



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

THE LIMITS OF THE ASEAN REGIONAL FORUM

by

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March 2015

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REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704-0188	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.				
1. AGENCY USE ONLY (Leave blank)		2. REPORT DATE March 2015		3. REPORT TYPE AND DATES COVERED Master's Thesis
4. TITLE AND SUBTITLE THE LIMITS OF THE ASEAN REGIONAL FORUM			5. FUNDING NUMBERS	
6. AUTHOR(S) Jerry Kwok Song Lee				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ____ N/A ____.				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited			12b. DISTRIBUTION CODE	
13. ABSTRACT (maximum 200 words) Since the end of the Cold War, Asia has faced many traditional and non-traditional security challenges. These challenges include increasing Chinese assertiveness, territorial disputes among multiple Asian states in the East and South China Seas, the buildup of North Korea's nuclear arsenal, the discovery of terrorist networks in Southeast Asia, and several major natural disasters and humanitarian crises. Each of these revealed an apparent lack of cooperation and coordination among countries in the region, but each seems to have spurred the creation or development of new regional institutions. The Association of Southeast Asian Nations (ASEAN) initiated the formation of the ASEAN Regional Forum (ARF), a cooperative security arrangement with the stated objectives to progress from confidence building measures to preventive diplomacy and conflict resolution. The usefulness of the ARF, however, continues to be hotly debated by analysts, who generally find the ARF to be limited in its ability to resolve Asia's security challenges. These arguments, however, overlook the fact that the forum has fostered practical cooperation in addressing certain kinds of security challenges. What are the ARF's limits in responding to Asia's traditional and non-traditional security challenges? The thesis uses contemporary case studies to analyze the ARF's limits. These case studies focus on the ARF's responses to traditional and non-traditional security challenges. In so doing, the thesis recognizes that the ARF is unable to resolve traditional security issues or stage operational responses to non-traditional security issues. It argues, however, that the ARF is far from being irrelevant. The forum brought regional players together in constructive dialogues and fostered practical security cooperation in specific non-traditional security issues.				
14. SUBJECT TERMS ASEAN regional forum, ASEAN Defense Minister Meeting Plus, South China Sea, traditional security challenges, non-traditional security challenges, counter-terrorism, humanitarian assistance and disaster relief			15. NUMBER OF PAGES 85	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU	

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THE LIMITS OF THE ASEAN REGIONAL FORUM

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(FAR EAST, SOUTHEAST ASIA, THE PACIFIC)**

from the

**NAVAL POSTGRADUATE SCHOOL
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ABSTRACT

Since the end of the Cold War, Asia has faced many traditional and non-traditional security challenges. These challenges include increasing Chinese assertiveness, territorial disputes among multiple Asian states in the East and South China Seas, the buildup of North Korea's nuclear arsenal, the discovery of terrorist networks in Southeast Asia, and several major natural disasters and humanitarian crises. Each of these revealed an apparent lack of cooperation and coordination among countries in the region, but each seems to have spurred the creation or development of new regional institutions.

The Association of Southeast Asian Nations (ASEAN) initiated the formation of the ASEAN Regional Forum (ARF), a cooperative security arrangement with the stated objectives to progress from confidence building measures to preventive diplomacy and conflict resolution. The usefulness of the ARF, however, continues to be hotly debated by analysts, who generally find the ARF to be limited in its ability to resolve Asia's security challenges. These arguments, however, overlook the fact that the forum has fostered practical cooperation in addressing certain kinds of security challenges. What are the ARF's limits in responding to Asia's traditional and non-traditional security challenges?

The thesis uses contemporary case studies to analyze the ARF's limits. These case studies focus on the ARF's responses to traditional and non-traditional security challenges. In so doing, the thesis recognizes that the ARF is unable to resolve traditional security issues or stage operational responses to non-traditional security issues. It argues, however, that the ARF is far from being irrelevant. The forum brought regional players together in constructive dialogues and fostered practical security cooperation in specific non-traditional security issues.

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LIST OF ACRONYMS AND ABBREVIATIONS

AADMER	ASEAN Agreement on Disaster Management and Emergency Response
ADMM-Plus	ASEAN Defense Minister Meeting Plus
AHA	ASEAN Coordinating Center for Humanitarian Assistance and Disaster Management
AMM	ASEAN Ministerial Meeting
APEC	Asia Pacific Economic Conference
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
ATTIC	ARF Transnational Threat Information-Sharing Center (ATTIC)
BMD	Ballistic Missile Defense
CBM	Confidence Building Measure
CERT	Computer Emergency Response Team
CLCS	Commission on the Limits of the Continental Shelf
CMOC	Civil–Military Operations Center
COC	Code of Conduct
CR	Conflict Resolution
DIREX	Disaster Relief Exercise
DOC	Declaration on the Conduct of Parties in the South China Sea
EAS	East Asia Summit
EOC	Emergency Operations Center
ERAT	ASEAN Emergency Rapid Assessment Team
EU	European Union
FPDA	Five Powers Defense Arrangements
FTX	Field Training Exercise
HADR	Humanitarian Aid Disaster Relief
HCA	Humanitarian Civil Action
ICJ	International Court of Justice
IFRC	International Federation of Red Cross and Red Crescent Societies
IMO	International Maritime Organization

