objectivity and, preferably, verification by neutral observers. Once information has been collected and verified, it must then be communicated to policymakers who are hopefully empowered to act upon the information. Timeliness and accuracy are both keys, as are the willingness and ability to respond once the problem is duly recognized and transmitted. The action itself may be nothing more than a proposal to place the issue on the ARF agenda or to submit the issue to the EEPG for follow-up investigation. The most that can be expected initially would be an offer, on the part of the ARF Chair or some other emissary, to seek further information (a fact-finding mission) or to offer ARF good offices to negotiate or mediate, if all the parties involved are willing to engage in the preventive diplomacy process.

- Other general observations about successful PD efforts generated from our study and earlier CSCAP research suggests that: failure is never final (it provides lessons learned and a basis for subsequent efforts); a commitment to find a solution (including a willingness to compromise) is essential on the part of all concerned parties, and this requires strong, bold leadership; nongovernmental organizations can and have played a useful facilitating role and can be helpful during the implementation phase, but the real work must be done by the involved parties themselves; reaching agreement is not the end of the process, follow-through is critically important and never-ending; and buy-in by other involved

parties is essential – a failure to ensure legislative support has undermined or caused dramatic revision of otherwise effective PD efforts.

- Other general suggestions emanating from the October 2007 CSCAP Workshop on PD and the Future of the ARF in Brunei aimed at further reinvigorating the ARF process include: clearer definition of the role of the EEPG, ASO, Friends of the Chair, and the expanded role of the Chair itself; more emphasis on a pro-active (vice responsive) role for such initiatives, to include the institution of fact-finding and goodwill missions, and "good offices" or mediation services; increased willingness to examine more sensitive or controversial regional security issues; examination of the "responsibility to protect" principle and how this affects the long-standing principle of noninterference; provisions for the calling of emergency meetings to respond to impending crises or conflict; examination of a "full consensus minus x" approach for routine ARF decisions; enhanced cooperation and coordination with other (including track two) organizations; greater encouragement and support of non-ARF bilateral and other regional CBM and PD efforts, including the encouragement of such efforts along the sidelines of (but separate from) ARF gatherings; greater participation of not only defense officials but also officials from other ministries in ARF deliberations; and greater refinement and explanation of the ARF's niche, i.e., what the ARF brings to the table and how it distinguishes itself from the growing number of other regional multilateral institutions and organizations (the Vision Statement would help in this regard);

- Other CSCAP suggestions toward further institutionalization of the ARF include: creation of an ARF Secretariat (through elevation of the ARF Unit); appointment of an ARF Secretary General with clearly defined role and mission; the previously identified suggestion of the eventual establishment of a Regional Risk Reduction Center; and the establishment of a regular ARF Summit, perhaps back-to-back or rotating with the Asia Pacific Economic Cooperation (APEC) Leaders Meeting, East Asia Summit, or other high-level gatherings.

Annex A
Background Information for Organizations Examined

United Nations

Administrative Information:
760 UN Plaza
New York, NY 10017

Charter document:
UN Charter 6/26/1945

Links to Key Documents:

UN Charter 1945
http://www.un.org/aboutun/charter/index.html

An Agenda for Peace, Preventive Diplomacy, Peacemaking, and Peacekeeping
A/47/277 - S/24111 (1992)
http://www.un.org/Docs/SG/agpeace.html
Note by the President of the Security Council on Maintenance of Peace and
Security – S/23500 (1/31/1992)
http://www.stimson.org/cnp/pdf/S23500_UNSC.pdf

Supplement to Agenda for Peace A/50/60 - S/1995/ (13 January 1995)
http://www.un.org/Docs/SG/agsupp.html

Secretary General Report on Prevention of Armed Conflict (2001)
http://www.undp.org/cpr/documents/prevention/SG%20report%20on%20preventi
on%20of%20armed%20conflict.pdf

Statement by President of the Security Council on Maintenance of Peace and
Security (S/PRST/2007/31) (2007)
http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-
CF6E4FF96FF9%7D/CPR%20S%20PRST%202007%2031.pdf

UN Participants:

The UN currently has 192 members. The link below provides a list of member
countries and the year of their accession.
http://www.un.org/members/list.shtml

General Mission Statement and Principles:

The purposes of the UN and the principles of interaction for member states are articulated in Article 1 and Article 2 of the UN Charter. Article 2 states the purpose of the UN is:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2 states that the Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Legal Basis for Preventive Diplomacy:

Conflict prevention, in the context of which preventive diplomacy is considered a means, has evolved as an implied task stemming from the UN Security Council role in the pacific resolution of disputes as articulated in Chapter Six (Article 33-38) of the UN Charter.

Security Council President Note S/23500, dated 1/31/1992 mandated the Secretary General to make "recommendations on ways of strengthening and making more efficient within the framework of the Charter the capacity of the United Nations for preventive diplomacy, for peacemaking, and for peacekeeping. One recommendation was the creation of the Department of Political Affairs to handle a range of political functions that had previously been performed by the Secretariat. In this capacity the department has assumed the role of providing early warning of impending conflicts and coordinating the activity of special representatives of the Secretary engaged in preventive diplomacy.

General Assembly Resolution 57/337, recalls the need to strengthen the capacity of the United Nations for early warning, collection of information and analysis.

General Assembly Resolution 61/230, recognizes the important role of the good offices of the Secretary General in Africa and encourages the Secretary General to use mediation as often as possible to help solve conflicts peacefully.

Security Council Resolution 1625 (2005), adopted at the level of Heads of State, requested the Secretary General to assist countries at risk of armed conflict in performing strategic conflict risk assessments, in implementing the measures agreed by the concerned countries, in enhancing national dispute management capacities, and in addressing the root causes of armed conflict. In the same resolution, the Council requested regular reports and analysis on conflicts.

Security Council (see S/PRST/2007/31) encourages the Secretary General to improve the Secretariat's early warning, mediation support and other preventive activities in Africa and around the world. In the same resolution, the Council requested regular reports and analysis of developments in regions of potential armed conflicts, particularly in Africa and, as appropriate, a presentation of ongoing preventive diplomacy initiatives.

Organization for Preventive Action in UN:

The Department of Political Affairs (DPA) within the Secretariat has primary responsibility for preventive diplomacy within the United Nations. Its primary roles include monitoring and assessing global political developments, advising the secretary general on actions that could advance the cause of peace, providing support and guidance to UN peace envoys and political missions in the field, and serving Member States directly through electoral assistance and through the support of DPA staff to the work of the Security Council and other UN bodies. Where the secretary general's "good offices" are employed to help bring warring parties toward peace or to prevent political and armed conflicts from escalating, DPA is typically working behind the scenes to define and plan the mission, and to provide UN special envoys and mediators with guidance and backing from headquarters.

The DPA is also the focal point for electoral assistance by the United Nations, evaluating requests from Member States and ensuring consistency in the delivery of services by the different UN agencies and departments involved.

The major departments within the DPA directly involved in preventive diplomacy are the regional affairs divisions, the Policy Planning Unit, the Security Council Affairs Division and Electoral Assistance Department.

Separately, Jan Egeland, at the under-secretary general level, is the secretary general's special adviser on the prevention and resolution of conflict. One of the advisor's duties is to coordinate a standby team of technical experts that can be called upon at short notice to assist envoys in peacemaking efforts around the globe. The standby team is an initiative of the recently created Mediation Support Capacity within the Department of Political Affairs.

Key Officials with responsibility for preventive diplomacy:

Secretary General: Ban-ki Moon
Under-Secretary for Political Affairs: B. Lynn Pascoe
Special Adviser to the Secretary General on the Prevention and Resolution of Conflict: Jan Egeland

Organization for Security and Co-operation in Europe

Administrative Information:
Wallnerstrasse 6
1010 Vienna
Austria
Tel: +43 1 514 36 6000

Charter documents:
Helsinki Final Act 8/1/1975
Charter of Paris for a New Europe 11/21/1990
Helsinki Document 1992 10/7/1992
Budapest Summit 1994 12/21/1994
Lisbon Summit 1996 11/22/1996

Links to Key Documents:

Helsinki Final Act 1975
http://www.osce.org/documents/mcs/1975/08/4044_en.pdf

Charter of Paris for New Europe 1990
http://www.osce.org/documents/mcs/1990/11/4045_en.pdf

Helsinki Document 1992
http://www.osce.org/documents/mcs/1992/07/4046_en.pdf

Budapest Summit 1994
http://www.osce.org/documents/mcs/1994/12/4048_en.pdf

Lisbon Summit 1996
http://www.osce.org/documents/mcs/1996/12/4049_en.pdf

OSCE Participants:

With 56 States from Europe, Central Asia, and North America, the OSCE forms the largest regional security organization in the world. Participating states include Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States, Uzbekistan. An additional 11 countries are considered as partners in cooperation. They are the Mediterranean countries

of Algeria, Egypt, Israel, Jordon, Morocco, and Tunisia, and the Asian countries of Afghanistan, Japan, Mongolia, South Korea, and Thailand.

General Mission Statement and Principles:

The OSCE claims six roles in the European security framework
1) Provide pan-European diplomacy framework on comprehensive range of issues
2) Codify normative rules of behavior by European states including peaceful resolution of disputes
3) Establish a permanent mechanism for monitoring human rights in participating states
4) Promote greater military transparency through arms control and confidence and security building measures
5) Serve as Europe's primary preventive diplomacy institution
6) New responsibilities for post-conflict resolution

The Helsinki Final Act of the CSCE, signed in 1975, established the basic principles governing the behavior of states toward their citizens and each other. The initial paragraph of the document sets out the following 10 principles as the basis for addressing questions related to European Security:

I. Sovereign equality, respect for the rights inherent in sovereignty
II. Refraining from the threat or use of force
III. Inviolability of frontiers
IV. Territorial integrity of States
V. Peaceful settlement of disputes
VI. Non-intervention in internal affairs
VII. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief
VIII. Equal rights and self-determination of peoples
IX. Co-operation among States
X. Fulfilment in good faith of obligations under international law

The Paris summit in 1990 set the CSCE on a new course as it was called upon to contribute to managing the historic change in Europe and respond to the new challenges of the post-Cold War period. To meet this challenge, several offices and institutions were created and the Conference's work became more structured. Specifically, the Paris Charter reaffirmed the commitment to 10 principles and added reference to what was called the "Human Dimension" mechanism that highlighted the need for protecting the rights of all citizens, especially minorities.

Subsequent meetings of the organization solidified the commitment to the 10 principles and focused on expanding the organization's role in confidence building and cooperative security. The 1992 Helsinki "Challenges of Change"

Document contained a declaration and an ambitious set of decisions, transforming the Conference into an agent of early warning, conflict prevention, crisis management and post-conflict rehabilitation and strengthening the CSCE institutions, structures, and methods of work accordingly. At the 1994 Budapest Summit the name was changed to OSCE in recognition of the fact that the group was no longer simply a summit. This gave the organization new political impetus and was also a reflection of its institutional development since the end of the Cold War. The 1996 Lisbon Summit, reinforced the OSCE's international role as a securing and stabilizing factor and stimulated the development of a common and comprehensive security model for Europe for the 21st century.

Legal Basis for Preventive Diplomacy:

The Helsinki Final Act of 1975 calls on states to "use such means as negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice including any settlement procedure agreed to in advance of disputes to which they are parties." The Final Act also calls for confidence-building measures with specific emphasis on prior notification of military maneuvers and exchange of observers.

The Charter of Paris establishes two preventive diplomacy organizations by creating the Conflict Prevention Centre and the Office for Free Elections.

The Helsinki Document of 1992 was developed in response to the Yugoslavia conflict. It specifically establishes the office of the High Commissioner on National Minorities under the aegis of Committee of Senior Officials to provide early warning, early action and accountability of member states to the rights of minorities. It also strengthened the role of the Conflict Prevention Centre by giving it power to dispatch fact-finding and rapporteur missions, and enhanced the role of the Office of Democratic Institutions and Human Rights by assigning it many new tasks, including monitoring of commitments to the Human Dimension mechanism.

The Budapest Summit Declaration of 1994 changed the designation from CSCE to OSCE and also strengthened the organization's commitment to conflict prevention and involvement in the Human Dimension. Specifically, Article 8 of the declaration states that, "The CSCE will be a primary instrument for early warning, conflict prevention and crisis management in the region. We have agreed that the participating States may in exceptional circumstances jointly decide that a dispute will be referred to the United Nations Security Council on behalf of the CSCE. We have also decided to pursue more systematic and practical co-operation between the CSCE and European and other regional and transatlantic organizations and institutions that share its values and objectives."

Article 9 states that "The CSCE has created new tools to deal with new challenges. In this regard, we welcome the entry into force of the Convention on

Conciliation and Arbitration within the CSCE. We will further enhance the CSCE's role and capabilities in early warning, conflict prevention and crisis management, using, *inter alia,* CSCE peacekeeping operations and missions."

Article 14 states that "We confirm the significance of the Human Dimension in all the activities of the CSCE. Respect for human rights and fundamental freedoms, democracy and the rule of law is an essential component of security and co-operation in the CSCE region. It must remain a primary goal of CSCE action. Periodic reviews of implementation of our commitments, fundamental throughout the CSCE, are critical in the Human Dimension.

Article 8-16 of the Section entitled "The Human Dimension" delineates the role of the Office for Democratic Institutions and Human Rights.

Organization for Preventive Action in OSCE:

OSCE has developed an elaborate organizational structure to deal with preventive action that centers around four primary institutions:

1) Permanent Council
2) High Commissioner on National Minorities
3) OSCE Missions
4) Office for Democratic Institutions and Human Rights

Permanent Council:

The central place for such political consultations is the Permanent Council in Vienna, chaired by a representative of the Chairman-in-Office. The Permanent Council provides an opportunity to address and discuss in a multilateral environment and at an early stage all situations that have the potential of degenerating into crisis or even violence. Decisions proposed by the Chairman-in-Office can only be adopted if none of the 56 member states oppose them. However, the chairmanship's right to take political initiatives provides ample opportunity to influence the OSCE's agenda and priorities. One of the primary tools that the Permanent Council has used in preventive action has been OSCE Missions, which are often referred to as Long Term Missions.

