

ANNEXE

**Confidence
Building Measure**

Southeast Asia

ANNEX E

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ASEAN Institutes of Strategic and International Studies (**ASEAN-ISIS**) is an association of non-governmental organisations registered with the Association of Southeast Asian Nations. Formed in 1988, its membership comprises the Centre for Strategic and International Studies (**CSIS**) of Indonesia, the Institute of Strategic and International Studies (ISIS) of Malaysia, Institute for Strategic and Development Studies (**ISDS**) of the Philippines, the Singapore Institute of International Affairs (**SIIA**) and the Institute of Security and International Studies (ISIS) of Thailand. Its purpose is to encourage cooperation and coordination of activities among **policy-oriented** ASEAN scholars and analysts, and to promote **policy-oriented** studies of, and exchange of information and viewpoints on, various strategic and international issues affecting Southeast Asia's and ASEAN's peace, security and well-being.

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Foreword

As part of its commitments to support ASEAN's efforts in promoting security cooperation in the region, the ASEAN-ISIS had held a meeting on "Enhancing Security Cooperation in South-east Asia" in Kuala Lumpur, 2-3 October 1993. The meeting was organized as a follow-up to the first meeting held in Jakarta (June 1993) and discussed in greater detail the underlying imperatives that necessitate ASEAN to enhance its security cooperation, as well as elucidating the various options and mechanisms to do so.

The essence of the discussions and main ideas that transpire from the meeting are summarized in the present memorandum. The ASEAN-ISIS wishes to acknowledge the valuable contributions made by a panel of distinguished resource persons present during the meeting. However, the ASEAN-ISIS takes full responsibility for the analyses and recommendations put forward in this memorandum.

Confidence Building Measures in Southeast Asia

STRATEGIC TRENDS IN THE ASIA PACIFIC

The demise of the cold war put an end to the bipolarised world of the postwar era. As a global transition to a new strategic order unfolds, the more benign international environment wrought by the end of superpower competition is faced with perils, either of recent vintage or latent in old sources of conflict.

1.0 Great power response to these perils is vitally crucial. In the Asia Pacific, these powers are the United States, China, Japan and even Russia and India.

1.1 *The United States* In spite of marks of relative decline, the U.S. remains the pre-eminent power in the Asia Pacific (and in the world). Its role as "security guarantor" during the cold war served the region well. Whether it should, can or will continue playing this role is a subject of debate, and can have serious implications for the re-

gion's security environment. Bilateral diplomatic difficulties with some countries in the region over issues such as trade imbalance, EAEC, democracy and human rights, and its perceived reduced political will over crises like Somalia and Bosnia have exacerbated the question of U.S. credibility for some countries in Northeast and Southeast Asia.

1.2 *Japan* With the increasing regional acceptance of Japan's international role and increasing self-confidence about its positive international contribution due to its tremendous economic power, Japan appears poised to take on a political and even security role in the post-cold war period commensurate with its economic status. Its participation in U.N. peacekeeping operations in Cambodia is a measure of its readiness to assume a larger international role. It also seeks permanent membership in the Security Council as a new great power.

1.3 *The People's Republic of China*, China's fast-growing economy has added a new dimension to its great power status. Already third in conventional arms capability worldwide, its recent force restructuring in response to detente with Russia will provide it with assets for regional power projection in the future. Its growing self-confidence can be seen in its recent assertiveness over rights and claims in international affairs, especially with regard to Hong Kong, Taiwan, and the South China Sea territorial disputes.

1.4 *Russia and India*. While the U.S., Japan and China represent three major power centres in the post-cold war Asia Pacific region, Russia and India have the military capacity to influence the emerging regional order, at least near their borders, and particularly if they are successful in solving domestic problems.

2.0 The Asia Pacific also faces other security problems. The most serious is the nuclear issue on the Korean peninsula, especially in the light of recent intelligence reports concerning the North's acquisition of one or two nuclear bombs. Also in Northeast Asia, while Russo-Japanese relations have vastly improved, differences over the Northern territories continue to affect the security environment of the region.

Moreover, the issues of the internal polarisation of China's politics arising from growing economic disparities between urban and coastal areas, and the rural and inland areas; political succession; and generational change are likely to have crucial ramifications for regional security.

THE SECURITY ENVIRONMENT IN SOUTHEAST ASIA

1.0 Southeast Asia enjoys a peace dividend out of the end of the cold war, particularly from the normalisation of ASEAN-Vietnam relations, the increasing salience of the concept of "One Southeast Asia," the emergence of a free market system among its countries, and widespread recognition of the importance of regional peace for internal economic development.