ISM-CTTC	Inter-Sessional Meetings on Counter-Terrorism and Transnational Crimes
ISM-DR	Inter-Sessional Meetings on Disaster Relief
JI	Jemaah Islamiyah
JMSDF	Japanese Maritime Self Defense Force
LCS	Littoral Combat Ship
MCDA	ARF Voluntary Model Arrangement for Use of Foreign Military and Civil Defense Assets
NDL	Nine-dash line
NTS	Non-traditional Security
OSCE	Organization for Security Cooperation Europe
OSOCC	On-Site Operations and Coordination Center
PD	Preventive Diplomacy
PSI	Proliferation Security Initiative
RDR	Rapid Disaster Response Agreement
SAR	Search and Rescue
SCS	South China Sea
SOP	Standard Operating Procedure
STOL	Short Takeoff and Landing
TAC	Treaty of Amity and Cooperation
TCG	Tsunami Core Group
TSD	Trilateral Security Dialogue
TTX	Tabletop Exercise
UNCLOS	United Nations Convention on the Laws of the Sea
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
VDR	Volunteer Demonstration Response
WHO	World Health Organization
WMD	Weapons of Mass Destruction
WPNS	Western Pacific Naval Symposium

I. INTRODUCTION

Since the end of the Cold War, Asia has faced many traditional and non-traditional security challenges. These challenges include rising Chinese assertiveness, territorial disputes amongst multiple Asian states in the East and South China Seas, the buildup of North Korea's nuclear arsenal, the discovery of terrorist networks in Southeast Asia, and several major natural disasters and humanitarian crises. Each of these revealed an apparent lack of cooperation and coordination among countries in the region, but each seems to have spurred the creation or development of new regional institutions.

The Association of Southeast Asian Nations (ASEAN) initiated the formation of the ASEAN Regional Forum (ARF), a cooperative security arrangement with the stated objectives to progress from confidence building measures (CBMs) to preventive diplomacy (PD) and conflict resolution (CR). The usefulness of the ARF, however, continues to be hotly debated by analysts, who generally find the ARF to be limited in its ability to resolve Asia's security challenges. These arguments, however, overlook the fact that the forum has fostered practical cooperation in addressing certain kinds of security challenges. What are the ARF's limits in responding to Asia's traditional and non-traditional security challenges?

A. SIGNIFICANCE OF THE RESEARCH QUESTION

Asia is a region characterized by traditional security challenges such as unresolved territorial disputes and potential security flashpoints. Unresolved sovereignty disputes include challenges with respect to the issue of Taiwan's reunification with China, North Korea's nuclear disarmament, the bilateral East China Sea disputes between China and Japan over the Senkaku/Diaoyu islands, and the overlapping South China Sea (SCS) territorial claims between multiple states. Potential security flashpoints include disputed border claims between Thailand and Cambodia, Myanmar and China, as well as India and Pakistan.

From 2000, Asia has also been increasingly beset with non-traditional security challenges. The Bali bombing in 2002 by radical Islamic fundamentalists made ASEAN

leaders realize that terrorism was not an isolated problem for states in the west. Discovery of homegrown terrorist network operatives from Jemaah Islamiyah (JI) in Indonesia, Singapore, and the Philippines reminded ASEAN states that terrorism is a clear and present threat in Asia. The region was also hit by a number of major natural disasters such as the Indian Ocean tsunami in 2004, Cyclone Nargis in 2008, and the more recent Typhoon Haiyan in 2013.

Asia has seen the sprouting of numerous institutions in response to these security challenges. Aside from the ARF, other institutions and forums with security agendas and great powers membership include the East Asia Summit (EAS), Six-Party Talks, ASEAN Plus Three, Trilateral Security Dialogue (TSD), ASEAN Defense Minister Meeting Plus (ADMM+), and the Shangri-La Dialogue. However, the ARF remains as Asia Pacific's most inclusive security forum; its 27 members include all ASEAN states as well as extra-regional and middle powers. It was conceived by ASEAN in 1994 as part of its "enmeshment and balance of influence strategy"¹ to bring great powers together in a cooperative security arrangement.

Notwithstanding its apparent inability to resolve traditional security conflicts and coordinate operational responses to non-traditional security challenges, the ARF has evolved from a dialogue-focused forum that only issues declarations, to one that has fostered significant practical cooperation in certain non-traditional security issues such as counter-terrorism and humanitarian assistance and disaster relief (HADR). However, most observers overlook this cooperation, invoke unnecessarily stringent standards, and criticize the forum for its ineptness. By contrast, this thesis attempts to focus on these new forms of practical cooperation in order to provide an understanding of the ARF's limits in its current institutional configuration and a basis for assessing whether the ARF could reasonably be expected to tackle specific security challenges in the region. The next section of this chapter critiques existing literatures and their binary assessments of

¹ Evelyn Goh, "Great Powers and Southeast Asian Regional Security Strategies: Omni-Enmeshment, Balancing, and Hierarchical Order," RSIS Working Paper, Rajaratnam School of International Studies, Nanyang Technological University, Institute of Defense and Strategic Studies, Rajaratnam School of International Studies, Nanyang Technological University, Singapore, July 2005, 4.

the ARF before providing a nuanced hypothesis that will be tested in the following chapters.

B. LITERATURE REVIEW

Existing literatures that analyzed the ARF can be broadly classified into works of either ARF critics or ARF advocates. Divergent views arose because critics and advocates held different interpretations for the forum's objectives. Correspondingly, they used different criteria to measure the ARF's effectiveness and limits, and these resulted in different assessments. Table 1 summarizes the differences.