The Chairmanship rotates annually, and the post of the Chairman-in-Office is held by the Foreign Minister of a participating State. The CiO is assisted by the previous and succeeding Chairmen; the three of them together constitute the Troika. The origin of the institution lies with the Charter of Paris for a New Europe (1990) and the Helsinki Document 1992 formally institutionalized this function.

High Commissioner on National Minorities:

The Office of the OSCE High Commissioner on National Minorities was established in 1992 to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between participating States. The High Commissioner on National Minorities (HCNM) has a twofold mission: first and foremost, to try to contain and de-escalate tensions and, second, to alert OSCE participating States whenever such tensions threaten to develop to a level that cannot be contained with the means available to the HCNM. Primary methods used include *preventive diplomacy* to defuse crises & prevent disputes from escalating into violence or armed conflict and *conflict prevention* to identify and address the underlying causes of inter-ethnic tensions and help build the processes, institutions, and legal frameworks needed to resolve issues democratically and peacefully (the cause of most conflicts was not ethnic in nature, but political participation, education, language, culture, or resource allocation)

Conflict Prevention Centre

The Centre provides direct support to all OSCE field operations, helping them fulfill tasks in early warning, conflict prevention, crisis management and post-conflict rehabilitation. Its liaison function between OSCE field operations and the main OSCE negotiating bodies is aimed at ensuring full implementation and execution of the Organization's political decisions. It also coordinates all activities in mission areas carried out with other OSCE Institutions and international and sub-regional organizations.

The Centre also assists the OSCE Chairmanship, the Permanent Council and the Forum for Security Co-operation in implementing OSCE tasks. More specifically with regard to preventive diplomacy, it supports the implementation of major OSCE politico-military documents, treaties, and political commitments, as well as projects in the politico-military dimension. The Centre also facilitates and ensures direct communication between capitals through the OSCE Communication Network, and supports participating States in implementing Confidence- and Security-Building Measures (CSBMs).

Aside from its prominent role and expertise in supporting field operations, the CPC is also involved in a number of activities and projects related to conflict prevention, such as education, border security, and management. The CPC also organizes and supports seminars and workshops, and assists the Chairman in carrying out the Annual Security Review Conference.

OSCE Missions

Due to their long-term presence on the ground, OSCE missions have become a unique instrument of monitoring, early warning, and mediation in situations of conflict potential, and are exemplary for the way the OSCE delegates the implementation of conflict prevention strategies. Since 1995, when the Permanent Council became the standard decision-making body, it has established these field operations, decided on their mandate, established the associated budgets, and provided guidance to the operations. Currently, the OSCE has 19 field operations underway in 17 countries.

Office for Democratic Institutions and Human Rights

The OSCE Office for Democratic Institutions and Human Rights is based in Warsaw, Poland. It is active throughout the OSCE area in the fields of election observation, democratic development, human rights, tolerance and non-discrimination, and rule of law. The office:

- Promotes democratic election processes through the in-depth observation of elections and conducts election assistance projects that enhance meaningful participatory democracy;
- Assists OSCE participating states in the implementation of their human dimension commitments by providing expertise and practical support in strengthening democratic institutions through longer-term programmes to strengthen the rule of law, civil society, and democratic governance;
- Assists OSCE field missions in implementing their human dimension activities, including through training, exchange of experiences, and regional coordination;
- Contributes to early warning and conflict prevention by monitoring the implementation of OSCE human dimension commitments by participating States; provides regular human-rights training for government authorities, civil society, and OSCE staff;
- Assists participating states with the implementation of international legal obligations and OSCE commitments on anti-terrorism in compliance with international human-rights standards;
- Assists participating states in implementing their commitments on tolerance and nondiscrimination and supports efforts to respond to, and combat, hate crimes and incidents of racism, anti-Semitism, and other forms of intolerance, including against Muslims;
- Serves as the OSCE Contact Point for Roma and Sinti Issues; promotes the full integration of Roma and Sinti groups into the societies in which they live;
- Organizes regular meetings on the implementation of human dimension commitments, such as the Human Dimension Implementation Meeting, the annual Human Dimension Seminar, and Supplementary Human Dimension Meetings; and

- Implements a gender strategy by developing and adjusting its policies and actions to ensure gender mainstreaming while implementing, in parallel, activities designed to improve the situation of women in the OSCE region.

Key Officials with Responsibility for Preventive Diplomacy:

Chairman-in-Office: Ikka Kanerva
High Commissioner on National Minorities: Knut Vollebaek
Director, Conflict Prevention Centre: Herbert Salber
Office for Democratic Institutions and Human Rights: Christian Strohal

Organization of American States

Administrative Information:
17th St. & Constitution Ave. N.W.
Washington, DC 20006
Tel: (202) 458-3000

Charter Treaty signed 4/30/1948
Treaty entered into force 12/13/1951

The Treaty has been amended four times:
Protocol of Buenos Aires (2/27/1967)
Protocol of Cartagena (12/5/1985)
Protocol of Washington (12/14/1992)
Protocol of Managua (6/10/1993)

Links to Key Documents:

Organization of American States Charter
http://www.oas.org/juridico/English/charter.html

Resolution on Representative Democracy (Resolution 1080)
AG/RES. 1080 (XXI-O/91)
http://www.oas.org/juridico/english/agres1080.htm

Inter-American Democratic Charter
http://www.oas.org/charter/docs/resolution1_en_p4.htm

OAS Organizational Structure
http://www.oas.org/documents/eng/structure.asp

OAS Participants:

All 35 independent countries of the Americas have ratified the OAS Charter and belong to the Organization. Cuba remains a member, but its government has been excluded from participation in the OAS since 1962.

Antigua and Barbuda, Argentina, The Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States of America, Uruguay, and Venezuela

General Mission Statement and Principles:

Principles of the organization are expressed in Article 2 of the OAS Charter:

The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

a) To strengthen the peace and security of the continent;

b) To promote and consolidate representative democracy, with due respect for the principle of nonintervention;

c) To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States;

d) To provide for common action on the part of those States in the event of aggression;

e) To seek the solution of political, juridical, and economic problems that may arise among them;

f) To promote, by cooperative action, their economic, social, and cultural development;

g) To eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere; and

h) To achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the Member States.

Article 3 reaffirms the general principles of both OAS and the UN:

a) International law is the standard of conduct of States in their reciprocal relations;

b) International order consists essentially of respect for the personality, sovereignty, and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

c) Good faith shall govern the relations between States;

d) The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;

e) Every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems;

f) The elimination of extreme poverty is an essential part of the promotion and consolidation of representative democracy and is the common and shared responsibility of the American States;

g) The American States condemn war of aggression: victory does not give rights;

h) An act of aggression against one American State is an act of aggression against all the other American States;

i) Controversies of an international character arising between two or more American States shall be settled by peaceful procedures;

j) Social justice and social security are bases of lasting peace;

k) Economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;

l) The American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;

m) The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization and;

n) The education of peoples should be directed toward justice, freedom, and peace.

Legal basis for Preventive Diplomacy:

The legal basis within the organization for engaging in preventive diplomacy is located in various sections of the OAS Charter.

Article 19
No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements.

Article 20
No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.

Article 21
The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

Chapter 5 specifically addresses the issue of "Pacific Resolution of Disputes":

Article 24
International disputes between Member States shall be submitted to the peaceful procedures set forth in this Charter. This provision shall not be interpreted as an impairment of the rights and obligations of the Member States under Articles 34 and 35 of the Charter of the United Nations.

Article 25
The following are peaceful procedures: direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time.

Article 26
In the event that a dispute arises between two or more American States which, in the opinion of one of them, cannot be settled through the usual diplomatic channels, the parties shall agree on some other peaceful procedure that will enable them to reach a solution.

Article 27
A special treaty will establish adequate means for the settlement of disputes and will determine pertinent procedures for each peaceful means such that no dispute between American States may remain without definitive settlement within a reasonable period of time.

   Three other documents that have specific relevance to the practice of preventive diplomacy in the OAS are Resolution 1081 of 1991, the Washington Protocol of 1997 and the Inter-American Democratic Charter (IADC) of 2001.

   Resolution 1081 of the 1991 OAS General Assembly held in Santiago creates a formal diplomatic mechanism for responding to breakdowns in democracy in the region. Specifically, the resolution instructs:

[T]he secretary general to call for the immediate convocation of a meeting of the Permanent Council in the event of any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government in any of the Organization's member states, in order, within the framework of the [1948 OAS] Charter, to examine the situation, decide on and convene an ad hoc meeting of the Ministers of Foreign Affairs, or a special session of the General Assembly, all of which must take place within a ten-day period.

The Washington Protocol granted the General Assembly the power to suspend a member state in which a democratic government has actually been overthrown. Although the protocol was first signed in 1992, it could only take effect when it was ratified by two-thirds of all member states, which occurred in 1997.

The IADC was unanimously approved by a special session of the General Assembly held on September 11, 2001, in Lima. It is described as "a compass for those who seek to strengthen democracy anywhere in the world." It opens with the statement: "The peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it," and goes on to outline the "essential elements" of representative democracy.

The charter sets benchmarks for representative democracy, including:

Article 3 of the IADC calls for the "respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government."

Chapter 4 (Articles 17-22) of the IADC is titled, "Strengthening and Preserving Democratic Institutions" represents a modest enhancement of incentives, sanctions, and "early warning" systems for the defense of democracy. Article 17 states "member states may proactively request assistance from the secretary general or the Permanent Council. Article 18 authorizes the secretary general to visit member countries, albeit with the consent of each country, in order to assess the development of "its democratic political institutional process."

In terms of monitoring and enforcement, Article 20 purports to modify and clarify the consultative diplomatic procedures that Resolution 1080 established by affirming that such procedures may be initiated not only by the secretary general but by any member state. As for enforcement, Article 21 codifies the provisions of the Washington Protocol and gives the impression of compelling the OAS to punish breaches of democracy. If it is determined that an interruption of the democratic order has occurred, a special session of the General Assembly,

convened by the Permanent Council, "shall take the decision to suspend said member state from the exercise of its right to participate in the OAS."

Since its passage, the Democratic Charter has been formally invoked once – in April 2002 to condemn the alteration of constitutional order in Venezuela and to send a mission to Venezuela headed by Secretary General Gaviria to offer the OAS's good offices in facilitating national dialogue.

Organization for preventive action in OAS:

Within the OAS there are several organizations that are directly and indirectly involved with preventive diplomacy. They include the Permanent Committee on Hemispheric Security, the General Assembly of the Organization of American States, as the System's political head and, as institutions responsible for operational aspects, the Organization's General Secretariat and the Inter-American Defense Board.

Permanent Committee on Hemispheric Security. The committee is one of the permanent committees of the OAS Permanent Council, established pursuant to Article 14 of the Permanent Council Rules. Its functions are set forth in Article 24 of the Rules and is responsible primarily for "…studying and formulating recommendations for the Permanent Council regarding issues of Hemispheric security, specifically to promote cooperation in this area, as requested by the Permanent Council or by the General Assembly, through its intermediary." The Committee on Hemisphere Security also gathers and distributes information, which relates to national military budgets, prior notification of military exercises, the exchange of documents on security strategies, data on stockpiles of certain weapons, the holding of meetings to increase border security and, finally, a host of security and defense subjects which, being familiar to all and generating consultation mechanisms, serve to create a more peaceful climate.

General Secretariat of the OAS. Within the General Secretariat, the Secretariat for Political Affairs has direct responsibility for issues related to preventive diplomacy. The Political Affairs Secretariat is comprised of three departments: The Department of Crisis Prevention and Special Missions, the Department for the Promotion of Democracy, and the Department for the Promotion of Governance. In addition, the General Secretariat acts on this front on an ad hoc basis through its own staff, staff of the office of the Assistant Secretary General.

Various offices within the Secretariat provide support for the work of the Secretary General and Assistant Secretary General. These include the Secretariat for Legal Affairs, Inter-American Drug Abuse Control Commission (CICAD), Inter-American Committee against Terrorism (CICTE), and the Inter-American Convention against Illicit Manufacturing of and Trafficking of Firearms, Ammunition, Explosives and Other Related Material (CIFTA).

Inter-American Defense Board. The board has also played a role in the OAS preventive diplomacy program. Although it was created in 1942 to gradually prepare the American republics for the defense of the continent through studies and the recommendation of appropriate measures its role has evolved, especially after the signing of the OAS Charter. It currently carries out major activities related to the military cooperation among member states. Most relevant to preventing conflict between states is the preparation of the report on confidence-building measures and security.

Key officials with direct responsibility for Preventive Diplomacy:

Secretary General: Jose Miguel Insulza
Assistant Secretary General: Albert Ramdin
Secretariat for Political Affairs: Dante Caputo
Department of Crisis Prevention and Special Missions: Victor Rico
Department for the Promotion of Democracy: Elizabeth Spihar
Department for the Promotion of Governance: Mariclaire Acosta

Pacific Islands Forum

Administrative Information:
Secretary General
Suva, Fiji
Tel: 679 3312 600

Charter documents:
South Pacific Forum Joint Final Communiqué 8/7/1971
South Pacific Forum Joint Press Communiqué 9/14/1972
South Pacific Forum Communiqué 10/5/1999

Links to Key Documents:

South Pacific Forum Joint Final Communiqué 1971
http://www.forumsec.org/_resources/article/files/1971%20Communique2.pdf

South Pacific Forum Joint Press Communiqué 1972
http://www.forumsec.org/_resources/article/files/1972%20Communique-Suva2.pdf

Honiara Declaration, 1992
http://www.cbsi.com.sb/fileadmin/PDF/SIFIU/Honiara-Declaration.pdf

Thirtieth South Pacific Forum Communiqué 1999
http://www.forumsec.org/_resources/article/files/1999%20Communique.pdf

Honiara Declaration 1992
http://www.cbsi.com.sb/fileadmin/PDF/SIFIU/Honiara-Declaration.pdf

Aitutaki Declaration 1997
http://www.geocities.com/pacpoc2003/docs/Aitutaki.PDF

Biketawa Declaration 2000
http://www.forumsec.org/_resources/article/files/Biketawa%20Declaration.pdf

Nasonini Declaration on Regional Security 2002
http://www.forumsec.org/_resources/article/files/Nasonini%20Declaration%20on%20Regional%20Security.pdf

Auckland Declaration 2004
http://www.forumsec.org/_resources/article/files/Auckland%20Declaration.pdf

Agreement Establishing the Pacific Island Forum 2005

http://www.forumsec.org/_resources/article/files/Forum%20Agreement%202005.pdf

Pacific Plan 2006
http://www.sidsnet.org/pacific/forumsec/

PIF Participants:

Forum members: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

Associate members: New Caledonia and French Polynesia

Observers: Tokelau, Wallis and Futuna, the Commonwealth, Asia Development Bank, with Timor Leste as special observer.

