



CO-CHAIRS' SUMMARY REPORT

12TH ASEAN REGIONAL FORUM EXPERTS AND EMINENT PERSONS MEETING

Hanoi, Viet Nam, 6-7 March 2018

INTRODUCTION

1. Pursuant to the decision of the 24th ASEAN Regional Forum (ARF) held in Manila, the Philippines on 7 August 2017, the 12th Meeting of the ARF Experts and Eminent Persons (EEPs) was held in Hanoi, Viet Nam, on 6-7 March 2018. The Meeting was co-chaired by Ambassador Nguyen Duy Hung, EEP of Viet Nam and Prof. Masashi Nishihara, EEP of Japan.

2. The Meeting was attended by EEPs and representatives of all ARF Participants, with the exception of Bangladesh, the Democratic Peoples' Republic of Korea, India, Mongolia, Papua New Guinea and Timor Leste. Representatives from the ASEAN Secretariat were also present. The full list of delegates is attached as **ANNEX 1**.

AGENDA ITEM 1: THE CO-CHAIRS' WELCOMING REMARKS

3. The Co-Chairs welcomed participants to the Meeting and observed that the EEPs Group was currently undergoing a process of renewal by welcoming new EEPs. In light of the broad range and complexities of the security issues that the ARF EEPs had touched upon, the Co-Chairs emphasised that it was necessary for the EEPs to come up with feasible and implementable policy recommendations.

4. The Co-Chairs informed the participants that the Meeting agenda followed the conventional practice of previous ARF EEP meetings and at the same time incorporated elements of adjustment in consideration of the need to make the discussions more substantial. The Co-Chairs informed that the meeting agenda included six sessions and all sessions would be held in plenary rather than holding break-out groups as in previous years. The Meeting would also include a session on the report by the working group on ARF Initiatives on Promoting Cyber Security to be submitted to Track I.

5. The Meeting considered and adopted the Agenda and the Programme which appear as **ANNEX 2**.

AGENDA ITEM 2: KEYNOTE ADDRESS

6. In his keynote address, H.E. Nguyen Quoc Dzung, Deputy Minister of Foreign Affairs and ARF SOM Leader of Viet Nam, noted that the region was in the midst of dynamic changes which had resulted in both opportunities and challenges. Numerous traditional and non-traditional security challenges were causing great concerns to the region. He commended the role of the EEPs in providing advice and recommendations on measures to address these challenges, particularly through the implementation of confidence-building measures and preventive diplomacy in both theoretical and practical contexts. He looked forward to the findings of the EEPs Working Group on ARF Initiatives on Promoting Cyber Security that could contribute to the work of the newly established ARF Inter-Sessional Meeting on the Security of and in the Use of Information and Communications Technologies (ISM on ICTs Security).

7. H.E. Dzung stressed that given the rise of new and multi-dimensional security challenges, there was a need for ARF as a key security mechanism of the region to expedite its activities and leadership in preserving and promoting regional peace, stability and prosperity in the Asia-Pacific and the wider context of the Indo-Pacific. As an important consultative mechanism, the ARF EEPs Group should come up with concrete and timely policy recommendations, particularly on how to effectively apply preventive diplomacy, in both theoretical and practical terms, so as to help the ARF maintain its relevance and effectively address growing challenges.

8. He emphasised the importance of ASEAN centrality, welcomed and encouraged active participation and constructive contribution from external partners, including action lines aimed at shaping a rules-based regional architecture that best serves the mutual interests of all parties concerned.

AGENDA ITEM 3: REVIEW OF THE IMPLEMENTATION OF THE ARF WORK PLAN

Update on the ARF Work Plan on Preventive Diplomacy

9. The ASEAN Secretariat briefed the Meeting on the implementation of the ARF Work Plan on Preventive Diplomacy (PD). In terms of PD activities, the Meeting noted that in the inter-sessional year 2016-2017 there had been three PD workshops

implemented. The Meeting also took note of the only ARF PD activity in the inter-sessional year 2017-2018, namely the ARF Workshop on Preventive Diplomacy: Skills and Tools towards Effective Peacebuilding co-chaired by Myanmar, New Zealand, and the United States. The Meeting took note that 4 out of the 11 action lines in the ARF PD Work Plan had yet to be implemented. One participant brought particular attention to the need to implement the action line on a Risk-Reduction Centre. The Meeting also observed that the PD Work Plan did not have a designated timeline and as such a review could be done anytime to remove or add action lines.

10. The Meeting took note that since it was first published in 2000, the ARF Annual Security Outlook (ASO) had an average contribution number of 15 participants, with 20 ARF Participants contributed to the ARF ASO 2017. The Meeting further noted there had yet to be any review of the content and publication of the ARF ASO and suggested the EEPs to conduct analysis of the ARF ASO publication. On the effective utilisation of the EEPs, the Meeting noted the suggestion for EEPs to be invited as speakers to ARF Workshops on specific topics relevant to their expertise.