2.0 ASEAN has emerged as the principal regional organization of Southeast Asia. The accession of Vietnam and Laos to the Treaty of Amity, Friendship and Cooperation in July 1992 is widely seen as a necessary even if insufficient, step towards eventual membership in ASEAN. The involvement of Cambodia and Myanmar in the ASEAN process, however, remains uncertain at this point.

3.0 Defence and security cooperation among ASEAN countries has also markedly improved without impairment of its commitment not to make ASEAN a military pact. Tripartite cooperation between Indonesia, Malaysia and Singapore has been undertaken to combat piracy in the Straits of Malacca and the Philips Channel. The Joint Commission for Bilateral Cooperation (JCBC) has also been set up between Malaysia and the Philippines, reflecting a historic decision of their leaders to transcend differences and henceforth forge constructive relations. ASEAN countries' military cooperation with third parties has been expanded as in various military access agreements with the United States.

4.0 Nevertheless, Southeast Asia faces a number of security problems.

4.1 *The failure of Cambodia.* The Paris Peace Agreement and the UN Transitional Authority in Cambodia (UNTAC) have succeeded in bringing about a modicum of peace to the country. Cambodia, however, remains troubled by the problem of the Khmer Rouge, which was left out of the political process, the stability of the coalition between FUNCINPEC and the Cambodian People's Party, and a future without King Sihanouk. While the May 1993 elections brought a measure of stability, peace remains fragile and reconstruction a difficult and challenging task.

4.2 *Bilateral Territorial Disputes.* The Southeast Asian landscape is dotted by disputes over sovereignty concerning land and maritime borders among themselves, and between themselves and their neighbors from virtually all points of the compass. While temporarily manageable, they

will remain unresolved for a long period of time as they involve the question of sovereignty, and will serve as either irritants to bilateral relations or tension points if complications occur.

4.3 *The South China Sea Disputes.* By far the most serious and urgent security problem in Southeast Asia is the South China Sea disputes. A multilateral conflict involving China, Taiwan, Vietnam, Brunei, Malaysia and the Philippines, its largest claimant refuses a multilateral approach to its resolution. Chinese assertiveness over the disputed area and its past involvement in military skirmishes with other claimants in the area are a matter of serious concern. Efforts at preventive diplomacy have been undertaken through various informal workshops since 1990. Moreover, the ASEAN Declaration on the South China Sea of July 1992 was an attempt to restrain the use of arms to enforce individual claims in the disputed areas.

4.4 *Arms Build-up in Southeast Asia?* Coupled with the end of the cold war, other developments combined to alter the threat perceptions and security challenges facing ASEAN countries. Internal disturbances and insurgencies have dramatically declined if not definitively arrested. The main security challenge consists in defence of their territories including their exclusive economic zones (EEZs). Consequently, defence priorities and needs have changed. Vastly improved naval and air power requirements mark the procurement of platforms that are far more sophisticated and expensive. This results in incremental increases in defence expenditures.

Nevertheless, the defence budgets of Southeast Asian countries remain small compared with those in Northeast Asia, South Asia, or even Australia. The total of the defence budgets of the ASEAN countries for 1992 was about \$8.964 billion while Australia's alone was \$7 billion. But arms modernization continues to be a source of regional concern. Hence, confidence building measures (CBMs) and greater transparency in military matters among ASEAN countries through closer and multilateral security cooperation are necessary to overcome these apprehensions.

OPTIONS FOR SECURITY COOPERATION IN SOUTH-EAST ASIA

Reliance on the security umbrella of a great power, mainly the United States, was an easy and perhaps necessary option for regional security in the past. This was combined with the adoption of a regional self-reliant defence posture. In the post-cold war era, the first option was increasingly being questioned due to diminishing U.S. capability and credibility, and increasing regional capability and self-confidence.

ASEAN believes in the notion that regional resilience ensues when each member state is able to achieve national development and national resilience. In this regard, enhanced national defence capability is seen in a positive light especially with the drawdown of great power presence in the region. Such a capability would also deter emerging Asian powers from threatening regional security.