Dialogue partners: Canada, People's Republic of China, European Union, France, India, Indonesia, Japan, Republic of Korea, Malaysia, Philippines, Thailand, United Kingdom, and the United States.

General Mission Statement and Principles:

The Pacific Islands Forum comprises 16 independent and self-governing states in the Pacific. It is regarded as the Pacific region's premier political and economic policy organization. The Forum has no formal rules governing its operations or the conduct of its meetings. The agenda is based on reports from the Secretariat and related regional organizations and committees, as well as other issues that members may wish to raise. Decisions by the Leaders are reached by consensus and are outlined in a Forum Communiqué, from which policies are developed and a work program is prepared. The annual Forum meetings are chaired by the head of government of the host country, who remains as Forum Chair until the next meeting. The Secretary General is appointed by the Forum members.

The South Pacific Forum Joint Final Communiqué of 1971 established the forum to promote economic and security cooperation in the region. The opening paragraph states that the talks "significantly advanced the spirit of regional cooperation and mutual confidence." However, as reflected in the 1972 Communiqué, which formally established the South Pacific Bureau for Economic Co-operation, the focus was clearly on economic cooperation and trade. It was not until the 1988 forum meeting, when the name was changed to South Pacific Forum Secretariat, that there was a growing recognition of the need for security and political cooperation in the region as the Forum endorsed the proposal of the Committee on Regional Security Information Exchange to establish a system for an enhanced and timely exchange of information among Forum members on a

wide range of issues affecting their political and economic security. Reflecting the increasingly broad agenda, the name of the organization changed yet again in the 1999 Forum Communiqué to the current appellation, Pacific Island Forum.

The agreement establishing the Pacific Island Forum as an international organization, which was first drafted in 2000 and signed by all member countries in 2005, articulates the purpose as being "to strengthen regional cooperation and integration, including through the pooling of resources of governance and alignment of policies, in order to further Forum members' shared goals of economic growth, sustainable development, good governance, and security."

The current vision statement of the Pacific Island Forum as articulated in the Auckland Declaration of 2004 states: "The Leaders believe the Pacific can, should and will be a region of peace, harmony, security and economic prosperity, so that all its people can lead free and worthwhile lives. We treasure the diversity of the Pacific and seek a future in which its cultures, traditions and religious beliefs are valued, honoured and developed. We seek a Pacific region that is respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values and for its defence and promotion of human rights. We seek partnerships with our neighbours and beyond to develop our knowledge, to improve our communications and to ensure a sustainable economic existence for all."

Legal Basis for Preventive Diplomacy:

Article 10 of the Aitutaki Declaration articulates the following principles regarding security cooperation in the region:

The Forum is committed to promoting comprehensive, integrated and collaborative approach to security in aid of the region,

Good governance, sustainable development and international cooperation, including preventive diplomacy, are among the most effective ways of overcoming the vulnerability, building mutual confidence and strengthening the overall security of states in the region,

Recognizing that it is best to avert the causes of conflict, the Forum is committed to reducing, containing and resolving all conflicts by peaceful means, including by customary practices,

Forum members will give effect to their shared commitment to peace and security by engaging in practical forms of cooperation in accordance with this Declaration and international law.

Article 11 of the Declaration states that "In line with these principles, the Forum agreed to further develop mechanisms for preventive diplomacy including

use of the Forum Regional Security Committee, the good offices of the forum Secretary General, eminent persons, fact finding missions and third party mediation."

The Biketawa Declaration of 2000, while respecting the principle of non-interference in the domestic affairs of another member state establishes a number of guiding principles and courses of action to take in the event of crisis or in response to members' request for assistance. The seven principles are:

1. Commitment to good governance which is the exercise of authority (leadership) and interactions in a manner that is open, transparent, accountable, participatory, consultative and decisive but fair and equitable.

2. Belief in the liberty of the individual under the law, in equal rights for all citizens regardless of gender, race, color, creed or political belief and in the individual's inalienable right to participate by means of free and democratic political process in framing the society in which he or she lives.

3. Upholding democratic processes and institutions which reflect national and local circumstances, including the peaceful transfer of power, the rule of law and the independence of the judiciary, just and honest government.

4. Recognizing the importance and urgency of equitable economic, social and cultural development to satisfy the basic needs and aspirations of the peoples of the Forum.

5. Recognizing the importance of respecting and protecting indigenous rights and cultural values, traditions and customs.

6. Recognizing the vulnerability of member countries to threats to their security, broadly defined, and the importance of cooperation among members in dealing with such threats when they arise.

7. Recognizing the importance of averting the causes of conflict and of reducing, containing and resolving all conflicts by peaceful means including by customary practices.

The 2002 Nasonini Declaration on Regional Security underscores the intent of countries in the Pacific to act collectively in response to security challenges, including the adverse effects of globalization, such as transnational crimes and unlawful challenges to national integrity and independence. The Declaration underlines the commitment of Forum members to combat terrorism and to implement internationally agreed anti-terrorism measures.

The 2004 Auckland Declaration calls for the development of a Pacific Plan to create stronger and deeper links between the sovereign countries of the region

and identify the sectors where the region could gain the most from sharing resources of governance and aligning policies. The agreement also identifies the key goals of the Forum as economic growth, sustainable development, good governance, and security, and that these goals should form the principal focus of the Forum and its Secretariat.

Organization for Preventive Action in PIF:

The organizational structure of the PIF for preventive action is focused on the Secretariat. The primary vehicle for long-term development is the Pacific Plan, which was initiated in 2004 and approved by the Forum members in 2005. At the regional level, implementation of the Pacific Plan is the responsibility of the Pacific Islands Forum Secretariat. Political oversight and guidance to the Secretariat is provided by a Pacific Plan Action Committee (PPAC), which is chaired by the Forum Chair and comprising representatives of all PIF members. A small implementation unit, reporting directly to the Deputy Secretary General, has been established in the Secretariat to support the PPAC and coordinate implementation and reporting on the Plan. Specifically, the good governance pillar calls for monitoring and reporting of progress toward participatory democracy, adoption of international human rights standards, and training in peace building by all members. The security pillar specifically calls for policy guidelines for implementation of the Biketawa Declaration, conflict mitigation and peace promotion strategies, creation of a regional approach to provide training in peace building and conflict resolution, and creation of a regional judicial mechanism for extra-constitutional crises in or between Forum countries. Within the Secretariat, the Political and Security Programme has the primary responsibility for a range of programs in the areas of good governance and security. The Programme is comprised of the manager, legal adviser, regional security adviser, law enforcement capacity development adviser, legal drafting officer, coordinator of the Pacific anti-money laundering programme (PALP) the legal and law enforcement mentors under PALP, and the conflict prevention adviser.

Key officials with direct responsibility for preventive diplomacy:

Pacific Island Forum General Secretary: Greg Urwin
Director, Political and Security Programme: Andie Fong-Toy

African Union

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Charter Document
OAU Charter, May 25 1963
The Charter was replaced once by:
The Constitutive Act adopted in Lome July, 2000
Entered into Force July 2001
http://www.africa-union.org/root/au/AboutAu/Constitutive_Act_en.htm

The quest for freedom, unity and solidarity of Africa – enshrined in the Pan-Africanist ideology – is reflected in the institutional structure of the African Union (AU). Except Morocco, 53 countries on the continent shared this common vision of achieving unity and solidarity, and are all members of the Union.

AU Participants:

Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, The Comoros, Congo, Côte d'Ivoire, Congo, Djibouti, Egypt, Eritrea, Ethiopia, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, and Zimbabwe

The objectives of the AU are to:

1. Achieve greater unity and solidarity between the African countries and the peoples of Africa.
2. Defend the sovereignty, territorial integrity and independence of its Member States.
3. Accelerate the political and socio-economic integration of the continent.
4. Promote and defend African common positions on issues of interest to the continent and its peoples.
5. Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights.
6. Promote peace, security, and stability on the continent.
7. Promote democratic principles and institutions, popular participation and good governance.

8. Promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments.
9. Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations.
10. Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies.
11. Promote cooperation in all fields of human activity to raise the living standards of African peoples.
12. Coordinate and harmonize the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union.
13. Advance the development of the continent by promoting research in all fields, in particular in science and technology.
14. Work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

Resonating with the objectives, Article 4 enumerates the following principles:

a   Sovereign equality and interdependence among Member States of the Union.
b   Respect of borders existing on achievement of independence.
c   Participation of the African peoples in the activities of the Union.
d   Establishment of a common defence policy for the African Continent.
e   Peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly.
f   Prohibition of the use of force or threat to use force among Member States of the Union.
g   Non-interference by any Member State in the internal affairs of another.
h   The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity.
i   Peaceful co-existence of Member States and their right to live in peace and security.
j   The right of Member States to request intervention from the Union in order to restore peace and security.
k   Promotion of self-reliance within the framework of the Union.
l   Promotion of gender equality.
m   Respect for democratic principles, human rights, the rule of law and good governance.
n   Promotion of social justice to ensure balanced economic development
o   Respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities.
p   Condemnation and rejection of unconstitutional changes of governments.

Article 9
Powers and Functions of the Assembly shall be to:
Give directives to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace

Other provisions or protocols relevant to preventive diplomacy

As a precursor of the Constitutive Act of the AU adopted at the Lome Summit in 2000, the OAU Charter of 1963, Article 7(4) established the Commission of Mediation, Conciliation, and Arbitration. In consonance with the essence of this commission, Article 19 of the Charter notes that "Member states pledge to settle all disputers among themselves by peaceful means and, to this end, decides to establish a Commission of Mediation, Conciliation, and Arbitration." The primary duty of this commission was to prevent disputes and secure peaceful settlement through mechanisms of preventive diplomacy.

The political cataclysm that characterized the African experience at the onset of the OAU deepened the quest for unity, peace, and solidarity on the continent. This resulted in various initiatives that purported to entrench peaceful coexistence and cooperation in the political mentality of member countries. In consonance with Article 3 of the Charter which enlists the objectives of the organization, other important documents and/or protocols have direct bearing on issues that constitute measures of preventive diplomacy. Three vital documents of direct relevance to preventive diplomacy are 'The Mechanism for Conflict Prevention, Management and Resolution' adopted in Cairo 1993, The Framework For an OAU Response to Unconstitutional Changes of Government (Lome 2000), and The Protocol Relating to The Establishment of The Peace and Security Council of The African Union (PSC) that entered into force in 2003.

The Organizational Structure of Preventive Diplomacy in AU

There is a comprehensive and elaborate organizational structure within the AU to deal with preventive diplomacy and peaceful resolution of conflicts. Four principal organs are directly involved preventive diplomacy namely:

- The Assembly
- The Commission
- The Executive Council
- The Peace and Security Council (PSC)

The Assembly:

The Assembly is one of the principal organs of the AU and is composed of the Heads of States and Governments and is considered as the 'Supreme Organ' of the union in accordance with Article 6(2) of the Constitutive Act. Article 9(1) sets out its powers and function, with the responsibility of taking "decisions on reports

and recommendations from other organs of the union." Its tasks also include the implementation of policies and giving "directives to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace." As the 'nerve center' of the union, it provides a multilateral platform where pertinent issues of paramount significance are discussed. It has the power to impose sanctions and enforce compliance by member countries to conform to the principles of the union. The Chairman of the union could also initiate and play a mediating role in the event of conflict.

The Executive Council:

Composed of Ministers of Foreign Affairs or other authorities designated by the government of member states, the Executive Council meets twice a year, but could convene at "an extra ordinary session at the request of a member state and upon approval of two thirds of all member countries." Their functions include "humanitarian action and disaster response and relief." Concomitant with its humanitarian functions is the responsibility of the 'management of conflicts, war and other emergency situation and the restoration of peace' as directed by The Assembly in accordance with Art 9(1)(g) of the Constitutive Act. Basically they employ peaceful methods in the discharge of their duties, and this involves techniques of preventive diplomacy, especially in conflict situations. They coordinate their efforts with other set up within the organizations and report their activities to the General Assembly.

The Commission:

The Commission constitutes and functions as the Secretariat, the pivotal organ around which the day-to-day administration of the AU revolves. Headquartered in Addis Ababa, Ethiopia, and as the Secretariat, it prepares, promotes, coordinate and harmonize the policies and programs of the AU. It is composed of the Chairperson (also known as the AU Commissioner), Deputy Chairperson, Eight Commissioners, and staff members. The eight Commissioners are heads of eight respective departments within the organizational structure of the Commission. Out of these, two Departments namely Peace and Security and Political Affairs Departments, are directly involved in preventive diplomacy. Most relevant in the prevention of conflicts is the Peace and Security Department. Its core function is the maintenance of peace, security, conflict prevention, management and resolution. It also coordinates initiatives and involves in preventive diplomacy in resolving conflicts. The Political Affairs Department is responsible for human rights, democracy and good governance, humanitarian affairs, electoral Institutions and issues related to internally displaced persons. These two departments reflect the focus of the union on conflict preventive measures, and conflict management and resolution. They work in tandem with the PSC in achieving their raison d'être.