11. The ASEAN Secretariat noted that the outcomes from recent ARF PD activities demonstrated that:

- Non-traditional security was a possible entry point for concrete application of PD, and further discussions would be needed to explore the application of PD in non-traditional security issues.
- The success case of Timor-Leste could be made as an example of political and community commitment to move forward to peace building and socio-economic development.
- Regional cooperation mechanism on Early Warning Systems, PD and mediation could contribute to peace, stability, security and counter terrorism. However, trust building was essential to achieve peace and stability.

12. Assessments were made on the implementation of the PD Work Plan, noting that the implementation of the Concept Paper on Moving towards Preventive Diplomacy was in conjunction with PD Work Plan. It was also suggested that the ARF ASO should be given more importance in and better integrated with the ARF's deliberations, the ARF EEPs should be given clearer mandate/guidelines to interact with Track I (e.g. at the ARF SOM), the momentum on ARF PD activities should be continued, and that there should be a regular review on the Work Plan, thus allowing for the removal of completed action lines or to add-on new PD action lines for implementation across ARF process.

Review of the Recommendations of the 11th ARF EEPs Meeting

13. Australia briefed the Meeting on the outcome of the 11th ARF EEPs Meeting held in Canberra, Australia, on 28 February – 1 March 2017, which made the following recommendations: (i) adoption of the Final Report of the Working Group on Preventing and Managing Maritime Incidents; (ii) urging ARF Ministers to pay greater attention to cyber threats and to prioritise the development of cyber confidence building measures and preventive diplomacy initiatives, including the establishment of an on-line EEP working group to examine possible cyber confidence building measures and the adoption and implementation by the ARF of a voluntary Cyber Points of Contact Directory to facilitate communication among regional cyber officials. The Meeting also expressed concern on the use of VX nerve agent in Kuala Lumpur international Airport in February 2017, in clear violation of the Chemical Weapons Convention and urged all to cooperate with the investigation into the incident.

14. Australia reported that there had been significant progress in the implementation of the recommendations from the 11th EEPs meeting. The Preventing and Managing Maritime Incidents Working Group's report had been presented to an ARF workshop on Enhancing Cooperation on Maritime Law Enforcement Agencies in Nha Trang, Viet Nam, on 18-19 January, and co-chair of the working group, Sam Bateman, would attend the 2018 Inter-Sessional Meeting on Maritime Security to discuss the next steps in taking forward the Working Group's recommendations. On cyber, ARF Ministers had agreed at the 2017 ARF in Manila to the creation of a separate work stream on the security of ICTs and open-ended study on cyber confidence building measures. The cyber points of contact directory would hopefully be agreed at the inaugural ISM on ICTs Security in Kuala Lumpur on 26 April 2018.

15. The Meeting noted that the Australian Co-Chair of the 2017 EEPs meeting, Professor Paul Dibb, had stepped down from his position as an Australian EEP representative. His significant contributions to advancing the ARF's preventive diplomacy agenda through the EEPs was applauded by the meeting.

AGENDA ITEM 4: REPORT OF THE WORKING GROUP ON ARF INITIATIVES ON PROMOTING CYBER SECURITY

16. Ralph Cossa, EEP of the US, on behalf of the Co-Chairs of the Working Group on ARF Initiatives on Promoting Cyber Security established by the 11th Meeting of the ARF EEPs briefed the Meeting on the outcome of the Working Group and noted that there were differing views on the languages of the outcome document, i.e. different definitions on information and communication technologies security, particularly on the terminology of cyber security and cyber crime. The Meeting

encouraged all ARF EEPs Participants to provide their final inputs to the Memo before being adopted as one of the recommendations of the 12th ARF EEPs Meeting. The ASEAN Secretariat also briefed that finalised outcome documents are usually circulated to all focal points and uploaded to the Members Section of the ARF Website.

17. The Meeting strongly welcomed the Working Group's report with a view to presenting to the Track I meetings, noting that it contained concrete and implementable proposals. The final report of the Working Group on ARF Initiatives on Promoting Cyber Security was unanimously adopted by the Meeting, and is attached as **(ANNEX 3)**.