Table 1. Different interpretations, measurements, and assessments of the ASEAN Regional Forum by ARF critics and ARF advocates

	<i>ARF critics</i>		<i>ARF advocates</i>	
<i>Interpretation of ARF's objectives</i>	The ARF is a regional security institution to resolve traditional security conflicts and conduct coordinated responses to non-traditional security challenges.		The ARF is a regional security institution to promote "ASEAN's norms beyond Southeast Asia," ² "engage China in regional security dialogue," ³ and "manage great power relations." ⁴	
<i>Measurement for ARF's effectiveness</i>	Traditional Security Issues	Non-Traditional Security Issues	Traditional Security Issues	Non-Traditional Security Issues
	Is the ARF able to progress beyond Confidence Building Measures (CBMs) towards Preventive Diplomacy (PD) and Conflict Resolution (CR)?	Is the ARF able to mount effective coordinated operations in response to transnational crimes and HADR?	Is the ARF able to shape regional norms? Is the ARF able to enmesh great powers' interest?	Is the ARF able to further dialogues and declarations towards practical security cooperation in transnational crimes and HADR?
<i>Assessment of ARF's effectiveness</i>	Ineffective	Ineffective	Effective	Partially Effective

1. ARF Critics' Complaints

To ARF critics, the ARF was ineffective because it was not able to facilitate resolutions to traditional security issues or conduct coordinated operational responses towards non-traditional security issues. Critics emphasized the ARF's inability to achieve its stated aims of preventive diplomacy and conflict resolution.

² Noel M. Morada, "The ASEAN Regional Forum: Origins and Evolution," in *Cooperative Security in the Asia-Pacific*, eds. Jurgen Haacke and Noel M. Morada (New York: Routledge, 2010), 16.

³ Ibid., 17.

⁴ Ibid., 18.

a. *Traditional Security Issues—Inability to Progress into Preventive Diplomacy*

On traditional security issues, ARF critics complained that the forum remained stagnated in the confidence-building phase. To the critics, the “failure or success of the ARF in its efforts to develop PD is a significant factor in future prospects for regional peace and stability.”⁵ Critics compared the ARF with collective security frameworks such as the European Organization for Security and Cooperation (OSCE) and expected the ARF to enforce rules-based solutions to resolve traditional security conflicts. Critics argued that the ARF’s “failure to respond to regional crisis has dulled enthusiasm for the [forum].”⁶ In his article, Naidu opined that the ARF had not moved beyond the role of a “dialogue facilitator.”⁷ He argued that while the ARF had set itself up as a forum with ambitious agendas of PD and CR, it was unable to “show tangible progress”⁸ or “[address] the challenges it faced.”⁹ In the same vein, Emmers and Tan criticized the forum for its inability to advance PD efforts beyond “the mere denotation of an initiative to begin work on a PD work plan . . . whose implementation would . . . be voluntary and not legally binding.”¹⁰

Critics offered at least three distinct reasons to explain why the ARF was not able to advance to PD. First, traditional explanations argued that it is not tenable to transpose the “ASEAN process”¹¹ onto the ARF. In his 1997 article, Narine argued that the consensus modality was useful in fostering intra-regional cooperation amongst ASEAN states because the association’s weak states saw incentives to cooperate in an

⁵ Ralf Emmers and Tan See Seng, “The ASEAN Regional Forum and Preventive Diplomacy: Built to Fail?” *Asian Security* 7, no. 1 (2011): 44.

⁶ G. V. C. Naidu, “Multilateralism and Regional Security: Can the ASEAN Regional Forum Really Make a Difference?” *Analysis from the East-West Center* 45 (2000): 1.

⁷ Ibid., 8.

⁸ Ibid.

⁹ Ibid.

¹⁰ Emmers and See Seng, “ASEAN Regional Forum,” 45.

¹¹ Shaun Narine, “ASEAN and the ARF: The Limits of the ‘ASEAN Way,’” *Asian Survey* 37, no. 10 (1997): 974.

“inhospitable environment.”¹² ASEAN was able to alleviate inter-state tensions in Southeast Asia as they were bounded by conditions of external threat.¹³ In contrast, the “common external threat”¹⁴ condition was not applicable to the ARF’s strong state members. These states were more concerned in furthering their strategic interests in Asia. In addition, he argued that ASEAN did not have any “techniques to confront conflict directly.”¹⁵ In essence, Narine argued that the “ASEAN way’s”¹⁶ success in fostering security cooperation in the Southeast Asia sub-region occurred under a different context from that of Asia as a region. Application of the ASEAN way in the ARF would not yield the same successful outcomes.

Second, some critics argued that the ARF’s ability to progress into PD and CR is contingent on the “participation levels and specific interests of powerful [member] states.”¹⁷ ARF member states’ divergent strategic outlooks had “complicated and even occasionally undermined [ASEAN’s] leadership of the ARF.”¹⁸ Jho and Chae argued that the ARF’s fluctuating ability in “improving territorial conflicts”¹⁹ depended on great powers’ interests in the region. The authors segmented the level of tension in the South China Sea territorial dispute to two distinct time periods. From 1997 to 2006, China pursued “expansionary goals”²⁰ while the United States adopted “conservative goals”²¹ in Asia. During this period, there was “temporary peace in the South China Sea”²² not because there was “active institutional agreement”²³ within the ARF. Instead, it was

¹² Ibid., 973.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid., 974.

¹⁶ Ibid., 976.

¹⁷ Whasun Jho and Soo A. Chae, “Hegemonic Disputes and the Limits of the ASEAN Regional Forum,” *Pacific Focus* 29, no. 2 (2014): 254.

¹⁸ Emmers and See Seng, “ASEAN Regional Forum,” 51.

¹⁹ Jho and Chae, “Hegemonic Disputes,” 237.

²⁰ Ibid., 247.

²¹ Ibid.

²² Ibid., 250.

²³ Ibid.

China's "active participation strategy along with the United States' passive acceptance of ARF"²⁴ that kept tensions below simmering point. In contrast, from 2007 onwards, the United States and China's competing strategic aims to further their pivotal interests and assert hegemonic influence in the region resulted in the ARF's inability to reduce tensions.