The PSC

The PSC protocol was adopted in 2000 in Durban, South Africa and entered into force in 2003 after ratification as one of the key organs of the AU. Hailed and described as "Africa's own Security Council," the PSC is vested with powers and responsibility of safeguarding, promoting and maintaining peace and security on the continent.

It is composed of 15 members based on the principle of equitable regional representation and rotation, and has a Chairman. The functions of the Chairman include, inter alia, the use of "his/her good offices, either personally or through special envoys, special representatives, the Panel of the Wise or the regional Mechanisms, to prevent potential conflicts, resolve actual conflicts and promote peace-building and post-conflict reconstruction." In the performance of these functions, the PSC is supported by the AU Commission, with the two departments of Peace and Security and Political Affairs. Should its employment of preventive diplomacy prove futile, the PSC is empowered to deploy troops to prevent severe escalation of the conflict as warranted by Article 4(h) of the Constitutive Act and Article 4(j) of the Protocol establishing the PSC. The objectives of the PSC are to:

- promote peace, security and stability in Africa, in order to guarantee the protection and preservation of life and property, the well-being of the African people and their environment, as well as the creation of conditions conducive to sustainable development
- anticipate and prevent conflicts. In the circumstances where conflicts have occurred, the Peace and Security Council shall have the responsibility to undertake peace-making and peace-building functions for the resolution of these conflicts
- promote and implement peace-building and post conflict reconstruction activities to consolidate peace and prevent the resurgence of violence
- co-ordinate and harmonize continental efforts in the prevention and combating of international terrorism in all its aspects
- develop a common defence policy for the Union, in accordance with article 4(d) of the Constitutive Act
- promote and encourage democratic practices, good governance and the rule of law, as party of efforts for prevention of conflicts

Key Officials with Responsibilities for Preventive Diplomacy
Chairman of the AU: President Agyekum Kufuor
AU Commissioner: Alpha Oumar Konare
Deputy AU Commissioner: Patrick Mazimhaka
Commissioner for Peace and Security: Said Djinnit
Commissioner for Political Affairs: Julia Dolly Joiner

Organization of the Islamic Conference

Administrative Information:
OIC Headquarters
PO Box 178, Jeddah 21411
Kingdom of Saudi Arabia
Tel: 6900001
Fax: 2751953

Charter documents:

Charter of the OIC (February 1, 1974)

Links to Some Key Documents:

Charter of the OIC
http://www.oic-un.org/about/Charter.htm

OIC Ten Year Plan of Action (part of the Enlightened Moderation Agenda)
http://www.oic-oci.org/oicnew/ex-summit/english/10-years-plan.htm

Cairo Declaration on Human Rights in Islam
http://www.oicun.org/articles/54/1/Cairo-Declaration-on-Human-Rights-in-Islam/1.html

Declaration on Al-Quds Al-Sharif and Palestine,
Declaration Concerning the Israeli Aggression Against Syria and Lebanon,
Declaration on Jammu and Kashmir
10th Session of the Islamic Summit Conference , Putrajaya, 16-17 Oct 2003
http://www.oic-oci.org/oicnew/english/conf/is/10/declaration.htm

Declaration on the Al Aqsa Intifada
Final Communique of the 9th Session of the Islamic Conference, Doha, 12-13 Nov 2000
http://www.oic-oci.org/oicnew/english/conf/is/9/9th-is-sum-final_communique.htm#int

Resolution No. 2/10-MM (IS) – on Question of Muslims in Southern Philippines.
Adopted by the 10th Session of the Islamic Summit, Putrajaya Malaysia, 16-17 Oct 2003
http://www.oic-oci.org/oicnew/english/conf/is/10/10%20IS-MM-E.htm#RESOLUTION%20NO.2/10-MM%20(IS)

Reports of the Secretary General on the Muslim Minorities, Submitted to the 28th Session of the ICFM, Bamako, Republic of Mali, 25- 29 June 2001

http://www.oic-oci.org/oicnew/english/conf/fm/28/28-ICFM-SG-Rep-en/28-ICFM-MM-D-en.htm

Implementing Guidelines on the Security Aspect of the GRP-MILF Tripoli Agreement of Peace (2001)
http://doc.operationspaix.net/serv1/IMT_Implementing_Guidelines_Security.pdf

Resolution No.56/27-P On Question of Muslims in Southern Philippines
Report and Resolutions on Political, Muslim Minorities and Communities, Legal and Information Affairs
Adopted by 27th Session of ICFM, 27-30 June 2000, Kuala Lumpur
http://www.oic-oci.org/oicnew/english/conf/fm/27/27th-fm-political(3).htm#56

Resolution No. 47/25-P - On Question of Muslims in Southern Philippines
Resoultions on Political Affairs at the 25th ICFM
http://www.oic-oci.org/oicnew/english/conf/fm/25/resolutions25-p-3.htm#47

OIC Participants:

56 Members (founding members in bold)

Afghanistan, Albania, **Algeria**, Azerbaijan, Bahrain, **Bangladesh***, Benin, Brunei Dar-us-Salam, Burkina Faso, Cameroon, **Chad**, Comoros, Côte d'Ivoire, Djibouti, **Egypt**, Gabon, Gambia, **Guinea**, Guinea-Bissau, Guyana, **Indonesia, Iran**, Iraq, **Libya , Jordan**, Kazakhstan, **Kuwait,** Kyrgyzistan, **Lebanon, Malaysia,** Maldives, **Mali**, **Mauritania, Morocco**, Mozambique, **Niger**, Nigeria, Oman, **Pakistan, Palestine**, Qatar, **Saudi Arabia**, **Senegal,** Sierra Leone, **Somalia, Sudan**, Suriname, **Syria**,** Tajikistan, Togo, **Tunisia, Turkey**, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, **Yemen*****,

* Bangladesh, as part of Pakistan, was one of the founders. It became full member after independence in 1974.
** Syria, as part of United Arab Republic (UAR), was one of the founders. It became full member after leaving the UAR in 1970.
*** Republic of Yemen was created in 1991 with the unification of Yemen Arab Republic and Democratic People's Republic of Yemen, both of which were founders.

Observer Countries

Bosnia-Herzegovina, Central African Republic, Kingdom of Thailand, Russian Federation (June 2005)

Muslim Communities
Turkish Muslim Community of Cyprus

Moro National Liberation Front (Philippines)

International and Regional Organizations:
United Nations (UN)
Non-aligned Movement
League of Arab States
Organization of African Unity (OAU)

OIC UN Delegations

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General Mission Statement and Principles:

Under the Charter, the Organization aims to:

1. Strengthen:
   - Islamic solidarity among Member States;
   - Cooperation in the political, economic, social, cultural and scientific fields:
   - The struggle of all Muslim people to safeguard their dignity, independence and national rights.

2. Coordinate action to:
   - Safeguard the Holy Places;
   - Support the struggle of the Palestinian people and assist them in recovering their rights and liberating their occupied territories.

3. Work to:
   - Eliminate racial discrimination and all forms of colonialism;
   - Create a favorable atmosphere for the promotion of cooperation and understanding between Member States and other countries.

The Charter also enumerates principles which OIC Member States undertake to inspire themselves from, in order to achieve the objectives of the Organization.

The Charter also enumerates the principles governing OIC activities, namely:

- Full equality among Member States
- Observation of the right to self determination and non-interference in the internal affairs of Member States
- Observation of the sovereignty, independence and territorial integrity of each State
- The settlement of any dispute that might arise among Member States by peaceful means such as negotiations, mediation, conciliation and arbitration
- A pledge to refrain, in relations among Member States, from resorting to force or threatening to resort to the use of force against the unity and territorial integrity or the political independence of any one of them In order to achieve its objectives, the Organization has main bodies, secondary organs, institutions and specialized committees.

Preventive Diplomacy in the OIC

The OIC official documents do not have a particular section that explicitly stipulates preventive diplomacy. However, this has not precluded the organization from undertaking a slew of preventive diplomacy measures, in keeping with its principle of peaceful means of dispute through negotiations, mediation, conciliation, and arbitration.

Shanghai Cooperation Organization

Administrative Information:
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Post Code: 100600
Telephone: 86-10-65329807/65329836
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Charter Document

Charter of Shanghai Cooperation Organization (June 7, 2002)

Major documents and Links:

Declaration on Establishment of Shanghai Cooperation Organization
(http://www.sectsco.org/html/00088.html)
Shanghai Convention on Combating Terrorism, Separatism and Extremism
(http://www.sectsco.org/html/00093.html)
Charter of Shanghai Cooperation Organization
(http://www.sectsco.org/html/00096.html)

The SCO Members:

The SCO was created in June 2001 on the basis of the Shanghai Five, which came into being after signing in 1996-97 the agreements among Kazakhstan, Kyrgyzstan, China, Russia, and Tajikistan on building military confidence and mutual reduction of military forces in border areas. The SCO is composed of the above five states plus the Republic of Uzbekistan.

General Mission Statement and Principles in the Charter:

Goals and Tasks:
- to strengthen mutual trust, friendship and goodneighborliness between the member States;
- to consolidate multidisciplinary cooperation in the maintenance and strengthening of peace, security and stability in the region and promotion of a new democratic, fair and rational political and economic international order;
- to jointly counteract terrorism, separatism and extremism in all their manifestations, to fight against illicit narcotics and arms trafficking and other types of criminal activity of a transnational character, and also illegal migration;
- to encourage the efficient regional cooperation in such spheres as politics, trade and economy, defense, law enforcement, environment protection,

culture, science and technology, education, energy, transport, credit and finance, and also other spheres of common interest;

- to facilitate comprehensive and balanced economic growth, social and cultural development in the region through joint action on the basis of equal partnership for the purpose of a steady increase of living standards and improvement of living conditions of the peoples of the member States;
- to coordinate approaches to integration into the global economy;
- to promote human rights and fundamental freedoms in accordance with the international obligations of the member States and their national legislation;
- to maintain and develop relations with other States and international organizations;
- to cooperate in the prevention of international conflicts and in their peaceful settlement;
- to jointly search for solutions to the problems that would arise in the 21st century.

Principles:
- mutual respect of sovereignty, independence, territorial integrity of States and inviolability of State borders, non-aggression, non-interference in internal affairs, non-use of force or threat of its use in international relations, seeking no unilateral military superiority in adjacent areas;
- equality of all member States, search of common positions on the basis of mutual understanding and respect for opinions of each of them;
- gradual implementation of joint activities in the spheres of mutual interest;
- peaceful settlement of disputes between the member States;
- SCO is not directed against other States and international organizations;
- prevention of any illegitimate acts directed against the SCO interests;
- implementation of obligations arising out of the present Charter and other documents adopted within the framework of SCO, in good faith.

Legal Basis for Preventive Diplomacy:

The SCO official documents do not have a particular section that explicitly stipulates preventive diplomacy. However, many documents do contain articles that facilitate and require member states to cooperate and carry out preventive measures to strike down the so-called three "evil forces" – terrorism, separatism, and extremism – and many other nontraditional security issues. These articles can be seen in the following documents:

The *Declaration on Establishment of Shanghai Cooperation Organization* (2001) laid the foundation for the orientation and subsequent institution building of the organization. Article 8 says that the SCO sets special store by and makes all necessary efforts to ensure regional security. Member states will cooperate closely to implement the Shanghai Convention on Combating Terrorism, Separatism and Extremism, including setting up an Antiterrorist Center.

The *Shanghai Convention on Combating Terrorism, Separatism and Extremism* (2001) contains detailed articles on how the six states should cooperate in fighting the three forces. Article 2 stipulates that the Parties, in accordance with this Convention and other international obligations and with due regard for their national legislations, shall cooperate in the area of prevention, identification and suppression of terrorism, separatism, and extremism. Article 6 and article 7 have detailed descriptions of cooperation measures in preventing and fighting the three forces and other nontraditional security issues.

Article 6

In accordance with this Convention, the central competent authorities of the Parties shall cooperate and assist each other through:
1. Exchange of information;
2. Execution of requests concerning operational search actions;
3. Development and implementation of agreed measures to prevent, identify and suppress acts referred to in Article 1 (1) of this Convention, as well as mutual information on the results of their implementation;
4. Implementation of measures to prevent, identify and suppress, in their territories, acts referred to in Article 1 (1) of this Convention, that are aimed against other Parties;
5. Implementation of measures to prevent, identify and suppress financing, supplies of weapons and ammunition or any other forms of assistance to any person and/or organization for the purpose of committing acts referred to in Article 1 (1) of this Convention;
6. Implementation of measures to prevent, identify, suppress, prohibit or put an end to the activities aimed at training individuals for the purpose of committing acts referred to in Article 1 (1) of this Convention;
7. Exchange of regulatory legal acts and information concerning practical implementation thereof;
8. Exchange of experience in the field of prevention, identification or suppression of acts referred to in Article 1 (1) of this Convention;
9. Various forms of training, retraining or upgrading of their experts; Conclusion, upon mutual consent of the Parties, of agreements on other forms of cooperation, including, as appropriate, practical assistance in suppressing acts referred to in Article 1 (1) of this Convention and mitigating consequences thereof. Such agreements shall be formalized in appropriate protocols that shall form an integral part of this Convention.

Article 7

The central competent authorities of the Parties shall exchange information of mutual interest, inter alia, on:

1. Planned and committed acts referred to in Article 1 (1) of this Convention, as well as identified and suppressed attempts to commit them;
2. Preparations to commit acts referred to in Article 1 (1) of this Convention, aimed against heads of state or other statesmen, personnel of diplomatic missions, consular services and international organizations, as well as other persons under international protection and participants in governmental visits, international and governmental political, sports and other events;
3. Organizations, groups and individuals preparing and/or committing acts referred to in Article 1 (1) of this Convention or otherwise participating in those acts, including their purposes, objectives, ties and other information;
4. Illicit manufacturing, procurement, storage, transfer, movement, sales or use of strong toxic, and poisonous substances, explosives, radioactive materials, weapons, explosive devices, firearms, ammunition, nuclear, chemical, biological or other types of weapons of mass destruction, as well as materials and equipment which can be used for their production, for the purpose of committing acts referred to in Article 1 (1) of this Convention;
5. Identified or suspected sources of financing of acts indicated in Article 1 (1) of this Convention;
6. Forms, methods and means of committing acts indicated in Article 1 (1) of this Convention.