In this context, the immediate realization of a Zone of Peace, Freedom and Neutrality (ZOPFAN), and a Nuclear Wea-

pons Free Zone (NWFZ) in the region is necessary in order to provide Southeast Asia with an indigenous architecture within which the legitimate interests of regional states and great powers alike can be safeguarded. Countries in the region need to seek and promote a balance where the constructive engagement of external powers serve the vital interests of Southeast Asian countries. *In this regard, the rising stature of ASEAN as a major regional actor should increasingly enable it to shape and set the regional security agenda.*

CONFIDENCE BUILDING MEASURES IN SOUTH-EAST ASIA

In view of the new strategic and security situation emerging in the region as well as changes that are being introduced into the strategic environment of the Asia Pacific region, it has become imperative that confidence building measures be introduced into the region with greater vigour. CBMs possess a genuine promise for reducing the chances of unintended conflict and for improving the basic quality of a region's political environment. They are both a process and a procedure aimed at raising confidence through a variety of measures in the economic, political and military fields. They are also a distinctly psychological exercise aimed at reducing misperceptions and suspicions. They basically aim at enhancing transparency between states. In their simplest form, the concept of transparency posits that when a state knows the level and types of arms a neighbouring state has, or at what rate its neighbour is arming or disarming, the chances for dangerous over-acquisition of arms based on uncertainties will be very much reduced.

CBMs are, thus, deliberate economic, political and military measures designed to alleviate tension and reduce the possibility of military conflicts. This implies that attaining peace is based on the concept of common security whereby defence and security should be pursued in collaboration with potential adversaries and not by generating insecurity for others. CBMs also seek to make explicit military intentions in order to promote confidence by increasing the flow of information to make relations more predictable, thereby reducing the chances of conflicts and surprise attacks. The two key variables that underpin any CBM system are information and operational constraints.

CBMs that can be applied, expanded or introduced into the region are outlined below. Many of them have been articulated in an earlier ASEAN-ISIS Memorandum.¹

1. *Adoption of a comprehensive approach to security so that a balance is achieved between military and non-military dimensions of security.* Security needs to be regarded from a total perspective involving political, economic, social, cultural, military and related dimensions that would have a bearing on the stability of Southeast Asia.
2. *Consolidation of present cooperation, including bilateral military exercises, exchange of visits and training programmes.* An important variation to this consolidation could be the expansion of various programmes to involve middle-level officers rather than simply focusing on confidence building among the senior of elite officers of the various services in the region.

¹ "Enhancing ASEAN Security Cooperation", *ASEAN-ISIS Memorandum* No. 3 (June 1993).

3. *Expansion of existing cooperative activities, especially in the area of military cooperation.* For instance, the possibility of tri-service exercises, which are already being conducted by some member-states, could be extended to all member-states. ASEAN members could also expand the present bilateral exercises to trilateral ones, as has been successfully undertaken by Indonesia, Malaysia and Singapore in the area of naval cooperation against piracy.
4. *Need for greater transparency among the Southeast Asia member-states with regard to their military forces.* Countries could issue a "White Paper on Defence" or its equivalent to make their respective defence policies more open. The same is needed with regard to arms purchases, with some form of a Southeast Asian Arms Register established. In addition to transparency with regard to intentions, greater cooperation in the area of arms purchases, especially with regard to the terms of purchases, would also prevent arms suppliers from taking advantage of various states in the region. As all the ASEAN countries are keen on defence industrialization, greater cooperation and coordination can also be instituted in this area to reap the economics of scale while enhancing confidence in each other.
5. *Provision of greater support to the various dialogue processes that have been instituted.* These include, among others, support for the ASEAN-PMC and the ASEAN Regional Forum. In this connection too the role of non-governmental organizations in providing the avenue for security discussions is vital and should be strongly supported. In this regard, the activities of the ASEAN Institutes for Strategic and International Studies (ASEAN-ISIS) and the Coun-

cil for Security Cooperation in the Asia Pacific (CSCAP) are worthy of note.

6. *Undertaking other procedures and information exchanges to strengthen transparency in the region.* Among them are:

- Exchange of intelligence information;
- Mutual invitation to observe force manoeuvres;
- Notification of forthcoming military exercises;
- Exchange of information and comparison of estimates of military strengths;
- Establishment of a procedure for crisis management as has been mentioned in the Treaty of Amity, Friendship and Cooperation;
- Institutionalization of a Security of Southeast Asia Symposium Programme that would familiarize senior and middle level officers of the region about the military establishments of Southeast Asia on a regularized basis. This already has started with the symposium on National and Regional Resilience by the National Defence Institute of Indonesia (LEMHANAS) and should be continued and expanded.