Third, critics claimed that the ARF could not progress beyond PD because the forum "over formalized its approach to PD."²⁵ Emmers and Tan argued that "sovereignty-based structures"²⁶ and divergent strategic outlooks amongst member states did not prevent other Asian institutions such as the six party talks from adopting PD efforts. They argued that despite institutional similarities with the ARF, the Six-Party talks registered "intermittent successes"²⁷ in talks pertaining to North Korea's denuclearization. In the 2001 ARF meeting in Hanoi, the ARF agreed to the narrow definition of PD as "consensual diplomatic and political action taken by sovereign states with the consent of all directly involved parties."²⁸ This definition for PD, when taken together with the ARF's sacrosanct principle of non-interference and member states' predisposition for respect of states' sovereignty, imposed self-limiting constraints on the forum's ability to progress beyond PD. In short, the newly adopted state-centric definition of PD,²⁹ which is "void of ambiguity and flexibility,"³⁰ prevented implementation of initiatives that otherwise could have evolved under the loose definition of PD.

²⁴ Ibid.

²⁵ Emmers and See Seng, "ASEAN Regional Forum," 56.

²⁶ Ibid., 51.

²⁷ Ibid., 48.

²⁸ Ibid., 55.

²⁹ Ibid.

³⁰ Ibid., 56.

b. Non-traditional Security Issues—Failure of ARF to Mount Operational Responses in Counterterrorism and HADR

On non-traditional security challenges, ARF critics argued that there was a lack of coordinated operational responses to issues such as counter-terrorism and HADR. They argued that instead of being coordinated through the forum, cooperation in these areas was led by the ARF's "activist members"³¹ and was predominantly "bilateral and extra-regional."³²

Critics highlighted the ARF's limitations in counter-terrorism cooperation. David Martin Jones argued that "ASEAN norms have not enhanced regional counterterrorism cooperation."³³ He attributed the limited information and intelligence exchanges to mutual suspicion between states and argued that the bilateral nature of cooperation between ASEAN states and the United States acted to "impair the development of more solid regional networks required of a security community."³⁴ In the same vein, Victor Cha argued that instead of the ARF, it was the strong bilateral alliance network between the United States and Asia-Pacific states that enabled counterterrorism cooperation in the region. Cha attributed success of the U.S.-led multilateral Proliferation Security Initiative (PSI) in disrupting the illicit trafficking of weapons of mass destruction (WMD) and other terrorism-related paraphernalia to strong bilateral relations between the United States and coalition states.³⁵ Similarly, Haacke argued that there had been little progress in the ARF beyond discussing and ratifying counterterrorism agreements. He criticized the ARF's lack of specific timelines for implementing concrete counterterrorism initiatives. With the exception of "one desktop exercise relevant to counterterrorism,"³⁶

³¹ Jurgen Haacke, "The ASEAN Regional Forum: From Dialogue to Practical Security Cooperation?" *Cambridge Review of International Affairs* 22, no. 3 (2009): 446.

³² David Martin Jones and M. L. R. Smith, "Making Process, Not Progress: ASEAN and the Evolving East Asian Regional Order," *International Security* 32, no. 1 (2007): 174.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ Victor D. Cha, "Complex Patchworks: U.S. Alliances as Part of Asia's Regional Architecture," *Asia Policy* 11 (January 2011): 43.

³⁶ Haacke, "ASEAN Regional Forum: From Dialogue to Practical Security Cooperation?," 434.

Haacke noted that the ARF had not managed to facilitate any “practical counterterrorism activities.”³⁷

Critics also argued that the ARF was not able to coordinate operational HADR responses. In his article, Cha criticized the ARF for its inability to formulate a regional coordinated response during the 2004 tsunami. Instead, he credited the “makeshift coalition of the United States, Japan, Australia, and India—known as the Tsunami Core Group” (TCG)³⁸ for its effectiveness. The TCG was formed within 48 hours of the crisis and delivered critical aid to the worst hit areas in Indonesia.³⁹ Similarly, while Haacke recognized ARF efforts to push for practical HADR cooperation, he argued that states’ sensitivities and concerns on security and sovereignty infringements with regards to the stationing of foreign troops in affected areas impeded the scope and extent of relief effort coordination.⁴⁰

c. ARF Critics’ Arguments—Selective Interpretation and Analysis of the ARF’s Relevance

Critics’ arguments focused on what the ARF had not been able to achieve; they neglected the forum’s achievements. While critics’ complaints about the ARF’s inability to progress beyond CBMs in tackling traditional security challenges are valid since the forum did make PD and CR its stated objectives, it is premature to dismiss the forum as ineffective or irrelevant. After all, the 20-year-old ARF is a young institution compared to established security institutions such as the OSCE, which was formed in 1973. To this end, critics failed to acknowledge the forum’s increased willingness to foster practical security cooperation in non-traditional security issues. Notwithstanding the lack of coordinated operational responses to counterterrorism and HADR, the increased frequency and scope of workshops and field exercises conducted under ARF’s auspice indicates member states’ affinity towards practical cooperation in these areas. Significantly, critics’ arguments do not explain why ARF member states continue to

³⁷ Ibid.

³⁸ Cha, “Complex Patchworks,” 37.

³⁹ Ibid., 41.

⁴⁰ Haacke, “ASEAN Regional Forum: From Dialogue to Practical Security Cooperation?,” 446.

participate in the forum despite its limited utilities. The ARF may not have progressed beyond CBMs but it has definitely evolved from a talk shop to engage in practical forms of security cooperation.