Article 11
1. For the purposes of implementation of this Convention, central competent authorities of the Parties may establish emergency lines of communication and hold regular and extraordinary meetings.

The *Charter of Shanghai Cooperation Organization* (2002) outlines some areas of cooperation, mostly in article 3 which among others include:
- maintenance of peace and enhancing security and confidence in the region;
- development and implementation of measures aimed at jointly counteracting terrorism, separatism and extremism, illicit narcotics and arms trafficking and other types of criminal activity of a transnational character, and also illegal migration;
- mutual assistance in preventing natural and man-made disasters and elimination of their implications;

The *Agreement among Member States of Shanghai Cooperation Organization on Regional Antiterrorism Authority* stipulates a wide range of preventive and cooperative measures to be carried out by the Regional Antiterrorist Structure in Tashkent.

The *Tashkent Declaration of Heads of Member States of Shanghai Cooperation Organization* (2004) further emphasizes the importance of other

non-traditional security issues, such as the trafficking of illegal narcotics and psychotropic substances, trafficking of illegal weapons and ammunitions, explosive, asphyxiate, poisonous and radioactive substances, recruiting mercenaries. The leaders of the organization noted that the global threat of terrorism should be confronted by the global system of counteraction with the United Nations as its central core, which should rely on regional, subregional and national structures. Thus it is important to not only respond adequately to terrorist actions, but also to work on prevention. They also made note of the expediency of carrying out of joint antiterrorist exercises with the participation of law enforcement bodies and special services aimed at strengthening coordination in struggle against these threats.

The *Agreement on Cooperation in Combating Illegal Turnover of Narcotic and Psychotropic Substances and the Precursors* (2004) provides detailed instructions on cooperation and preventive measures on these issues.

The *Statement of Heads of SCO Member States on International Information Security* (2006) acknowledges the threat of using ICT by extremist forces in undermining inter-state relations and domestic socio-political stability. The heads of state point out useful efforts have been made by all countries to enhance information security. They also believe that the negative impact of the use of ICT in a destructive way by criminals including terrorists, their gangs and organizations, and even some countries for military and political purposes, is extensive, affecting other countries and sometimes even the whole world. The heads of state also emphasize that the transnational nature of ICT and current threats and challenges make it imperative for all countries to step up their efforts on information security through bilateral, regional and international cooperation. With this in mind, the heads of state have decided to establish an international information security expert group among the SCO member states, consisting of representatives of the SCO Secretariat and the Executive Committee of the SCO Regional Antiterrorist Structure, to formulate a plan of action for international information security and define ways and means to solve problems concerning international information security within the framework of the SCO. An action plan was signed between the member states on this matter.

Organization for Preventive Action:

The Heads of State Council (HSC) is the highest decision-making body in the SCO. It meets once every year to take decisions and give instructions on all important issues of SCO activity. The Heads of Government Council (HGC) meets once every year to discuss a strategy for multilateral cooperation and priority directions within the Organization's framework, to solve some important and pressing issues of cooperation in economic and other areas as well as to adopt the Organization's annual budget. Besides sessions of the HSC and the HGC there are also mechanisms of meetings on the level of Speakers of Parliament, Secretaries of Security Councils, Foreign Ministers, Ministers of

Defence, Emergency Relief, Economy, Transportation, Culture, Education, Healthcare, Heads of Law Enforcement Agencies, Supreme Courts and Courts of Arbitration, Prosecutors General. The Council of National Coordinators of SCO Member States (CNC) is in charge of coordinating interaction within the SCO framework. The Organization has two permanent bodies – the Secretariat in Beijing and the Regional Antiterrorist Structure in Tashkent. The Secretary General and Executive Committee Director are appointed by the HSC for a period of three years. From 01 January 2007 these posts are held by Bolat K.Nurgaliev (Kazakhstan) and Myrzakan U.Subanov (Kyrgyzstan), respectively.

European Union

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European Commission
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Delegation of the European Commission to the United Nations
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New York, NY 10017 USA
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Charter Documents:

- EU Charter of Fundamental Rights (signed December 7, 2000)
- Treaty of Lisbon* (signed December 13, 2007, pending ratification)
- Treaty of Nice (Treaties of European Union & European Community consolidated) (signed February 26, 2001, entered into force February 1, 2003)
- The Amsterdam Treaty (signed October 2, 1997, entered into force May 1, 1999)
- Treaty of Maastricht on European Union (signed February 7, 1992, entered into force November 1, 1993)
- Treaty of Rome (signed March 25, 1957, entered into force January 1, 1958)

* A treaty establishing a constitution for the EU was signed in Rome in 2004, intended to replace all previous treaties with a new single document. However, it never completed ratification after rejection by French and Dutch voters in referenda. In 2007, it was agreed to replace that proposal with a new Reform Treaty that would amend rather than replace the existing treaties. This treaty was signed on December 13, 2007 in Lisbon and is known as the Treaty of Lisbon. It will come in effect in January 2009 if ratified by that date.

Links to Key Documents:

EU Charter of Fundamental Rights
http://www.europarl.europa.eu/charter/pdf/text_en.pdf

Public Hearing on the draft Charter of Fundamental Rights of the European Union, Brussels, 2 February 2000
http://www.europarl.europa.eu/ombudsman/speeches/en/charter1.htm

Treaty of Lisbon
http://europa.eu/lisbon_treaty/index_en.htm

http://eur-lex.europa.eu/en/treaties/dat/12007L/htm/12007L.html

Treaty of Nice
http://eur-lex.europa.eu/en/treaties/dat/12001C/htm/12001C.html
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:321E:0001:0331:EN:pdf

Treaty of Amsterdam
http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html

Treaty of Maastricht on European Union
http://europa.eu/scadplus/treaties/maastricht_en.htm

Treaty of Rome
http://www.hri.org/docs/Rome57/Rome57.txt

EU Participants:

Members (27)
Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Candidate Countries
Croatia, Former Yugoslav Republic of Macedonia, Turkey

General Mission Statement and Principles:

The EU's mission is:

- To guarantee peace, freedom and security in and around Europe.
- To promote and protect democracy and universal rights in Europe and around the world.
- To strengthen Europe's economy and to promote solidarity around Europe by working in partnership with national, regional and local government.
- To make it easy for Europe's citizens to live and work throughout the Union.
- To promote equality and tolerance of diversity in Europe.
- To promote and facilitate cooperation between Europeans, at individual, local, regional and national level, and in both the public and private sectors.
- To protect Europe's environment.
- To ensure that Europe's voice is heard in the world.
- To listen to its citizens, be accountable to them and work for them in a transparent and decentralized way.

These concerns are underscored in Article 2 of the Treaty of Lisbon:

1. The Union's aim is to promote peace, its values and the well-being of its peoples.
2. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.
3. The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance.
4. It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child.
5. It shall promote economic, social and territorial cohesion, and solidarity among Member States.
6. It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.
7. The Union shall establish an economic and monetary union whose currency is the euro.
8. In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.
9. The Union shall pursue its objectives by appropriate means commensurate with the competences which are conferred upon it in the Treaties.

Legal Basis for Preventive Diplomacy:

The Lisbon Treaty articulates the following provisions on the EU's Common Security and Defence Policy:

Article 28 A(1)
The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peacekeeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the Member States.

Article 28 B(1)
The tasks referred to in Article 28 A(1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peacekeeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

Supporting these legal provisions are efforts such as the European Commission's definition of a new framework for preventive action. The EC's Communication on Conflict Prevention (April 2001) identifies four main objectives:

1. Make more systematic and coordinated use of EU instruments (see above) to get at the root causes of conflict.
2. Improve the efficiency of actions targeting specific causes of conflict (the so-called "cross-cutting issues" such as trafficking in drugs or human beings, illicit trade of diamonds and small arms, competition over scarce water resources etc).
3. Improve EU capacity to react quickly to nascent conflicts.
4. Promote international cooperation with all the EU's partners (partner countries, NGOs, international organizations such as UN, G8, OSCE, ICRC as well as other regional organizations).

Organization for Preventive Action in EU:

To enhance its diplomatic clout and visibility, the EU created the post of High Representative for Foreign and Security Policy and provided him with a far-reaching support structure, including a policy unit to provide assessments and early warnings on crisis situations, a political and security committee and a military committee. The power and the functions of the High Representative will be strengthened as part of the new Lisbon Treaty agreed by EU governments in December 2007. As part of the Common Foreign and Security Policy (CFSP), the Union also created a European Security and Defence Policy (ESDP) with the potential, if agreed later on, for creating a common defence structure. In December 2003, EU leaders adopted a European Security Strategy and have since agreed on its basic mission and priority areas for action: the fight against terror; a Middle East strategy; a comprehensive policy on Bosnia-Herzegovina.

The European Security Strategy (ESS) is the policy document that guides the EU's international security strategy. The Strategy defines the EU as a global actor seeking to build a "fairer, safer and more united world" in the new security environment. Conflict prevention is at the heart of this strategy and is explicitly set out as a strategic objective for the Union and its member countries. Despite differences in focus, the ESS nevertheless reinforces the Göteborg Programme,

which commits the EU to "set clear political priorities for preventive actions; improve its early warning, action and policy coherence; enhance its instruments for long- and short-term prevention, and build effective partnerships for prevention." In this respect, the ESS provides a useful framework through which the Göteborg Programme can not only be implemented but enhanced.

Conflict prevention is reflected in the ESS in the following ways. First, the Strategy has identified the following concerns as "global challenges and key threats": (1) the nexus between conflict, insecurity and poverty; (2) the importance of regional dimensions of conflict; (3) the centrality of good governance; (4) the factors that fuel violent conflict and weaken state structures (e.g. war economies and organized crime); and (5) the need to tackle tools of violence (e.g. WMD). Second, the Strategy has recognized the following as "strategic objectives and policy implications":

- Conflict prevention and threat prevention – "Conflict prevention and threat prevention cannot start too early" (p.7) "We need to act before countries around us deteriorate, when signs of proliferation are detected, and before humanitarian crises arise" (p.11). This includes improving the sharing of intelligence about threat assessments among Member States and partners.
- Implementing a "mixture of instruments" to address threats – "None of the new threats is purely military; nor can be tackled by purely military means" (p.7). This necessitates developing military and civilian capabilities, strengthening diplomatic capability and using trade and development policies as "powerful tools for promoting reform" (p.10).
- Pursuing coherence through better co-ordination between the EU's different instruments and capabilities, including: better co-ordination between external action and Justice and Home Affairs; better linking EU instruments with Member State activities, and pursing coherent regional policies for addressing violent conflict (p.13).
- Working with partners to promote multilateralism – "In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system" (p.9).
- Supporting functioning international institutions and a rule-based international order under "the fundamental framework" of the United Nations (p. 9).
- "Contributing to better governance through assistance programmes, conditionality and targeted trade," and having the political strength to act against countries that persistently violate international norms (p.10).
- EU Enlargement as a means of conflict prevention.[1]

The EU Rapid Reaction Mechanism (RRM) aims to provide flexible and timely short-term assistance to help stabilize countries undergoing political crisis and to

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[1] "The EU Security Strategy: Implications for EU Conflict Prevention," International Alert and Saferworld EU Policy Paper (International Alert and Saferworld, 2004), p. 5. Also see "A Secure Europe in a Better World," European Security Strategy, Brussels, December 12, 2003. Available: http://ue.eu.int/uedocs/cmsUpload/78367.pdf (accessed February 2008).

reestablish the conditions under which longer-term EU assistance efforts can be effective. The RRM is triggered in situations of crisis or impending crisis, situations posing a threat to law and order, the security and safety of individuals and situations threatening to escalate into armed conflict. It plays a key role in improving the EU's crisis management capacity. Though it can only support operations for a maximum of 6 months, it also provides a frontline response that leverages the resources in the EU's long-term assistance programs. The RRM covers six major aspects of EU crisis intervention: (1) assessment of possible Community responses to a crisis; (2) conflict prevention in countries and regions showing significant signs of instability; (3) acute crisis management; (4) post-conflict reconciliation; (5) post-crisis reconstruction; and (6) the fight against terrorism.

The European Commission (EC) has an extensive set of instruments for structural long-term and direct short-term preventive action, from election monitoring to police and justice reform and natural resources as drivers of conflict. In the second pillar, the Council has made welcome advances in the field of structures and capabilities for civilian and military crisis management, diplomatic dialogue, and increasing preventive diplomacy and mediation efforts, such as the EC's Conflict Prevention and Crisis Management Unit.

