



## CO-CHAIRS' SUMMARY REPORT

### 11<sup>TH</sup> ASEAN REGIONAL FORUM EXPERTS AND EMINENT PERSONS MEETING

Canberra, Australia, 28 February – 1 March 2017

#### INTRODUCTION

1. Pursuant to the decision of the 23<sup>rd</sup> Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Vientiane, Laos, on 26 July 2016, the Eleventh Meeting of the ARF Experts and Eminent Persons (EEPs) was held in Canberra, Australia, from 28 February – 1 March 2017. The Meeting was co-chaired by Professor Paul Dibb AM, EEP of Australia, and Ambassador Nguyen Duy Hung, EEP of Vietnam.

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

#### AGENDA ITEM 1: OPENING ADDRESS

3. Mr. Gary Quinlan AO, Australia's ARF Senior Official, delivered the opening address. Mr Quinlan noted the world was witnessing an unprecedented period of instability and conflict, affecting more people than at any time since the Second World War. The world was also undergoing deep strategic change, in which power was transferring from the Atlantic to Pacific and Indian Oceans, as well as from states to non-state actors, including terrorists. There were growing challenges to the global rules-based order, compounded by high-levels of state fragility and low economic growth, and the election of populist, nationalist parties in some countries.

4. In this period of global turbulence, there was a need for activism and leadership to preserve the international rules-based order, including through enhanced cooperation in multilateral institutions. The ASEAN-led regional architecture was more important than ever. The 2015 Kuala Lumpur Declaration cemented the East Asia Summit's (EAS) role as the key regional leaders' forum for strategic dialogue and cooperation. He stressed that the ARF and other ASEAN-centred institutions played a highly complementary role.

**AGENDA ITEM 2: CO-CHAIRS' WELCOMING REMARKS**

5. The Co-Chairs welcomed participants to the Meeting and observed that the EEPs Group was currently undergoing a process of renewal, with the Philippines, Malaysia, Indonesia and Australia welcoming new EEPs.

6. The Co-Chairs emphasised that the EEPs should strive to come up with policy recommendations which are realistic and implementable. The Co-Chairs informed the participants that the Meeting would not be convening the breakout groups as usual and instead would provide an opportunity for participants to hear from the President and CEO of the International Crisis Group on lessons learned in preventive diplomacy. The meeting would also include a session on the outcomes of the working group on Preventing and Managing Maritime Incidents. The Meeting acknowledged and adopted the Agenda and Programme which appear as **ANNEX 2**.

**AGENDA ITEM 3: SESSION 1 – OPPORTUNITIES AND CHALLENGES FOR PREVENTIVE DIPLOMACY IN THE ASIA-PACIFIC**

7. The Meeting noted that at the 23<sup>rd</sup> ARF in Vientiane on 26 July 2016, Ministers had expressed satisfaction with the growing number of Preventive Diplomacy (PD) activities the ARF had conducted since 2014. The EEPs stressed the importance of conducting further PD activities in accordance with the *ARF Concept and Principles of Preventive Diplomacy* adopted in 2001 and the principles reflected in the *ARF Vision Statement* of 2009. Ministers had reaffirmed the commitment to continuing to promote Confidence Building Measures (CBMs) while at the same time developing PD tools and expertise that were suited to the needs of the region. The meeting noted that while moving from CBMs to PD was difficult, it was nevertheless the direction Ministers had set for the ARF. Some participants noted the need for the transition to be incremental, and for the ARF to continue simultaneously to pursue CBMs that promoted cooperative security approaches. Some EEPs recalled the positive experience of the EEP election monitoring mission to Timor-Leste in 2012.

8. The Meeting noted that some issues that could potentially benefit from a PD approach, such as the situation in the South China Sea, would not be accepted by the concerned parties. The challenge for the EEPs was to identify issues of mutual concern which were amenable to preventive diplomacy and confidence building through multilateral cooperation. The meeting considered cyber security to be one such area, noting that cyber incidents were an emerging security threat for all ARF members. The Meeting concurred that EEPs and the ARF should place greater emphasis on cyber security issues in the future, including through the identification of relevant CBMs and PD initiatives.

9. The Meeting also noted the Malaysian and Australian proposal for an ARF cyber points of contact directory to help facilitate communications between regional cyber officials during unexplained cyber incidents. As a voluntary initiative, the directory accorded with the ARF principle of a pace comfortable to all, and would be a concrete example of regional cooperation under ARF auspices to prevent and de-escalate tensions in an emerging security challenge.

10. The Meeting agreed that bio-security was similarly suited to the application of preventive diplomacy, noting that the recent incident in Kuala Lumpur International Airport involving the use of VX nerve agent represented a new and serious challenge to the region. Some EEPs called for the meeting to condemn the Kuala Lumpur incident, which in their view constituted a clear and unprecedented violation of the Chemical Weapons Convention, and urge all nations to cooperate with the investigation. Some other participants, however, cautioned against doing so while the investigation into the incident was ongoing.