2. ARF Advocates' Defense of the ARF

While it is true that the ARF had not been able to progress into PD, much less CR in traditional security issues, and the forum was unable to coordinate responses to counter terrorism and deliver aids to disaster areas, it did not mean that the ARF was a mere dialogue facilitator that could not move beyond declarations. To this end, advocates argued that the ARF's success in "shaping regional norms" and developing practical security cooperation offered good reasons for member states to continue participating in the forum.

ARF advocates argued that the forum was not designed as a securitized institution to resolve traditional security challenges and execute operational responses to non-traditional security issues. Advocates generally associate the ARF's functional utility with "cooperative security" frameworks.⁴¹ To the advocates, the ARF's utility should be measured by its ability to foster "regional collective identity"⁴² and shape states' behavior to align with regional norms according to the "ASEAN way."⁴³ They argued that the forum was effective as a "reassurance vehicle"⁴⁴ and acted as a "norms brewery."⁴⁵

On non-traditional security issues, advocates recognized the ARF's limitations in staging coordinated operational responses but they also accorded credits to the forum's evolution towards practical cooperation. Significantly, advocates highlighted the ARF's progress from dialogues and declarations to conducting tabletop and simulation exercises,

⁴¹ Jurgen Haacke and Noel M. Morada, "The ASEAN Regional Forum and Cooperative Security: Introduction," in *Cooperative Security in the Asia-Pacific*, eds. Jurgen Haacke and Noel M. Morada (New York: Routledge, 2010), 2–3.

⁴² Tobias Nischalke, "Does ASEAN Measure Up? Post Cold War Diplomacy and the Idea of Regional Community," *Pacific Review* 15, no. 1 (2002): 89.

⁴³ Ibid.

⁴⁴ Haacke and Morada, "ASEAN Regional Forum," 2.

⁴⁵ Ibid.

and field exercises. In short, advocates focused on what the ARF can achieve or has achieved. To the advocates, the ARF's inability to resolve conflicts and coordinate operational responses does not render the forum irrelevant.

a. *Traditional Security Issues—Shaping Regional Norms through the ASEAN Way*

Advocates emphasized the relevance of the ARF in shaping regional norms. They differentiated the ARF's cooperative security modality with the OSCE's collective security framework and argued that unlike the OSCE, the ARF is a forum that "reflects the convergence of strategic interests of both the regional and external actors."⁴⁶ Heller argued that the ARF increased the "appeal of security cooperation"⁴⁷ and "facilitated common perceptions."⁴⁸ In the same vein, Acharya opined that the ARF's "normative regionalism"⁴⁹ was able to "engage, enmesh, and ensconce"⁵⁰ major powers because its emphasis on "ideational variables such as ideas, norms, and identity"⁵¹ are non-threatening as compared to "materialist variables such as relative gains and balance of power."⁵²

Instead of adopting legalistic rule-based frameworks, the ARF based its principles on the non-intrusive "ASEAN way"⁵³ to foster voluntary cooperation. The "ASEAN way"⁵⁴ stressed "social construction of perceptions and actions"⁵⁵ and emphasized the

⁴⁶ Dominik Heller, "The Relevance of the ASEAN Regional Forum (ARF) for Regional Security in the Asia-Pacific," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 27, no. 1 (2005): 123.

⁴⁷ *Ibid.*, 133–5.

⁴⁸ *Ibid.*, 136–7.

⁴⁹ Amitav Acharya and Allan Layug, "Collective Identity Formation in Asian Regionalism: ASEAN Identity and the Construction of the Asia-Pacific Regional Order," paper presented at the meeting of the International Political Science Association, Madrid, Spain, 2012, 1.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ Heller, "Relevance of the ASEAN," 135.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, 136.

“importance of a positive atmosphere and shared norms.”⁵⁶ The ARF operated under the principles of ASEAN’s Treaty of Amity and Cooperation (TAC), which professes adherence to specific behavioral norms. Members are socialized to choose cooperation over defection because the latter would be detrimental to their reputation. The promise of frequent meetings also allowed information sharing between member states to enhance transparency in the region.

To the advocates, the ARF functioned as an intermediary forum where member states established networks of cooperation. Member states that needed to iron out contentious security issues could meet on the sidelines of the forum. To this end, the ARF’s cooperative security mechanism had led to the sprouting of other security forums such as the Shangri-La Dialogue and the ADMM+, which further reinforced networking amongst key defense officials and resulted in the virtuous spiral of increased practical cooperation in security. In this light, the ARF contributed in PD efforts by bringing members together and facilitating “cross checking and . . . reevaluation of negative attitudes and prejudices among members within the ARF.”⁵⁷ The forum was able to foster a common value where member states believed in the importance of regional stability for continued economic development.⁵⁸

Advocates also argued that the ARF’s continued relevance in shaping regional norms hinges on the forum’s inclusive membership. By agreeing that the ARF should move at a pace that is “not too fast for those who want to go slow, and not too slow for those who want to go fast,”⁵⁹ the forum had been able to cater to states’ different preferences. In fact, some advocates argued against “deeper institutionalization”⁶⁰ as that will negate the ARF’s “advantage of rendering participation attractive for all members.”⁶¹ To advocates, some states like China continue to stay engaged in the forum

⁵⁶ Ibid.

⁵⁷ Ibid., 136.

⁵⁸ Ibid., 137.

⁵⁹ ASEAN Regional Forum, “The ASEAN Regional Forum: A Concept Paper,” paper presented at the ASEAN Regional Forum, Bandar Seri Begawan, Brunei Darussalam, August 1, 1995.

⁶⁰ Heller, “Relevance of the ASEAN,” 140.

⁶¹ Ibid.

not because they expect the forum to resolve conflicts. Instead, to these states, the ARF “functions like an insurance policy”⁶²—states only need to assume “modest transaction costs”⁶³ in furthering their interests in the international stage.