Key officials with direct responsibility for preventive diplomacy:

EU High Representative for Common Security and Defence Policy: Javier Solana
EC Vice President for Justice, Freedom and Security: Franco Frattini

Annex B

**Meeting of the CSCAP Study Group on
Preventive Diplomacy and the Future of the ASEAN Regional Forum
Bandar Seri Begawan, Brunei, October 30-31, 2007
Summary of Key Findings**

The Council for Security Cooperation in the Asia Pacific (CSCAP) conducted a study group meeting on Preventive Diplomacy (PD) and the Future of the ASEAN Regional Forum (ARF) in Bandar Seri Begawan, Brunei on Oct. 30-31, 2007. Discussion focused on an assessment of the ARF's progress along the path toward PD and on the development of specific recommendations aimed at reinvigorating the ARF as both a confidence building and PD mechanism, through an examination of PD case studies and constructive dialogue on future options and directions. Key findings from this meeting include:

- The ARF has served as an important and successful vehicle for promoting security cooperation and building confidence among its members;

- The ARF has also taken important steps toward achieving its stated goal of evolving from the promotion of confidence building measures (CBMS) to the promotion of PD measures and the elaboration of approaches to conflict but progress has been slow;

- Initiatives such as the Experts and Eminent Persons Group (EEPG), the Friends of the ARF Chair, the ARF Unit, and the production of voluntary Annual Security Outlooks (ASO) can facilitate progress toward PD, as would further institutionalization of the ARF process;

- The 1995 ARF Concept Paper has provided a useful roadmap to this point but ARF members should now consider the development of a 2020 Vision Statement to refine and further clarify ARF objectives and provide specific benchmarks for progress;

- While the current Working Definition and Statement of Principles of PD serve as a useful starting point in the promotion of PD, it should be recognized that, in practice, PD (as demonstrated in the case studies) has also be applied within states, as long as it is "employed only at the request of the parties involved or with their consent";

- While PD has traditionally been applied to prevent traditional disputes or conflicts from arising or escalating, PD mechanisms and procedures may also have a role in dealing with non-traditional security challenges;

- Addressing non-traditional challenges may provide a less controversial method of developing and refining PD practices and procedures, but should not distract

the ARF from responding to more traditional (and more potentially destabilizing) security challenges;

- Effective PD requires effective early warning, which could be accomplished through the establishment of a Risk Reduction Center (as envisioned in the ARF Concept Paper);

- The EEPG could also be given an early warning mission, and a more standardized ASO which focused on emerging security challenges could serve as a vehicle for providing early identification of potential challenges against which PD measures might be successfully applied;

- General observations about successful PD efforts generated from our case studies included: failure is never final (it provides lessons learned and a basis for subsequent efforts); a commitment to find a solution (including a willingness to compromise) is essential on the part of all concerned parties, and this requires strong, bold leadership; non-governmental organizations can and have played a useful facilitating role and can be helpful during the implementation phase, but the real work must be done by the involved parties themselves; reaching agreement is not the end of the process, follow-through is critically important and never-ending; and buy-in by other involved parties is essential – a failure to ensure legislative support has undermined or caused dramatic revision of some otherwise effective PD efforts;

- Other general suggestions aimed at further reinvigorating the ARF process include: clearer definition of the role of the EEPG, ASO, Friends of the Chair, and the expanded role of the Chair itself; more emphasis on a pro-active (vice responsive) role for such initiatives, to include the institution of fact-finding and goodwill missions, and "good offices" or mediation services; increased willingness to examine more sensitive or controversial regional security issues; examination of the "responsibility to protect" principle and how this affects the long-standing principle of non-interference; provisions for the calling of emergency meetings to respond to impending crises or conflict; examination of a "full consensus minus x" approach for routine ARF decisions; enhanced cooperation and coordination with other (including track two) organizations; greater encouragement and support of non-ARF bilateral and other regional CBM and PD efforts, including the encouragement of such efforts along the sidelines of (but separate from) ARF gatherings; greater participation of not only defense officials but also officials from other ministries in ARF deliberations; and greater refinement and explanation of the ARF's niche, i.e., what the ARF brings to the table and how it distinguishes itself from the growing number of other regional multilateral institutions and organizations (the Vision Statement would help in this regard);

- Suggestions toward further institutionalization of the ARF include: creation of an ARF Secretariat (through elevation of the ARF Unit); appointment of an ARF

Secretary General with clearly defined role and mission; the previously identified suggestion of the eventual establishment of a Regional Risk Reduction Center; and the establishment of a regular ARF Summit, perhaps back-to-back or rotating with the Asia Pacific Economic Cooperation (APEC) Leaders Meeting, East Asia Summit, or other high-level gatherings;.

- CSCAP stands ready to support ARF efforts to promote confidence building and PD efforts and to help examine regional security challenges, including through the continued holding of back-to-back meetings with ARF events, as appropriate, to enhance greater ARF-CSCAP interaction.

Annex C

Preventive Diplomacy and Nontraditional Security in Asia[1]

With globalization there is today a growing appreciation worldwide regarding the transnational character of security challenges. These newly emerging threats are referred to as non-traditional security (NTS) threats, and they are defined as challenges to the survival and well-being of peoples and states that arise primarily out of non-military sources. They include climate change, cross-border environmental degradation and resource depletion, infectious diseases, natural disasters, irregular migration, food shortages, people smuggling, drug trafficking, and other forms of transnational crime, all of which have profound implications on national, regional and global security. Because of their transnational character, narrow national solutions are often inadequate, since responses need to be comprehensive (encompassing the political, economic, and social), involving extensive international coordination and cooperation.

Non-traditional security issues matter significantly to conflict prevention, whether as direct or indirect causes of conflict or as "force multipliers" which exacerbate existing conflict.[2] As such a key part of international responses to NTS threats will necessarily include preventive diplomacy measures. Over the last decade, regional institutions such as the Association of Southeast Asian Nations (ASEAN), the ASEAN Plus Three (APT), the ASEAN Regional Forum (ARF), the Asia-Pacific Economic Cooperation (APEC), and the East Asia Summit (EAS) have responded to new security challenges. Despite their perceived inertia, particularly during the period of the Asian financial crisis (1997-99), the picture has drastically changed, given that institutions like ASEAN have since embarked on a number of ad hoc mechanisms to address a host of transnational threats that have blighted the region. These include regional mechanisms that address the threats of infectious diseases, transnational crimes and terrorism, natural disasters, and environmental pollution or haze. The ARF and APEC, for example, have also introduced a number of cooperative measures to fight transnational crimes and terrorism, pandemics, and other threats. In the case of APEC, this has resulted in extending its mandate beyond economic cooperation to security cooperation. Moreover, the host of Asian regional institutions have generated different layers of regional efforts going beyond bilateral and multilateral arrangements which had, until quite recently, been largely subregional in nature. Indeed, it could be argued that the kinds of measures being adopted have gone beyond the usual process-oriented, confidence-building approach long favoured by the region. Instead, many of the

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[1] This annex draws heavily from Mely Caballero-Anthony, "Nontraditional Security and Multilateralism in Asia: Reshaping the Contours of Regional Security Architecture?" *Policy Analysis Brief* (Muscatine, IA: The Stanley Foundation, June 2007).

[2] See, for example, Mely Caballero-Anthony, Ralf Emmers, and Amitav Acharya (eds.), *Non-Traditional Security in Asia: Dilemmas in Securitisation* (London: Ashgate, 2006).

regional measures adopted are now geared toward problem-solving mechanisms, specifically to address NTS threats.

Furthermore, the need for comprehensive and coordinated responses in dealing with the transnational character of NTS threats has led to an incremental opening of both strategic and operational spaces, such that actors other than states and regional intergovernmental institutions—NGOs, CSOs (civil society organizations) and other external actors—are today increasingly involved in building and enhancing regional capacity to cope with NTS challenges and issues of human security. To be sure, this would inevitably create new tensions within and among states as they attempt to strike a tenuous balance between protecting state and regime security while promoting human security. But there is little doubt that the task of preventive diplomacy in managing NTS challenges in Asia, as in most other regions, will include state, interstate, and nonstate actors.

The rest of this Annex explores the types of PD mechanisms that have been established in response to contemporary NTS challenges that confront the Asian region. In particular, PD mechanisms have been or are being deployed to improve the regional response to future financial crises, infectious diseases and pandemics, natural disasters, transnational crime and terrorism, and poverty and human insecurity.

Post-Asian Financial Crisis

Since the Asian financial crisis of 1997-98, ASEAN has undertaken a number of institutional "innovations" to better respond to a host of regional challenges. The latest is the 2003 Bali Concord II that announced the establishment of an ASEAN Community based on three pillars: the ASEAN Security Community, ASEAN Economic Community, and ASEAN Socio-Cultural Community. This ongoing development is seen by some as ASEAN's attempt at moving beyond being a "nascent" security community to a "soft" security community. Similarly, the ASEAN Plus Three (APT) had formalized the framework for forging closer economic linkages between ASEAN and the "+3 countries," China, Japan, and South Korea, through the development of a regional financial mechanism—the Chiang Mai Initiative (CMI), a liquidity support facility designed to prevent another financial crisis—and initiatives to develop a regional bond market and common currency. The emphasis here is on prevention; in this regard, the CMI can be viewed as a form of structural PD. These initiatives are driven by the broader objectives of building more capacity and coherence in regional efforts to address new regional challenges and, in the process, complement the global efforts of the United Nations and other international organizations to promote peace, human rights, and development.

Infectious Diseases

Since the Asia-wide outbreak of the SARS virus in 2003, the threats from infectious diseases appear to have become more severe. As the SARS experience has shown in this era of globalization and regionalization, infectious diseases have the capacity to detrimentally affect the security and well-being of all members of society and all aspects of the economy.[3] This point was highlighted in the Global Risks 2006 report released by the 2006 World Economic Forum (WEF) in Davos, Switzerland. The report ranked pandemics and natural disasters among the highest in the list of risks currently confronting the international community. The study also concluded that despite the interplay of these multiple global risks and their combined ripple effects, which can be potentially devastating, "disaster planning and crisis management suffer from a number of shortcomings." Given that Asia has a history of being the breeding ground for flu pandemics, the WEF report has therefore come at a critical time when an abundance of policy statements, studies, and other reports have been written, amidst a flurry of official and nonofficial meetings, which have altogether raised the urgency within and outside the region to finding a common approach to prevent the outbreak of a new and devastating pandemic.

To be sure, the threat of infectious diseases is not a local problem, but a global concern. For many developing states in the region, particularly in Southeast Asia, the burden of infectious diseases has reached a critical stage where innovation is needed to strengthen the capacity of public health management in the region. In Asia much of the information about pandemic preparedness, response, and capability of countries in the region is sketchy at best.[4] As shown with the recent SARS crises, while Singapore and Hong Kong were able to deal with the health crisis in a reasonably effective manner, other countries like China and Vietnam experienced a range of challenges in coping with the problem. Aside from the complex problems faced by states at the national level, such as the lack of contingency planning and coordination among state agencies, there has also been very little institutionalized regional cooperation in the area of public health policy. It was really only after the SARS outbreak that some regional cooperative initiatives and mechanisms were proposed. At the ASEAN and APT level, these key initiatives include:

- the ASEAN Expert Group on Communicable Diseases
- the ASEAN Highly Pathogenic Avian Influenza (HPAI) Task Force

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[3] For more on SARS and its security impact, see for example, Mely Caballero-Anthony, "SARS in Asia: Crisis, Vulnerabilities, and Regional Responses," *Asian Survey*, Vol. 45, No. 3 (2005), pp. 475-95; Melissa Curley and Nicholas Thomas, "Human Security and Public Health in Southeast Asia: The SARS Outbreak," *Australian Journal of International Affairs*, Vol. 58, No. 1 (2004), pp. 17-32; and Elizabeth Prescott, "SARS: A Warning," *Survival*, Vol. 45, No. 3 (2003), pp. 162-77.

[4] In June 2005, the Singapore government put into place its avian flu plan. See "Influenza Pandemic Readiness and Response Plan," Singapore Ministry of Health, June 29, 2005. Available: http://www.moh.gov.sg/corp/hottopics/influenza/index.do#32112653 (accessed September 2005). Since February 2004, it has also established tight surveillance and control over local poultry population.

- the ASEAN Plus Three Emerging Infectious Diseases Programme
- the Regional Framework for Control and Eradication of HPAI

Many of these collaborative programs focus on strengthening the national and regional capacity for disease surveillance and early response and strengthening the capacity to prepare for any pandemic. There are also other collaborative programs organized under the framework of the wider forums in the region, such as APEC and EAS. Most of the measures outlined in these collaborative programs focus on, among others, the strengthening of institutional capacities at national and regional levels to ensure effective and efficient implementation of avian influenza prevention, putting in place disease control programs and pandemic preparedness and response plans, and enhancing capacity-building in coping with a pandemic influenza. Other preventive measures also include establishing information-sharing protocols among countries and multilateral organizations and effective, timely, and meaningful communication before or during a pandemic influenza outbreak.[5]

The nature of pandemic threats, however, has compelled ASEAN and other countries within and outside the region to get involved in order to effectively address the complexities of the problem. Hence, outside the East Asian regional framework, other dialogue partners of ASEAN have been encouraged to provide more assistance in preventing the possibility of a pandemic outbreak. The United States, for instance, has been one of the major external actors that has taken a keen interest in this issue. It was one of the largest donors to the global avian flu fund that was set up at the 2006 Beijing conference, having pledged a total of US$392 million to the total fund of US$1.9 billion. Much of these funds had been allocated to the development of stockpiles of health supplies and international research.[6] Moreover, through the APEC framework, the United States has initiated the establishment of a Regional Emerging Diseases Intervention (REDI) Center, in partnership with Singapore. Formally launched in 2003 after the SARS outbreak, REDI would assist Asian countries in "tracking, controlling, and researching emerging infections with appropriate resources and expertise."[7] It is envisaged that the REDI Center would be open to participation by other countries in the Asia-Pacific.

Despite the keen interest on pandemics in the region, one should note however that many of these proposed measures from ASEAN, APT, EAS, and APEC still need to be implemented. Hence it would be premature to give a detailed assessment of the effectiveness of these new regional mechanisms to

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[5] See for example, APEC Action Plan on the Prevention and Response to Avian and Influenza Pandemics, 2006/AIPMM/014; and East Asia Summit Declaration on Avian Influenza Prevention, Control and Response. Available: http://www.www.aseansec.org/18101.htm (accessed March 2007).

[6] "United States International Engagement on Avian and Pandemic Influenza," US Department of Health, Bureau of Public Affairs, September 22, 2006.