11. The Meeting identified terrorism as an issue requiring greater coordination at the regional level, including through enhanced information sharing mechanisms, notwithstanding the large range of current counter-terrorism activities at the national and bilateral level.

12. A number of EEPs commented on the regional arms build-up, and suggested it would be useful to examine what the EEPs could do to help manage tensions around this issue.

#### **AGENDA ITEM 4: SESSION 2 – REVIEW OF THE IMPLEMENTATION OF THE ARF WORK PLAN**

##### **Update on the ARF PD Work Plan**

13. The ASEAN Secretariat updated the Meeting on the implementation of the ARF Work Plan on Preventive Diplomacy. The Meeting noted the convening of ARF PD-related activities since 2014 and the upcoming ARF PD activities in Dili in April 2017 and in Yangon in June 2017. Recalling Brunei's Paper on Moving towards PD, the ASEAN Secretariat underscored that the PD activities conducted so far were an implementation of the first phase of the paper and that the ARF could consider implementing the second phase through practical cooperative activities and exercises. The meeting took note of the suggestion to review the Work Plan.

14. The Meeting considered the Work Plan's reference to encouraging ARF participants to contribute to the ARF Annual Security Outlook (ASO) and, where practical, to identify possible areas of ARF PD work. Historically, each year the ASO had attracted contributions from around 15 ARF participating states, however, in

2016, it received a record 20 contributions. The EEPs could consider discussing the ASO or contributing to its drafting.

### **Review of the Recommendations of the 10<sup>th</sup> ARF EEPs Meeting**

15. The Meeting noted that at the 23<sup>rd</sup> ARF in Vientiane in 2016, Ministers commended the work of the EEPs in advancing ARF processes through their discussions and recommendations. Ministers noted the recommendation of the EEPs at their 10<sup>th</sup> EEPs Meeting in Singapore and expressed support for the proposed Study on Lessons Learned and Best Practices for Managing Maritime Incidents.

### **The EEPs interaction with Ministers and officials'-level ARF processes**

16. The Meeting discussed the EEPs individual and collective engagement with the ARF and with their country's ARF officials. Some EEPs noted that they had been invited by their governments to participate in Inter-sessional Support Group Meetings (ISGs) and Senior Officials' Meetings (SOMs), and had regular engagement on ARF issues with track 1 officials, including in some cases at the Foreign Minister level. In contrast, others had little contact with their country's ARF officials or Ministers.

17. The Meeting noted the poor record of adoption by the ARF's track 1 of EEP recommendations, with the great majority of the group's recommendations only being "noted" by Ministers. Pursuant to the outcomes of the 10<sup>th</sup> EEPs meeting in Singapore, the EEPs agreed that in order to facilitate their recommendations being followed through by the ARF, they should ensure their recommendations were practical and amenable to implementation.

18. The Meeting also recalled that at the 22<sup>nd</sup> ARF in Kuala Lumpur, ARF Ministers had encouraged the convening of track 1.5 initiatives, which could serve as an exploratory approach in discussing complex political and security issues. The decision of the 10<sup>th</sup> EEPs Meeting in Singapore to establish "a working group to conduct a study on lessons learnt and best practices concerning incidents at sea" was a reflection of the mandate conferred on the group by Ministers in 2015. The resulting Report of the working group on Preventing and Managing Maritime Incidents represented the most significant body of work carried out by the EEPs group to date.

### **South Asian Association for Regional Cooperation (SAARC)**

19. A number of EEPs from South Asia noted the similarities and differences between ASEAN-centred regional institutions and the South Asian Association for Regional Cooperation (SAARC). While SAARC had made good progress in

advancing regional cooperation in South Asia and implementing its outcomes, it had done so by putting sensitive bilateral issues to one side and largely restricting its agenda to economic cooperation. Although SAARC had made important steps in developing South Asian regionalism, it was very different from the institutionalised framework for discussion of security issues which existed in the ARF, EAS, and ADMM-Plus.

#### **AGENDA ITEM 5: SESSION 3 – REPORT OF THE WORKING GROUP ON PREVENTING AND MANAGING MARITIME INCIDENTS**

20. The Co-Chairs of the ARF EEPs working group on Preventing and Managing Maritime Incidents, Commodore (retired) Sam Bateman from Australia, and Professor Kwa Chong Guan from Singapore, presented the final draft of the working group to the Meeting. The Meeting strongly welcomed the working group's report, noting it represented the first time the EEPs had produced a paper that contained concrete, implementable proposals. After meeting participants made a number of drafting suggestions, the working group co-chairs undertook to make adjustments to the paper before the Meeting adopted the final report. A copy of the final report is attached as **ANNEX 3**.