AGENDA ITEM 5: REGIONAL SECURITY ISSUES

Power Dynamics and Strategic Adjustments in the Region

18. The Singaporean representative highlighted the current security challenges that the region was facing, focusing on three main trends: (i) a changing political landscape brought about mostly by the rise of China and the US-declared "America First" orientation, with growing concerns over what the "Quad" means, since the concept had been gaining currency after the US President's first visit to Asia; how the US-China relationship played out would have critical impacts on all countries; (ii) post-globalization ennui that had seen the fraying of consensus about globalisation, because of perception of unequal benefits, growing social and economic disparities, digital economies bringing with it displacement of jobs, rise of protectionism and nationalism, all of which impacted the conduct of foreign policies; and (iii) the rise of transnational threats, particularly cyber security and the super-bug, or Anti-Microbial Resistance (AMR), whose harm was possibly more deadly, but less known outside the scientific and medical communities. These were areas that needed further understandings and discussions. The ARF, as a regional security forum, could play an important role in addressing these challenges, and promote greater cooperation.

19. The EEP of the US provided an optimistic view on US foreign policy as well as the future direction of US-China relations. He believed the interconnected relationship between China and the US could prevent the "clash of civilizations" and provide long-term stability. He emphasized that Trump's "America First" was just a political slogan and not a strategy and that there were more continuities than changes in Trump's foreign policy towards the Asia Pacific region. The only differences were in the trade and economic policy and the policy on North Korea. However, some participants expressed doubts on the optimistic view of US policy and US-China relations.

20. The Chinese EEP noted that the momentum of multi-polarization is going on despite the deficit of global governance. The biggest challenge of the region was the “duality of Asia” or the “Asian paradox” – growing economic progress and prosperity which was not coupled with adequate security cooperation. He stressed on the need to build strategic stability among the major powers and to establish an inclusive and cooperative regional security architecture, while expressing doubts about the role of the Indo-Pacific concept in this context.

21. The Meeting expressed support for the denuclearization in a peaceful manner and recent efforts towards peace and stability of the Korean Peninsula.

22. The Meeting expressed interest in the scope and meaning of the Indo-Pacific concept. The Australian EEP noted that there was nothing fundamentally new about the concept as it had been increasingly used in a range of countries over the past ten years. While there was a level of ambiguity in the term, it should be seen primarily as an inclusive way of conceiving the region rather than a strategy. It was consistent with multipolarity, ASEAN centrality and the geographic footprint of the ARF. For countries like Australia, which was a littoral state of both the Indian and Pacific Oceans, it was a very natural way of looking at the region. It also reflected the fact that a range of East Asian countries had growing interests and roles in the Indian Ocean.

Non-Proliferation and Disarmament

23. In light of growing threats to humanity caused by nuclear weapons and their delivery systems, the Meeting stressed the need to uphold the legal basis for nuclear non-proliferation and disarmament. To this end, ARF Participants should implement measures to strengthen the various treaties on non-proliferation and disarmament of nuclear weapons, including the followings:

(i) To review the Non-Proliferation Treaty (NPT) and make it more relevant to the current developments in the region;

(ii) To sign and ratify the Comprehensive Test Ban Treaty (CTBT) which can serve as a tool for achieving strategic stability;

(iii) To underscore the implementation of the Southeast Asia Nuclear-Weapon-Free Zone Treaty as an important step towards regional nuclear non-proliferation and disarmament.

24. The Meeting noted growing concerns over the nuclear and ballistic missile tests with increasing capacity conducted by the DPRK causing the heightened level

of danger and increasing tension not only in the Asia Pacific region but also worldwide. The Meeting urged that further measures including the resumption of substantial talks should be undertaken toward a peaceful resolution of the nuclear issue on the Korean Peninsula.

25. The Meeting noted the rapid developments of defence technology, and expressed concerns about arising threats including those coming from smuggling of small arms and light weapons and misuse of emerging technologies such as artificial intelligence, hence stressing the importance of dialogue on emerging issues such as strategic trade control, potential norms for lethal autonomous weapons system and artificial intelligence in defence.

The Meeting also agreed on the need to focus on the elimination of small arms proliferation and curbing terrorist financial sources.

Maritime Security and Cooperation in the Indo-Pacific

26. The Meeting noted the connection between land-based security and maritime security challenges, particularly in regards to transnational issues. Piracy, kidnapping, etc. are considered as the key financial sources of terrorist groups in the region. Meanwhile, the region is facing many challenges on enhancing maritime law enforcement including violent extremist ideology, historical antagonism, political and socio-cultural tensions. Therefore, it is imperative for ARF Participants to foster existing mechanisms of cooperation to strengthen domestic governance and maritime law enforcement capabilities.

27. The Meeting stressed the importance of confidence building measures (CBMs) in the maritime realm. Cooperation on information sharing, joint training, table-top exercise, capacity building and disaster relief are the main CBMs for ensuring maritime and air-space security.

28. The Meeting underlined the need to promote the rule of law and freedom of navigation and overflight in the Indo-Pacific by promoting norms and principles of international law, including the 1982 UN Convention on the Law of the Sea (UNCLOS). In this spirit, the Meeting noted the developments in the situation in the South China Sea and looked forward to the progress of the COC negotiations.