[7] See "Regional Emerging Diseases Intervention (REDI) Center," remarks by Claude Allen, Deputy Secretary of Health and Human Resources, May 24, 2004. Available: http://singapore:usembassy.gov/utils/eprintpage.html (accessed March 2007).

address this NTS threat. Nevertheless, it is important to highlight some of the challenges faced by countries in the region in responding to a regional/global problem. Among the most obvious is the lack of resources allocated to improving public health systems at the domestic level. Given the prevalent condition of poor health infrastructure in many parts of the region, the national and regional capacities to respond to transnational health crises remain inadequate. In this regard, the region needs to consider a broader and more comprehensive strategy to prevent and contain the outbreak of infectious diseases. These would include, among others, focusing on key issues such as building credible and effective regional surveillance systems for monitoring infectious diseases, improving the poor state of health infrastructure in less-developed countries, and addressing the politics of crisis health management in the region.[8]

Take, for example, the issue of building regional surveillance and disease control. It has been noted that since national capacities are still quite weak, more efforts should be made to improve national and regional preparedness in containing pandemic outbreaks. A critical step in this direction is creating mechanisms for effective production and distribution of vaccines and other medicines. In this regard, it is worth noting that within ASEAN steps to develop a region-wide mechanism in rapid diseases control has begun with the first exercise held in Cambodia in late March 2007. The exercise, Panstop 2007, was coordinated by the ASEAN Secretariat with the help of the World Health Organization, together with the Japanese government and the Japan International Cooperation System. This simulation exercise, which involved test procedures to rush antiviral drugs and equipment to infected areas within a short time, was to be the first in the series of tests to be conducted in the Asia-Pacific region.[9]

What this latest exercise has shown is that while there are several regional initiatives from different regional frameworks to address a pressing NTS issue like infectious diseases, it is often more effective if implementation starts at the subregional level. The bigger regional frameworks can work better when efforts are streamlined and where complementarities can be built with other regional bodies in order for gaps to be identified and more interregional coordination can be undertaken.

Natural Disasters

Major natural disasters often occur in Asia. The December 2004 massive earthquake and tsunami illustrated the kind of devastation that natural disasters cause and the immensity of the tasks involved in undertaking disaster relief

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[8] For more on this, see Mely Caballero-Anthony, "Combating Infectious Diseases in East Asia: Securitisation and Global Public Goods for Health and Human Security," *Journal of International Affairs* (Spring/Summer 2006), pp. 105-27.
[9] See "WHO, Asian partners to simulate bird flu outbreak to test readiness to contain pandemic," *International Herald Tribune*, March 27, 2007.

operations and in providing humanitarian assistance and post-disaster reconstruction and rehabilitation. Natural disasters generate complex emergencies that require urgent and coordinated responses from a broad range of state and nonstate actors.

Unfortunately, many states in Asia are least prepared to cope with these complex humanitarian emergencies. This gap was vividly revealed in the region's experience with the 2004 tsunami. The disaster certainly reflected the lack of any regional capacity to respond to disasters and to provide emergency relief, rehabilitation, and reconstruction. Were it not for the humanitarian assistance provided by external partners like the United States, European Union, Australia, and Japan, plus a number of international aid agencies, the impact of the humanitarian emergency could have been far more catastrophic.

Hence, in the aftermath of the tsunami, Southeast Asian countries held a number of meetings and agreed to enhance cooperation in disaster relief, including prevention and mitigation.[10] Specifically, ASEAN members agreed to mobilize additional resources to meet the emergency needs of tsunami victims. They also called upon the international community through the United Nations to convene an international pledging conference for sustainable humanitarian relief efforts and to explore the establishment of "standby arrangements" for other humanitarian relief efforts. ASEAN also called on donor countries—the World Bank, Asian Development Bank, and other financial institutions—to provide the necessary funds to support the rehabilitation and reconstruction programs in disaster-stricken areas.

Is the region doing enough to protect the security of its people today? Aside from these demonstrations of regional solidarity, one could argue that the region needs to do more in the areas of prevention and mitigation by developing a more effective regional early warning system. It also needs to examine whether there is a shift in thinking in institutionalizing regional cooperation in disaster management. So far, there is the ASEAN Regional Disaster Emergency Response Simulation Exercise (ARDEX-05), which commenced in 2005.[11] The simulation exercise is envisioned to be an annual exercise, bringing together several personnel and mobilizing light-to-medium equipment geared toward providing immediate humanitarian assistance to affected countries in times of natural disaster.

Beyond ASEAN, there are also other ad hoc exercises in disaster management being undertaken within the ARF framework. After the tsunami disaster in December 2004, the ARF ministers have decided to work together in emergency relief, rehabilitation, and reconstruction, as well as prevention and

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[10] See Statement from the Special ASEAN Leader'sMeeting on Aftermath of Earthquake and Tsunami, Jakarta, January 6, 2005. Available: http://www.aseansec.org/17067.htm (accessed March 2007).

[11] ASEAN Agreement on Disaster Management and Emergency Response, Vientiane, July 26, 2005. Available: http://www.aseansec.org/17587.htm (accessed March 2007).

mitigation efforts in addressing natural disasters.[12] More significantly, at the July 2006 ARF Ministerial Meeting, officials from ARF countries, which include big powers like the United States, China, and Russia, have discussed the possibility of developing guidelines in improving civilian and military cooperation in humanitarian operations—i.e., natural disasters. This would involve developing standard operating procedures on civilian-military cooperation in disaster relief operations and drawing up a database of military assets of ARF members for disaster relief.[13] APEC, on the other hand, has established a Virtual Task Force (VTF) on Emergency Preparedness in 2005 to deal with disasters. The VTF is intended to strengthen coordination efforts in disaster relief and improve regional emergency and natural disaster management capability.[14]

As with other new measures that are being adopted to address new threats, it remains to be seen if and when many of these new regional mechanisms can be implemented; whether the existing ad hoc arrangements can indeed be sustained; and whether other preventive measures, especially at the domestic level, can be included. One could argue for instance that states in the region need not wait for calamity to strike before national and regional responses are switched to emergency mode. As images of natural disasters unfold, most recently in the case of the series of devastating floods in Indonesia and Malaysia in early 2007, the unfortunate lag in response time often results in unnecessary loss of lives and human misery. Hence, while regional efforts are being considered to improve disaster management, attention also needs be focused on improving capacity at the national level. One could suggest therefore that countries in the region would need to examine their own capacity and perhaps rethink their own national strategies for disaster mitigation or risk reduction.[15]

Transnational Crime and Terrorism

The problem of transnational crime in Asia is severe and consists primarily of the illicit trafficking of drugs, money laundering, piracy, arms smuggling, cyber crimes, and others. These types of crimes not only constitute threats to state security by undermining national authorities and the rule of law, but also threaten the security and well-being of individuals and societies. Addressing these complex problems therefore requires a transnational response. Yet regional cooperation in this area is often complicated by sensitive issues that impinge on domestic jurisdictions, such as the need to share information, extradition laws, and problems of corruption.[16]

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[12] See Chairman's Statement of the Twelfth Meeting of the ASEAN Regional Forum (ARF), Vientiane, July 29, 2005.

[13] See, "Asia to Strengthen Civilian-Military Disaster Cooperation," *Agence France-Presses*, July 28, 2006.

[14] See Stocktake Outcomes of the APEC Virtual Task Force on Emergency Preparedness (VTFEP), May 2-3, 2005, available at http://www.apec.org.

[15] For more on this, see Mely Caballero-Anthony, "Will Asia Heed Warning of Jakarta's Katrina," *Today* (Singapore), February 7, 2007. Available: http://www.todayonline.com/articles/170454.

[16] See for example, Alan Dupont, *East Asia Imperilled: Transnational Challenges to Security* (Cambridge: Cambridge University Press, 2001).

Nevertheless, regional efforts in fighting transnational crime can already be seen on several fronts. At the ASEAN level, the regional mechanisms that have been established to handle this problem include the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Chiefs of National Police (ASEANAPOL), and the ASEAN Senior Officials on Drug Matters (ASOD). Their activities focus on the exchange of information, enhancing legal and law enforcement cooperation, training, institution-building, and collaboration with extramural actors.

ASEAN has also worked with its regional partners to enhance international cooperation in fighting transnational crime. One of the more significant regional arrangements in this area is the ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD). The ACCORD outlines work plans toward a drug-free region and identifies priority projects and other cooperative measures including the sharing of information and best practices (mutual learning). Communication networks have also been set up among specialized agencies to facilitate better regional coordination in combating the drug problem.[17] In short, beyond the exhortatory injunctions about transnational crime, the ACCORD tries to complement domestic efforts against the illicit trafficking and abuse of drugs by establishing an institutional framework for cooperation. Its success, however, will of course depend on the actual implementation of its central pillars and action lines.

Against the "war on terrorism," ASEAN members agreed to a Joint Action to Counter Terrorism, adopted at the 7th ASEAN Summit in 2001, which outlined several measures to fight terrorism. These included deepening cooperation among front-line law enforcement agencies in combating terrorism and sharing "best practices; enhancing information/intelligence exchange to facilitate the flow of information, in particular, on terrorists and terrorist organizations, their movement and funding, and any other information needed to protect lives, property, and the security of all modes of travel, and others."[18] Moreover, under the framework of the ASEAN-US Joint Declaration for Cooperation to Combat International Terrorism on August 1, 2002, the 10 members of the association, together with the United States, have committed themselves to improve intelligence-gathering efforts, strengthen capacity-building measures, and enhance mutual cooperation.[19] As part of the continuing efforts to build capacity in fighting terrorism, three complementary institutions have also been established in Southeast Asia: the Southeast Asia Regional Center for Counter-Terrorism (SEARCCT) based in Kuala Lumpur, Malaysia; the Jakarta Centre for Law Enforcement Cooperation (JCLEC); and the International Law Enforcement

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[17] For more on ACCORD and its plan of action, see: http://www.undoc.un.or.th/accord/default.htm.

[18] See the 2001 ASEAN Declaration on Joint Action to Counter Terrorism, Bandar Seri Begawan, November 5, 2001.

[19] See ASEAN-US Joint Declaration on Counter-Terrorism, available: www.aseansec.org/7424.htm.

Academy (ILEA) in Bangkok.[20] In response to this growing threat of piracy, particularly in the Straits of Malacca—the most piracy-infested channel in the world, according to the International Maritime Bureau[21]—a trilateral arrangement among ASEAN's littoral states of Malaysia, Indonesia, and Singapore (MALSINDO) was formed to conduct joint coordinated patrols along the Straits to beef up maritime security in the region. Since then, other ASEAN countries like Thailand and the Philippines, together with Japan, have joined in many of MALSINDO's training activities in antipiracy, antiterrorism, and coast guard patrols.

There is also the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which is the first government-to-government agreement to enhance the security of regional waters beyond Southeast Asia. The initiative, which was originally proposed by the Japanese prime minister in October 2001, aims to enhance multilateral cooperation among 16 regional countries—namely ASEAN, plus Japan, China, Korea, India, Sri Lanka, and Bangladesh—to combat sea piracy and armed robbery against ships in the region. The ReCAAP Agreement was finalized in November 2004 in Tokyo, and Singapore is the depository of the Agreement.[22]

Poverty and Human Security

Unlike the other NTS issues discussed above, whose linkages to security threats are easier to fathom, the threats and insecurities brought on by poverty as a result of sudden economic downturn (e.g., the impact of the Asian financial crisis) are more difficult to capture. But the Asian financial crisis and its economic impact on many affected states were devastating. It also brought on a host of problems across many facets of the security of states and societies, including ethnic conflict and violence.

Despite the discourse at the official level about building a regional community—be it an East Asian Community or ASEAN Community—a lot needs to be done in translating these into more concrete terms to "promote more inclusive and caring communities."[23] One of these, as a form of structural PD, is to bridge the gaps among states in the region. It is ironic that in a region where one finds some of the world's fastest-growing economies, there are 700 million people who live on less than US$1 a day. Thus the picture of a dynamic economic region is blighted by the fact that a majority of the world's poor is found in Asia. This is most visible when one compares the richer states (Japan, South

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[20] See Cochairs' Statement on Bali Regional Ministerial Meeting on Counter-Terrorism, Bali, February 5, 2004. Available: http://www.aseansec.org/16001.htm (accessed March 2007).

[21] For a recent study in this area, see Sam Bateman, Catherine Zara Raymond, and Joshua Ho, *Safety and Security in the Malacca and Singapore Straits: An Agenda for Action*, IDSS Policy Paper (Singapore: Institute of Defence and Strategic Studies, May 2006).

[22] For more on ReCAAP, see http://www.recaap.org/html/.

[23] See ASEAN Socio-Cultural Community in the ASEAN Bali Concord II. Available: http:www.aseansec.org.

Korea, and Singapore) with ASEAN's CLMV countries (Cambodia, Laos, Myanmar, and Vietnam). Indeed, within the ASEAN region, concerns have already been raised about the emergence of a "two-tiered ASEAN." Similarly, wide economic gaps exist among the more developed states in Southeast Asia.[24]

Regional efforts to address poverty and economic development have received more attention within the context of the ASEAN Community and through the Vientiane Plan of Action. For instance, ASEAN has adopted the Vientiane Integration Agenda that outlines specific areas and measures to narrow the development gap between the old and new members, albeit mainly in the economic sphere. These measures include both the strengthening of the Initiative for ASEAN Integration that explores modalities for more resource mobilization and social development programs that will support the national poverty reduction with regional advocacy efforts.[25] Resource mobilization under the AIA program is an important agenda here since the quantum of resources committed under this program, especially those coming from the "richer" countries in ASEAN, are relatively smaller compared with other ODA received by CLMV countries.

Moreover, an important agenda in the Bali Concord II is to provide effective safety nets for marginalized groups especially in times of economic downturn. This is also an issue that many nongovernmental organizations and civil society groups are advocating in the region through a social charter for ASEAN. This is a significant development especially in light of ASEAN's adoption of its Charter in November 2007. So far, civil society groups like the ASEAN Trade Union Council have kept in step with official efforts in drafting the charter by also preparing their own draft of an ASEAN Social Charter that it presented to the ASEAN officials in December 2005. The Social Charter aims to promote common labour standards in ASEAN that will include employment stability, promotion of health and safety, and just wages.[26]

As far as the APT mechanisms are concerned, one should note the current developments of its liquidity support facilities under the CMI. On May 4, 2005, the APT finance ministers agreed to further strengthen the CMI by making it a more effective and disciplined framework for regional financial cooperation through a number of measures, including the integration and enhancement of APT economic surveillance mechanisms to enable early detection of financial irregularities and swift remedial policy actions, increasing the size of the available bilateral swap arrangement (BSAs) by up to 100 percent,[27] and improving the

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[24] See Mely Caballero-Anthony, "Bridging Development Gaps in ASEAN: Towards an ASEAN Community," *UNISCI Journal*, No. 11 (Madrid: Complutensi University, May 2006).