7. *Establishment of a certain mechanism for joint action in certain areas of mutual concern.* Three important suggestions in this area would be the establishment of an ASEAN Peace Keeping Centre (and possibly of an ASEAN Peace Keeping Force), an ASEAN Relief and Assistance force, and a Maritime Safety (or Surveillance) Unit to look after the safety of the waters of the region.

8. *Undertake studies to support items on the agenda of the ASEAN Regional Forum.*

ANNEX

ASEAN Ideals, Concepts, Doctrines and Strategies

A. ZOPFAN

The ideals of ASEAN includes the creation of a regional order in Southeast Asia, known as ZOPFAN (Zone of Peace, Freedom and Neutrality) ZOPFAN has three aspects:

- (a) *Intra-ASEAN relations.* This has been achieved despite some bilateral residual problems. ASEAN has created a "community of security interests." Enhancing this with multilateral security cooperation as envisaged in the Fourth Summit in Singapore will further strengthen peace and cooperation within ASEAN, because greater transparency and CBMs could be implemented in the future.
- (b) *Intra-Southeast Asia relations.* This has been partly achieved in 1992 by having Vietnam and Laos accede to the legal instrument for ZOPFAN, namely the Treaty of Amity, Friendship and Cooperation of 1976, making them observers at the ASEAN Ministers Meeting (AMM) The invasion of Cambodia by Vietnam had postponed this process for over 10 years.

Cambodia and Myanmar should be invited as soon as they fulfill the pre-requisites to accede to the Treaty. In the end, all the four countries should be invited into ASEAN as members.

- (c) *ASEAN's relation with great powers.* This has to be developed in a balanced way to prevent hegemony by any one of them. It is hoped that a balanced relationship with the great powers can be achieved through the ASEAN Regional Forum (ARF) as the political instrument and by their accession to the Treaty of Amity, Friendship and Cooperation as the legal instrument. Furthermore, this should not be confined to Southeast Asia but could also be extended to the whole of Pacific Asia.

The legal basis of ZOPFAN is embodied in the Treaty of Amity, Friendship and Cooperation of 1976 which consists of two main parts:

- (a) peaceful resolution of conflicts in accordance with the UN Charter; and
- (b) functional cooperation, particularly economic cooperation.

The objectives of ZOPFAN as a regional order are to give a chance to countries in Southeast Asia to make collective decisions about and on the developments of the region, and to be able to maintain regional peace and stability together with the great powers present in the region.

The means to achieve these objectives is through the adoption of a "comprehensive security" strategy which consists of

balanced national development through endeavours in every aspect of life: ideological, political, economic, social, cultural and military. "Comprehensive security" is identical to the concept of national and regional resilience.

While comprehensive security is the means, national resilience is the content or result of the concept. National resilience is rather an inward-looking concept that aims at developing a "resistance capability" against external pressures in a comprehensive way. By achieving national resilience for every ASEAN member, the result will be regional resilience for the sub-region. Regional resilience will also be improved by closer cooperation among ASEAN members in the various fields of activities: political, economic, social, cultural and defence.

Comprehensive security is based on the premise that South-east Asia's principal threat is not external but internal (domestic instabilities and insurgencies in the past). Therefore, national and regional resilience are the most important response to those challenges. Even if there is an external threat in the future, comprehensive security or national resilience remains the basis for national security of every nation. That means that ZOPFAN is still a valid base in ASEAN's security concept.

Admittedly, the developments after the end of the cold war have brought about new uncertainties and challenges that are also external in nature. This means that international and regional relations are becoming more important in regional peace and security. That is why comprehensive security in the future has to be complemented with cooperative security for the whole of the Asia Pacific, while global and regional collective security also have to be strengthened. It is no longer adequate to be de-

pendent only on comprehensive security because of those new external challenges and also due to the economic and strategic implications of the integration between Southeast and Northeast Asia. Therefore, the ZOPFAN concept, originally based on comprehensive security in Southeast Asia, has to be expanded. To accomplish this, cooperative security and collective security have to be added²

Gareth Evans has argued in his book *Cooperating for Peace* that cooperative security not only encapsulates all the needs in a new post-cold war situation, but also incorporates some elements of Comprehensive Security, Common Security and Collective Security.

His definition of cooperative security, while sounding like something substantial and flexible for a new era of international relations, still needs last resort sanctions against members of the international community who do not abide by the rules of international law and conventions. This can be provided only by collective security.