In sum, advocates based their arguments largely on the constructivist framework and opined that the ARF functioned as a forum to foster cooperation through the shaping of regional norms. While these arguments were theoretically sound, advocates offered little evidence to prove the existence of a regional norm in the tackling of traditional security issues. The forum continued to be divided between activists and reluctant states, with the former urging for deepening of institutions and the latter reluctant to progress beyond CBMs.

b. Non-traditional Security Issues—Practical Cooperation in Counter-Terrorism and HADR

In the area of non-traditional security, however, ARF advocates have provided limited evidence of the forum’s increased willingness to engage in practical security cooperation. To this end, the ARF’s conduct of a significant number of workshops on counter-terrorism, and related exercises on maritime security in which counterterrorism was featured as a main component, indicated consensus amongst member states on the importance of transnational cooperation in tackling terrorism. In 2002 alone, the ARF conducted three separate workshops with related agendas.⁶⁴ These workshops called for the “development of a check-list of potential areas of ARF cooperation”⁶⁵ and the “enhancement of existing networks of law enforcement and pertinent security agencies to enhance information and intelligence exchange.”⁶⁶ Relatedly, the forum’s Inter-Sessional Meetings on Counter-Terrorism and Transnational Crimes (ISMs on CT-TC) also

⁶² Ibid.

⁶³ Ibid., 135.

⁶⁴ Noel M. Morada, “The ASEAN Regional Forum and Counter-Terrorism,” in *Cooperative Security in the Asia-Pacific*, eds. Jurgen Haacke and Noel M. Morada (New York: Routledge, 2010), 162.

⁶⁵ Ibid.

⁶⁶ Ibid.

deliberated extensively and “reached a degree of consensus”⁶⁷ for ARF-centered multilateral cooperation in counter-terrorism.

The ARF also conducted a significant number of maritime security tabletop and sea exercises. In 2005, Singapore and the United States co-hosted an ARF maritime security workshop to “develop concrete ‘solution sets’”⁶⁸ to maritime security challenges, where counter-terrorism constituted a significant component. The workshop resulted in agreements for the International Maritime Organization (IMO) to act as an intermediary for “information sharing, personnel training, capacity building, and technical cooperation.”⁶⁹ While there was no extension of maritime security cooperation to include joint operations, several participants supported the expansion of maritime security cooperation under the Five Powers Defense Arrangements (FPDA) and Western Pacific Naval Symposium (WPNS).⁷⁰ In 2007, Singapore also organized an ARF maritime security exercise that involved 21 ARF participants. The exercise served as an operational confidence building measure (CBM) to facilitate professional exchanges in tabletop and simulation exercises. ARF participants agreed on the prospect of the CBM to progress into sea exercises but cautioned that these exercises would need to be “carefully studied and consulted between and among concerned countries, with the view of achieving consensus.”⁷¹

Amongst the non-traditional security issues, practical cooperation in HADR achieved the most headway. To mitigate concerns on infringement of sovereignty, ARF members agreed to develop the ARF Strategic Guidance for HADR. In 2008, Indonesia and Australia organized the ARF Disaster Relief tabletop exercise at the Naval Command and Staff College in Jakarta. The exercise provided insights to improve civil–military coordination and promoted understanding between ARF participants on the need for

⁶⁷ Ibid., 167.

⁶⁸ Jurgen Haacke, “The ASEAN Regional Forum and Transnational Challenges: Little Collective Securitization, Some Practical Cooperation,” in *Cooperative Security in the Asia-Pacific*, eds. Jurgen Haacke and Noel M. Morada (New York: Routledge, 2010).

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid., 142.

coordinated multinational responses during disasters. In 2009, the United States and Philippines co-organized the voluntary demonstration response (VDR). The VDR was the first HADR field exercise under ARF's auspice and included tabletop exercises and practical cooperation in areas such as maritime search and rescue, medical assistance, and engineering and construction work.⁷² Under the ARF's Inter-Sessional Meeting on Disaster Relief (ISM-DR), ministers also agreed to work on concrete initiatives to improve "ARF-wide or sub-regional training for disaster relief" and to develop an ARF humanitarian assistance military and civil defense assets template.⁷³ In 2011, Japan and Indonesia cohosted the inaugural ARF Disaster Relief Exercise (DiREx) in Manado, Indonesia, where ARF members collaborated with seven other international organizations in a series of tabletop and field exercises.⁷⁴ The DiREx has since been conducted annually, with Malaysia and China slated to co-organize the 2015 exercise in Kedah, Malaysia.

c. ARF Advocates' Arguments—Insufficient Evidence to Prove the Existence of Regional Norms in Traditional Security Issues

Advocates argued that the ARF's shaping of regional norms would provide the foundation for the forum's subsequent progress into PD and CR. They were, however, unable to provide concrete evidence for the existence and practice of regional norms in states' approaches towards traditional security challenges. Advocates also failed to relate the increased practical cooperation, and moderate shifts in member states' affinity towards greater cooperation in tackling non-traditional security challenges, to the forum's ability to tackle specific regional security challenges. While cooperation in these areas remained limited and fell short of operational responses, they indicated member states' willingness to progress beyond dialogues and declarations.

⁷² Ibid., 144–5.

⁷³ Ibid., 145.

⁷⁴ ASEAN Regional Forum, "Co-Chairs' Summary Report: ASEAN Regional Forum Disaster Relief Exercise (ARF DiREx) 2011," Report presented at the ASEAN Regional Forum, Manado, Indonesia, March 15–19, 2011.