#### **AGENDA ITEM 6: SESSION 4 – SPECIAL PRESENTATION BY JEAN-MARIE GUÉHENNO, PRESIDENT AND CEO OF THE INTERNATIONAL CRISIS GROUP**

21. Jean-Marie Guéhenno, President and CEO of the International Crisis Group (ICG), addressed the EEPs about the role of PD in facilitating early warning and early response strategies to prevent and resolve the outbreak of conflicts. Noting that conflicts around the world were becoming more protracted and difficult to resolve, Mr. Guéhenno said that early warning and response were increasingly needed to identify and address conflict drivers before they escalated into full-scale violence. To this end, regional institutions, such as the ARF, were invaluable sources of local knowledge for identifying and responding to emerging crisis situations early. Citing a number of examples of early warning strategies recently employed in Africa (Comoros, Zimbabwe, Nigeria, Ghana), Mr. Guéhenno noted that such strategies had in some cases played a highly significant role in preventing and mitigating conflicts. He also emphasised the importance of personal connections and networks in building trust and bridging the gap between parties in a conflict.

#### **AGENDA ITEM 7: SESSION 5 – ALL EEPs DISCUSSION ON PERSPECTIVES ON REGIONAL SECURITY TRENDS AND CHALLENGES**

22. The Meeting took note of the large number of globally significant events since the previous EEPs meeting, and how these were impacting on the ARF region and beyond. The effect of the new US Administration on the regional and global security environment was a significant focus of the session. Some EEPs

said it was important to distinguish between President Trump's campaign rhetoric and his actions as president. While the US may witness a number of significant domestic changes, there would be more continuity than change in respect to foreign and defence policy, including the US' engagement with Asia. Others said there was more uncertainty about the US' position on some global and regional issues.

23. In light of the growing challenges to regional and global stability, the Meeting noted the need to double down on multilateral institutions such as the ARF and to support the regional rules-based order based on the UN Charter and generally accepted norms and principles of international law. More than ever, ASEAN-centrality was key to managing the evolving regional strategic landscape.

24. Some participants said that the situation in the South China Sea risked inflaming tensions throughout the region. As such, it was not just an issue of concern for claimant states, but for all countries in the region. The Meeting noted the importance of resolving the dispute by peaceful means in accordance with international law, including the 1982 UN Convention on the Law of the Sea (UNCLOS).

25. The Meeting noted that the situation on the Korean Peninsula had deteriorated significantly since the previous EEPs meeting, with the DPRK having tested two nuclear weapons and launched 24 ballistic missiles over the previous 12 months. It was imperative that the international community implemented current sanction regimes fully and methodically, and that it never accepted DPRK as a nuclear weapon state.

## **AGENDA ITEM 8: SESSION 6 – RECOMMENDATIONS OF THE 11<sup>TH</sup> ARF EEP MEETING**

26. The Meeting deliberated on the recommendations of the 11<sup>th</sup> EEPs Meeting based on the discussions of the previous one and a half days. The EEPs agreed to a proposal to establish an on-line EEP working group to examine possible confidence building measures in the use of ICTs, to report its findings at the 12<sup>th</sup> EEPs meeting in 2018.

27. The Meeting noted the revised draft report of the working group on Preventing and Managing Maritime Incidents and supported the submission of the report to the ARF Ministers through the ARF ISG on CBMs and PD and the ARF SOM.

## **AGENDA ITEM 9: SESSION 7 – CONCLUDING SESSION**

### **Co-Chairs' Summary Report**

28. The Co-chairs provided a summary of the discussions during the Meeting and informed participants that the draft Co-Chairs' Summary Report would be drafted and distributed to meeting participants at the earliest opportunity. The report and its recommendations would subsequently be presented to the ARF Senior Officials' Meeting in June, before being submitted to the ARF in August.

### **Dates and Venue of the 12<sup>th</sup> ARF EEPs Meeting**

29. The Co-Chairs informed the Meeting that the 12<sup>th</sup> Meeting of the ARF EEPs would take place in Vietnam in 2018, at a time and location to be determined. The Co-Chairs also advised that Japan had agreed to assume co-chairmanship of the EEPs group at the 2018 meeting. A number of participants proposed reconstituting breakout groups at the 2018 EEPs Meeting. The Vietnamese and Japanese Co-chairs undertook to consider the proposal.

### **Co-Chairs' Closing Remarks**

30. 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 and effective co-chairmanship. The Meeting also thanked the Government of Australia for the warm hospitality and excellent arrangements extended to all participants.

### **KEY RECOMMENDATIONS**

31. The following are the key recommendations of the 11<sup>th</sup> ARF EEPs Meeting:

1. The EEPs unanimously adopted the final report of the EEP working group on Preventing and Managing Maritime Incidents and recommended that ARF Ministers take forward its findings.
2. The EEPs urged Ministers to recognise the high priority to all nations of the incipient threat of cyber attacks, and to prioritise the development of preventive diplomacy initiatives and confidence building measures on cyber security, including:
  - a. The establishment of an on-line EEP working group to examine possible cyber confidence building measures; and
  - b. The adoption and implementation by the ARF of a voluntary Cyber Points of Contact Directory to facilitate communication among regional cyber officials.
3. The EEPs expressed concern about the recent use of VX nerve agent in Kuala Lumpur international airport, which is in violation of the Chemical

Weapons Convention, and urged all nations to cooperate with the ongoing investigation.