In this context, the regime of collective security needs on the one hand a strengthening at the global level, by making it more effective and democratic (less dependent on the great

²As has been pointed out by Gareth Evans: "Cooperative Security has been usefully described as a broad approach to security which is multi-dimensional in scope and gradualist in temperament; emphasises reassurance rather than deterrence; is inclusive rather than exclusive; is not restrictive in membership; favours multilateralism over bilateralism; does not privilege military solutions over non-military ones; assumes that the states are the principal actors in the security system, but accepts that non-state actors may have an important role to play; does not require the creation of formal security institutions, does not reject them either, and which, above all stressed the value of creating 'habits of dialogue' on a multilateral basis."

powers alone). On the other hand, the relation of the global collective security system, as embodied in the UN system, with regional entities like ASEAN or the ARF should be strengthened in accordance with Chapter VIII of the Charter and the Secretary General's "An Agenda for Peace."

In conclusion, it can be said that comprehensive security is the basis of ASEAN member countries' efforts for building peace and security in the region, because it lays down national and regional resilience for ASEAN. This is also the basis for a regional order in the Southeast Asian region as has been laid down in the ZOPFAN concept and in the Treaty of Amity, Friendship and Cooperation of 1976.

Cooperative Security has to complement the rather inward-looking concept of comprehensive security, especially in its international relations part and for the whole Asia Pacific region. Cooperative security is particularly relevant to deal with the rapidly changing international order after the end of the cold war.

This will be most effective for peace-building and for the growing importance of preventive diplomacy because preventing conflicts are after all much more relevant and easier to do than overcoming conflicts. This is exactly what this part of the world needs, since the situation is still fluid, the economy is so vibrant, change is quick, and there is a window of opportunity for the new regional order to be established as part of a new international order.

Since we do not have an existing regional multilateral institution, we have the opportunity to build one that is more

attuned to new needs and can become more flexible in meeting the rapid changes that are unfolding in the region.

In the end, collective security in the region also has to be augmented and strengthened as part of the UN-based global system. Thus, closer relationship must be established between the UN and ASEAN and between the UN and ARF in the near future.³

B. THE SEA-NWFZ (SOUTH EAST ASIA NUCLEAR WEAPONS FREE ZONE)

The SEA-NWFZ is an integral part of the ZOPFAN concept. It argues that the Southeast Asian region has to become a nuclear weapons free zone based on two reasons: (a) this will be ASEAN's contribution towards world-wide arms control and disarmament efforts; and (b) this will strengthen the Non-Proliferation Treaty (NPT), especially for Southeast Asia.

As in the case of the Treaty of Rarotonga in the South Pacific, the United States, as the main superpower in the region, was against the idea since it feared that this might encourage

³As Mark Hong Tat Soon argued: "The logical approach for regional organisations is to concentrate on fulfilling their roles in areas where they have comparative advantage. These areas are early warning, information gathering and preventive diplomacy. As neighbors with deep interests in preserving regional peace and stability, regional states would be better informed of incipient conflicts and be able to provide continuous information to the United Nations on developments and dangerous trends. To recapitulate, the best partnership between the UN and regional organisations is for the UN to undertake enforcement action where necessary to contain or resolve disputes, whilst regional organisations undertake early warning, information gathering and preventive diplomacy. These are the areas of their comparative advantage."

similar efforts in other regions, including Northeast Asia, North Atlantic, the Balkan Sea, and the Mediterranean. Such a development is seen to be against U.S. interests. Although ASEAN tried very hard to convince the U.S., especially in guaranteeing the passage of nuclear weapons in accordance with the provision of the Convention on the Law of the Sea and also the right to port calls of U.S. ships with or without nuclear weapons, the bases negotiations in the Philippines was the main factor for the non-conclusion of a Treaty on SEA-NWFZ, which was planned to be signed at the ASEAN Summit in Manila in 1987.

China as a nuclear power in the region agreed to the idea of the SEA-NWFZ, while the former USSR put some conditions for its support.

ASEAN's Fourth Summit in Singapore in early 1992 again asked the Ministers to look into the idea of the SEA-NWFZ. A special ASEAN SOM committee was established for this purpose.

Now that the cold war is over, the U.S. itself proposed the idea of a nuclear weapons free zone for the South Asian sub-continent. It has unilaterally almost withdrawn all its tactical nuclear weapons from East Asia, including those on naval ships. Therefore, it is likely that the U.S. is now prepared to consider the SEA-NWFZ seriously. One of the main reasons for its opposition to such a zone was the need for having nuclear tactical weapons on U.S. naval platforms. This reason has now been overcome. The free and innocent passage of U.S. nuclear submarines is now guaranteed by the Convention on the Law of the Sea. Thus, another main obstacle has similarly been overcome.