3. Arguments Resembling a Glass that is Nearly Empty or Half Full

Arguments by ARF critics and advocates resembled a glass that is nearly empty or half full. Critics complained that the ARF was ineffective because it was not able to fulfill its stated objectives—to progress into PD and resolve regional Asia’s security challenges. Advocates argued that the ARF fostered regional norms but were not able to substantiate their claims with concrete examples. Both the critics and the advocates failed to recognize the importance or explain the significance for the ARF’s evolution towards practical cooperation in non-traditional security challenges. Existing literature does not explain why the ARF was able to foster practical security cooperation in certain security issues such as HADR and counterterrorism, but faced strong headwind in other challenges such as territorial disputes. The following section offers plausible hypotheses for this phenomenon.

C. POTENTIAL EXPLANATIONS AND HYPOTHESES

In formulating the hypothesis, two assumptions are made. The first assumption is that the ARF would continue to be ASEAN-led. It follows then that the forum would continue to adopt the “ASEAN way”⁷⁵ where adherence to principles of non-interference in member states’ domestic affairs and non-use of force remains sacrosanct. Second, it remains implausible for Asia to see a hegemonic regional order in the near future. Correspondingly, the ARF would have to work within the constraints of member states’ different preferences. Consensus and alignment of all member states’ interests would be necessary before the forum could see progress beyond dialogues and declarations.

In framing the question to ask not about the effectiveness but the limits of the ARF, the thesis avoids making subjective measurements and assessments of the forum’s effectiveness furthered by either ARF critics or advocates. Instead, the thesis aims to identify the conditions that need to be fulfilled for the forum to advance security issues beyond dialogue and declarations.

⁷⁵ Heller, “Relevance of the ASEAN,” 135.

Since the ARF is ASEAN-led and based on consensus, if any of the ASEAN core principles are infringed or ARF members' interests (critically, great powers' interests) are not aligned in the security issue to be tackled, then the forum would not be able to progress beyond dialogues and declarations. Since traditional security issues such as the South China Sea maritime territorial dispute are likely to infringe on ASEAN's core principles and are typically zero-sum in that one state's gain is another state's loss, it is unlikely that there would be congruence amongst member states on ARF measures to resolve disputes or conflicts there.

If, however, ASEAN core principles are not infringed and ARF members' interests (critically, great powers' interests) are aligned in tackling security issues, then the forum may be able to progress beyond dialogues and declarations towards practical security cooperation. Non-traditional security issues, such as counterterrorism and HADR, are not zero-sum. Notwithstanding some member states' unease over the idea of trans-boundary military deployments, these issues also generally do not infringe ASEAN's core principles and are aligned with ARF members' interests. A concerted approach towards counterterrorism boosts regional security, and HADR exercises contribute to confidence-building efforts. The ARF, therefore, was able to progress beyond dialogues and declarations towards practical security cooperation in these issues.

The thesis recognizes that the ARF is unable to resolve traditional security issues or stage operational responses to non-traditional security issues. It argues, however, that the ARF is far from being irrelevant. The forum brought regional players together in constructive dialogues, shaped regional norms, and fostered practical security cooperation in specific non-traditional security issues.

D. RESEARCH DESIGN

The thesis uses contemporary case studies to analyze the ARF's limits. These case studies focus on the ARF's responses to traditional and non-traditional security challenges. The thesis focuses first on traditional security issues because these issues are most likely to infringe ASEAN's principles for preservation of sovereignty rights and prohibition of the use of force. Chapter II examines the ARF's role, or lack thereof, in

restraining states from the use of force in the South China Sea (SCS) territorial disputes. The SCS case study is chosen because it is an example of a zero-sum territorial conflict that involves multiple ARF member states. Correspondingly, it is unlikely that the condition for consensus amongst ARF members would be fulfilled. In so doing, the thesis argues that it is unrealistic to expect the ARF to resolve such conflicts because unlike the International Court of Justice (ICJ), the forum is not designed to resolve territorial disputes.

On non-traditional security issues, the thesis selected two main areas—counterterrorism and HADR—where the ASEAN principles for non-intrusion of sovereignty rights and prohibition of the use of force are arguably preserved. Progress in practical cooperation, however, was not uniform in these areas. The thesis explains the different paces by arguing that cooperation mechanisms pertaining to counter-terrorism were more sensitive compared to HADR. Consequently, practical cooperation in HADR was able to make further headway compared to counter-terrorism.

Essentially, the thesis tests the hypothesis against contemporary case studies. It argues against the proposition that the ARF should be expected to resolve traditional regional conflicts and conduct coordinated responses to non-traditional security challenges. Despite the ARF's limitations, the case studies provide evidence for the ARF's relevance as the bedrock to shape regional norms amongst regional and extra-regional state players, and foster practical security cooperation in non-traditional security challenges.

E. THESIS OVERVIEW

The thesis is organized into four chapters. The introduction chapter initiates readers to the research question and importance of the thesis before presenting contemporary discourses on the effectiveness and limits of the ARF. Subsequently, plausible hypotheses to the research question are laid out with the intended research design.

Through the case studies in Chapters II and III, the thesis establishes the ARF's limits and argues that assessments of the ARF's functional utility should not be confused

by comparing it with institutions adopting OCSE-type securitization. Chapter II utilizes the South China Sea maritime territorial disputes case study to analyze the ARF's limits in brokering states' differences in traditional security matters. Chapter III, in turn, examines the ARF's abilities to foster practical cooperation in non-traditional security issues such as counter-terrorism and HADR. The last chapter provides a nuanced argument that in tackling regional security challenges, the ARF's limits are contingent on whether the forum would be able to fulfill the two conditions laid out in the proposed hypothesis. Only when these conditions are met would the ARF be able to progress security issues beyond dialogue and declarations.