AGENDA ITEM 6: SESSION 4 – OPPORTUNITIES AND CHALLENGES FOR PREVENTIVE DIPLOMACY IN THE ASIA-PACIFIC REGION

29. The Meeting recalled the previous efforts accomplished by ARF in implementing preventive diplomacy in the Asia-Pacific, namely the formulation of principles of PD, the conclusion of ARF Work Plan on PD, the settlement of conflict in Aceh, the establishment of an Independent Policy Commission among some ARF Participants, and Track-II processes on marine resources in the South China Sea. These initiatives gave examples of successful joint efforts by ARF in providing countries with knowledge and experiences to move further.

30. The Meeting considered a number of challenges that ARF Participants had been facing in the implementation of preventive diplomacy:

First, being a regional forum, ARF had no specific body to implement PD projects. While engaging in different stages such as CBMs, PD and conflict resolution, ARF Participants often acted on their own behalf, rather than on behalf of ARF. As such, ARF was often criticized as ineffective in preventive diplomacy;

Second, there was a continuing debate on the definition of PD and whether PD could be applied to intra-state issues or to interstate issues;

Third, reluctance of government to collaborate with EEPs, sensitivity of issues, complexity of conflicts and security challenges were among the main obstacles to put forward PD initiatives.

31. Several areas of concern were expressed, including the DPRK's nuclear development, increasing piracy in the southern Philippine seas, and the Myanmar's Rakhine State.

32. A number of EEPs put forward the following recommendations for efficient promotion of preventive diplomacy in ARF, including:

- (i) To foster common understanding of PD as mediation and constructive engagement with full respect to sovereignty instead of interference or intervention;
- (ii) To work out a long-term view of PD in ARF;
- (iii) To uphold ASEAN centrality and demonstrate ASEAN's joint efforts in moving PD initiatives forward;
- (iv) To pursue PD both in traditional and non-traditional security issues with focus on effective COC and cooperation in areas such as environment protection.

- (v) To promote capacity building in PD and conflict resolution.

AGENDA ITEM 7: SESSION 5 – RECOMMENDATIONS OF THE 12th ARF EEPs MEETING

33. The Meeting deliberated on the recommendations of the 12th EEPs Meeting based on the discussion of the previous one and a half days. The EEPs agreed to a proposal to establish an EEP working group to compile and review the ARF CBMs and PD initiatives and practices in the Asia-Pacific.

34. The Meeting adopted the final report of the working group on ARF Initiatives on Promoting Cyber Security and agreed to introduce the report to the ARF-ISM on the ICTs security as well as to submit to the ARF Ministers through the ARF ISG on CBMs and PD and the ARF SOM.

AGENDA ITEM 8: SESSION 6 – CONCLUDING SESSION

The Co-Chairs' Summary Report

35. The Co-chairs provided a draft summary of the discussions that transpired during the Meeting and informed participants that the draft Co-Chairs' Summary Report of the Meeting would be finalised and distributed to all participants at the earliest opportunity. The report and its recommendations would subsequently be presented to the upcoming ARF Senior Officials' Meeting, before being submitted to the ARF.

Dates and Venue of the 13th ARF EEPs Meeting

36. The Co-chairs informed the Meeting that the 13th Meeting of the ARF EEPs would be held in Tokyo in 2019, at a time and location to be determined. The Co-chairs also advised the Meeting that Myanmar would assume the co-chairmanship of the EEPs group together with Japan at the 2019 Meeting.

The Co-Chairs' Closing Remarks

37. The Co-Chairs thanked all participants for the candid observations and active participation in the discussions, and the Meeting expressed appreciation to the Co-Chairs for their excellent leadership and effective co-chairmanship. The Meeting also thanked the Government of Viet Nam for the warm hospitality and excellent arrangements extended to all participants.

KEY RECOMMENDATIONS

The following are the key recommendations of the 12th ARF EEP Meeting:

- (i) The EEPs unanimously adopted the final report of the EEP Working Group on ARF Initiatives on Promoting Cyber Security and recommended that ARF Ministers take forward its findings.

- (ii) The EEPs recognized the need to enhance its role and to improve the communication between the EEPs and the ARF Track I process. In this regard, the EEPs recommended that the Co-Chairs of the EEPs or other representatives of the EEPs attend the Track I meetings in order to understand the issues of interest to Track I participants and contribute more effectively to the process.

- (iii) The EEPs recognized the importance of reviewing and compiling all the initiatives on CBMs and PD that the ARF or its participants have made and implemented so far and agreed on the establishment of an EEP Working Group on Reviewing Confidence Building Measures and Preventive Diplomacy in the Asia Pacific Region.