[25] See Vientiane Plan of Action, 2004, http://www.aseansec.org.

[26] See "Charter to protect workers in ASEAN," *The Star* (Malaysia), December 5, 2005.

[27] BSA is a swap currency arrangement in which each party can request the other to enter into a swap transaction to provide liquidity support to overcome balance of payment difficulties in the specified currency up to a specified amount. As of November 10, 2004, the total size of the BSAs was US$36.5 billion.

drawdown mechanism where the size of the swaps that could be withdrawn without the International Monetary Fund-supported program can be increased from the current 10 percent to 20 percent.[28] The measures outlined to enhance the CMI are important steps toward multilateralizing the CMI to enable all countries to pool their financial resources. This means an enhanced CMI could eventually create a regional mechanism such as the Asian Monetary Fund that can then be used in the event of a financial crisis.

A Second-Track Consortium on Nontraditional Security

This discussion is not complete without a brief look at a Track two regional PD mechanism for NTS. The 1990s spawned a proliferation of second-track activities in Asia in the form of regional epistemic networks such as Council for Security Cooperation in the Asia Pacific (for regional security issues) and the Pacific Economic Cooperation Council (PECC) (for regional economic issues). The research efforts of these networks have partly been instrumental in growing the regional interest in NTS issues. But these have largely been disparate and constitute only part of the wider security and/or economic concern of the region.

This section looks at a Track two epistemic network that focuses exclusively on NTS issues, the threats they pose to Asian societies, and the response options available to deal with those challenges. Developed as a Ford Foundation-sponsored project, the Consortium of Non-Traditional Security Studies in Asia (NTS-Asia) undertakes research in 10 or more issue-areas, such as climate change, the environment, energy, gender, health, human security, irregular migration, political transitions, poverty, transnational crime, and so forth. Founded and hosted by the S. Rajaratnam School of International Studies (RSIS) in Singapore, NTS-Asia is currently led by its secretary-general, Associate Professor Mely Caballero-Anthony of RSIS. Besides the RSIS, the consortium includes 13 other research institutions based in Asia:

- Bangladesh Institute of International and Strategic Studies
- Refugee and Migratory Movements Research Unit, Bangladesh
- Institute of Asia-Pacific Studies, Chinese Academy of Social Sciences, China
- Institute of World Economics and Politics, Chinese Academy of Social Sciences, China
- Centre of Asian Studies, University of Hong Kong
- Centre for the Study of Developing Societies, India
- Women in Security, Conflict Management and Peace, India
- Centre for Strategic and International Studies, Indonesia
- Ilmin International Relations Institute, Korea University
- The WorldFish Center, Malaysia
- Institute for Strategic and Development Studies, Philippines

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[28] The Joint Ministerial Meeting of the 8th APT Finance Ministers' Meeting, Istanbul, Turkey, May 4, 2005. Available: http://www.aseansec.org/17448.htm (accessed March 2007).

- Regional Centre for Strategic Studies, Sri Lanka
- Institute of World Economics and Politics, Vietnam

The strength of this consortium lies in its harnessing of the intellectual and institutional resources of its 14 constitutive member institutions in advancing NTS research vis-à-vis the entire Asian region. In calling attention to specific concerns and challenges facing various societies or across societies, the consortium acts as an early warning mechanism of sorts for the region. This is accomplished through: varied regional conferences and symposia it regularly hosts on particular NTS challenges (and the many prominent academics, analysts, activists and even policy practitioners these sessions attract); dissemination exercises to publicize its research to regional policy audiences; a growing list of publications (books, articles, bulletins, op-ed/commentaries, etc.) that draw public attention to NTS concerns, and so on.[29]

To be sure, the consortium's efforts to securitize a wide range of issues tend to blur the line between objective analysis and policy advocacy. This is inevitable insofar as the purpose and practice of preventive diplomacy are concerned. Yet the case of Asia, with its host of NTS challenges and recent tragic experiences, underscores the need for both states and nonstate actors to coordinate their efforts in ensuring that the region is sufficiently prepared to deal with the potential devastating impact of a future financial crisis or a natural disaster. Indeed, given the dire lack of institutional capacity and resources at the national and regional level in addressing NTS challenges in Asia (as highlighted in this chapter), the contributions of Track two epistemic networks such as NTS-Asia play a crucial role in providing not only the necessary subject expertise, but also that of educating the public about the specific challenges posed by various NTS issues and the responses needed.

Conclusions

The preceding discussion set out to examine how regional actors in Asia have dealt with emerging regional security challenges, referred to as NTS issues. Looking ahead, there are a number of significant developments that could define not just the shape but more importantly the substance of regionalism in Asia as different actors (state, interstate, and nonstate) respond to new security challenges.

One of these challenges is the development of new norms. As states cooperate in many dimensions, the nature of interstate relations is bound to effect changes in state practices and pave the way for the development of norms such as the observance of a more rules-based regional framework. We note, for instance, that among the objectives of drafting an ASEAN Charter were the objectives of creating an international legal personality for ASEAN and providing

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[29] Publications produced by the NTS-Asia consortium can be obtained at its website at: http://www.rsis-ntsasia.org/.

the legal framework for incorporating ASEAN decisions, treaties, and conventions into the national legislation of member countries. Whether the ASEAN Charter will have a binding effect might well depend on what sort of issues it is designed to cover. To be sure, in promoting deeper economic integration, much has already been done to facilitate the legal and institutional status of ASEAN's Free Trade Area, and the APT's CMI.

With this type of legal framework also comes the potential for more intrusive types of regional modalities, including PD mechanisms. In the case of instituting a financial surveillance mechanism within the CMI framework, it appears that ASEAN member states, as well as China, South Korea, and Japan, are prepared to adopt more intrusive arrangements when certain issues threaten their economic survival. This can be seen in the way regional arrangements with potentially intrusive institutional modalities have been adopted by regional states to respond to transnational crimes (e.g., terrorism, drug trafficking, and human smuggling). This is a significant development, albeit limited, given that the regional norm, at least until the emergence of new transnational security threats, has always been for nonintrusive forms of regional arrangements that allowed member states to cooperate while being able to protect domestic interests and maintain regime legitimacy. We can thus observe that with the onset of NTS threats, ASEAN—and to some extent the ARF and APEC—have been prepared to adopt some form of intrusive regional cooperative mechanisms if the issues at stake threaten regional security and when certain problems remain intractable. Despite the perceived lack of institutional capacity, as member states respond to a wide range of new security threats, current institutional developments geared toward capacity-building support robust regionalism in Asia.

On the other hand, against the exuberance brought on by robust regionalism is the salient issue of efficacy, especially when viewed against the multiple layers of institutional arrangements that have emerged. For example, in the previous discussions on the number of regional efforts that have been established to respond to threats of pandemics and natural disasters, we note that the various ministerial and other meetings of officials at the ASEAN, ARF, and APEC levels revealed striking similarities or even duplication of initiatives. Unless progress is made by these regional bodies in coordinating their efforts, much within their respective initiatives could be superfluous. Thus, to ensure that these different pieces of regional efforts are not consigned to drawing boards and annual declarations, the importance of subsidiarity may need to be emphasized if only to achieve more coherence and focused implementation of many of these initiatives.

Nevertheless, while an Asian initiative may prove to be a logical approach in addressing some NTS issues, the importance of maintaining a more inclusive regionalism remains critical. This means that when and where external help and expertise are required, this has allowed the participation and involvement of other countries outside the region. As the preceding discussion has shown, grave

security threats like pandemics, terrorism, natural disasters, etc., require multilateral approaches. These inevitably involve extra-regional powers like the United States and the European Union that not only have the resources, but whose security interests are compatible with those of the region. Given that many NTS issues are transnational and transregional, regional efforts in addressing NTS issues would need to be complemented with multidimensional, multilevel, and multisectoral initiatives. The involvement of different actors would, in turn, have significant repercussions on regional governance. And to the extent that some notion of task-sharing arrangements would be required, these are bound to affect the dynamics of regional cooperation and coherence as not only big powers but also new actors like international organizations and civil society groups engage with member states of regional institutions—be it at the ASEAN, the APT, or the wider regional frameworks.

Finally, with the growing emphasis on NTS challenges, one could argue that the new, robust regionalism in Asia has raised the human and comprehensive security agenda in each member's national policies. This could give rise to competing national priorities since addressing certain types of NTS challenges also demand a certain level of (elite) consensus on certain values and norms, which could raise tensions among members of regional institutions as the push for new normative frameworks gains momentum. With ASEAN's adoption of an ASEAN Security Community, this would be an opportune time for members to debate and review their norms and principles. Similarly, the charter would also require its members to adopt common procedures to achieve the goals of an ASEAN Community and/or to provide the building blocks for the realization of an Asian security community. Asia's new regionalism has reached a critical point where new security challenges require collective will. As such, declarations of intents and soft commitments have to give way to more common action in solving common problems. This would also mean more binding commitments and credible enforcement by member countries of the regional agreements and/or PD modalities that have been adopted to address different types of NTS challenges.

Annex D

Time-Phased Summary of Recommendations for Implementing Preventive Diplomacy (PD) in the ASEAN Regional Forum (ARF)

<u>**Near Term (2008-2009)**</u>

- Develop a statement of objectives for the ARF PD program as a prelude to a 2020 ARF Vision Statement:

    -- Develop a normative statement on the value of good governance;

    -- Establish protection of vulnerable populations as a standard of behavior;

    -- Establish nonviolent resolution of conflict as an expectation within the region;

    -- Establish mutual support in response to crises as a standard of behavior;

    -- Initiate discussions on the development of an ARF Charter and Vision Statement.

- Provide better definitions of confidence building and operational PD mechanisms within the ARF:

    -- Identify circumstances (involving both traditional and nontraditional security challenges) in which the ARF should engage in operational PD measures such as good offices, mediation, and fact-finding missions;

    -- Establish specific PD roles for the Eminent and Expert Persons Group (EEPG), Friends of the Chair (FOC), and the ARF Unit;

    -- Develop a mutually supportive relationship between the ASEAN Troika/ASEAN Secretary General and the ARF Unit;

    -- Develop a standardized format for the Annual Security Outlook (ASO) that focuses on early warning indicators;

    -- Establish standardized formats and reporting criteria for existing confidence building measures;

    -- Establish benchmark criteria for achieving military transparency;

    -- Expand the definition of PD to include intra- as well as inter-state conflicts, with the consent of parties, and define the desired scope of the ARF's PD mission;

- Expand the ARF Unit to focus on the following tasks:

    -- Standardize reporting requirements for confidence building measures;

    -- Manage the development of a Vision Statement that incorporates norms and objectives for good governance and assistance to vulnerable populations;

    -- Identify areas where structural PD initiatives could be undertaken. (e.g. poverty alleviation, nontraditional security, local governance training, anti-corruption programs, security sector reform, peace building, election monitoring, conflict resolution training);

    -- Identify partner organizations for structural PD initiatives and PD training;

    -- Conduct workshops on how to transition from confidence building and organize for PD;

    -- Identify information collection requirements to support PD;

    -- Serve as the functional link between the ARF and ASEAN's Troika and Secretary General.

- Examine measures and mechanisms that would make the ARF more responsive to impending or actual crises.

- Further enhance and identify additional areas of cooperation between the ARF and CSCAP and other track-two organizations.

Mid-Term (2010-2012)

- Finalize and approve the ARF 2020 Vision Plan:

    -- Establish goals and aspirations for regional achievements in good governance, protection of vulnerable populations, and mutual assistance;

    -- Establish PD as the primary conflict mitigation mechanism in the region;

    -- Establish a mandate for ARF involvement in conflict prevention;

    -- Clearly define the ARF's relationship to other regional and sub-regional mechanisms such as the Asia Pacific Economic Cooperation (APEC) Leaders' Meeting, ASEAN Plus Three, and the East Asia Summit.

- Formalize the ARF PD program:

    -- Institutionalize measures and mechanisms that would make the ARF more responsive to impending or actual crises;
    -- Define the process for implementing operational PD measures;

    -- Establish the review process for evaluating the Annual Security Outlook for PD implications;

    -- Identify and exercise specific early warning functions for the EEPG and Friends of the Chair/ASEAN Troika;

    -- Define scenarios where operational PD should be applied;

    -- Establish goals for specific structural PD programs;

    -- Begin implementation of selected structural PD programs;

    -- Initiate training programs to support PD implementation;

    -- Establish compliance standards for confidence building measures.

- Expand the ARF Unit to focus on the following:

    -- Analysis of security-related confidence building information for early warning;

    -- Management of partnership agreements for implementing structural PD initiatives;

    -- Management of operational PD measures;

    -- Coordination with national-level implementation agencies;

    -- Conduct workshops on PD implementation;

    -- Manage PD training programs.

Long-term (2012-2015 and beyond):

- Evaluate progress on achievement of ARF 2020 Vision Plan goals for PD:

-- Initiate work on ARF 2030 Vision Plan;

-- Make adjustments to evaluation criteria as necessary.

- Establish ARF Secretariat:

-- Serves as the focal point for all operational PD initiatives.

- Establish Regional Risk Reduction Center:

-- Coordinates and directs PD efforts;

-- Monitors national-level reporting for early warning indicators.

- Institute an ARF Summit, either back-to-back or alternating (or otherwise coordinated) with other regional summits.

Pacific Forum CSIS

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S. Rajaratnam School of International Studies

Based in Singapore, The S. Rajaratnam School of International Studies (RSIS) was established in January 2007 as an autonomous School within the Nanyang Technological University. RSIS's mission is to be a leading research and graduate teaching institution in strategic and international affairs in the Asia Pacific. To accomplish this mission it:

- Provides a rigorous professional graduate education with a strong practical and area emphasis

- Conducts policy-relevant research in national security, defence and strategic studies, diplomacy and international relations

- Collaborates with like-minded schools of international affairs to form a global network of excellence