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II. LIMITS OF THE ASEAN REGIONAL FORUM IN MANAGING THE SOUTH CHINA SEA MARITIME DISPUTE

While Asia has seen collective responses in reacting to and resolving a number of traditional security challenges such as the Vietnamese invasion of Cambodia in 1978 and delimitation of the Sino-Vietnamese land and maritime border, it is still beset with numerous unresolved traditional security challenges.

Traditional security challenges are state-centric issues that typically involve states' sovereignty. These challenges include intra-state and inter-state conflicts. Intra-state conflicts include political struggles between domestic factions while inter-state conflicts span across disagreements over the delimitation of land and maritime borders. Many states in Asia remain entangled in land and maritime border disputes. Parties to inter-state disputes over legitimacy to rule include China and Taiwan, India and Pakistan, and the two Koreas. Inter-state disagreements over the delineation of shared land borders include those between China and its neighbors, Myanmar and India, as well as between Cambodia and Thailand.

On the maritime front, seven Asian states claim sovereignty over the South China Sea's Spratly and Paracel islands and the waters surrounding these islands. From the late 2000s, China's increasingly assertive actions raised tensions in the region and renewed attention from claimants and external powers on the dispute. After being kept off the ASEAN Regional Forum's (ARF) agenda for the last two decades, concerned states raised the issue for discussion in the forum from 2010. The ARF, however, exhibited limited utilities in the management of the SCS maritime dispute. What are the reasons for the ARF's limitations in managing and/or resolving traditional security challenges in the region such as the SCS maritime dispute? The first part of this chapter traces the events that characterized the different levels of tensions in distinct periods throughout the dispute and outlines the ARF's responses, or lack thereof, in responding to these events. The second part analyzes the ARF's limitations through the framework offered in the preceding chapter, and attributes the forum's limited utility to two key factors—the need to maintain the “ASEAN way” of non-interference and consensus, and the need for

alignment in member states' interests. Throughout the dispute, the ARF was not able to progress beyond dialogue and declarations because the "ASEAN way" limits member states from intervening in states' actions; member states' divergent interests in the SCS also contributed to the forum's inability to agree on measures to manage the dispute. The last part analyzes evidences of apparent socialization of states towards regional norms, argues that these happened outside the ARF's ambit, and questions the ARF's utility as an intermediary forum to resolve traditional security challenges such as the SCS dispute.

A. PERIODS WITH DIFFERENT LEVELS OF TENSION AND THE ARF'S RESPONSES

The different levels of tension in the South China Sea can be broadly segmented into three time periods. First, the dispute saw heightened tension from the 1970s to early 2000s, with claimants asserting sovereignty rights over various island features. This was followed by a period of brief respite till the late 2000s. During this period, the dispute was generally contained; in 2002, ASEAN and China concluded the Declaration on the Conduct of Parties in the SCS (DOC). Tension in the SCS, however, flared again from the late 2000s when various claimant states undertook actions to reassert claims. This section traces the ARF's responses during the separate periods.

1. Heightened Tension Period from 1970s to Early 2000s and ARF's Formation

The three decades from 1970 to the early 2000s witnessed numerous inter-state skirmishes, of which China was a party to almost every encounter. In 1974, China ousted Vietnamese forces from the Paracel Islands' Crescent Group and took control of the entire Paracels. Sino-Vietnamese conflict again erupted over the Spratly Islands' Johnson South Reef in 1988; China took control and occupied the reef thereafter. In 1994 and 1995, China's construction of structures on the Spratly's Mischief Reef that was also claimed by the Philippines sparked diplomatic protests by the latter state. The Philippines responded to China's expansionary claims by running the BRP *Sierra Madre* aground on Second Thomas Shoal in 1999. China reacted to Philippines' act with the issuance of diplomatic protests and asked for the removal of the *Sierra Madre*. A dozen Filipino

marines remain stationed onboard the ship, which serves the purpose of a quasi-military outpost. In 2001, a United States EP-3 intelligence plane overflying its mission in the SCS was intercepted by and collided with a Chinese J8 fighter jet. China asserts that UNCLOS precludes military operations such as the EP-3 mission within its Exclusive Economic Zone (EEZ) in the SCS.

The ARF was set up in 1994 amidst calls by regional and extra-regional states for a security institution in Asia to tackle traditional security issues such as the SCS maritime dispute. The forum had ambitious stated objectives to engage in confidence-building measures (CBMs), preventive diplomacy (PD), and conflict resolution (CR). Its responses to events related to the SCS dispute were, however, meek to say the least. During this period, China vehemently opposed the inclusion of the SCS maritime dispute in the ARF's agenda. China was wary that internationalizing the dispute would allow the smaller ASEAN state claimants to gain "international sympathy"⁷⁶ from extra-regional states, "draw the United States and Japan more directly into the dispute,"⁷⁷ and provide reasons for external powers to implement containment policies against itself. Operating as an inclusive forum, the ARF acceded to China's request to keep the issue outside of the ARF's meeting agenda. Consequently, the ARF did not proceed beyond the issuance of one-paragraph Chairman's Statements noting "some ARF countries' concerns that there could be increased tensions,"⁷⁸ asking for "countries concerned to seek solutions by peaceful means,"⁷⁹ and encouraging the "exercise of self-restraint by all countries."⁸⁰

⁷⁶ Craig A. Snyder, "Security in the South China Sea," *The Corbett Centre for Maritime Policy Studies* 3 (March 2011): 4.

⁷⁷ Ibid.

⁷⁸ ASEAN Regional Forum, "Chairman's Statement of the 6th Meeting of the ASEAN Regional Forum," Singapore, July 26, 1999.

⁷⁹ ASEAN Regional Forum, "Chairman's Statement for the 3rd Meeting of the ASEAN Regional Forum," Jakarta, July 23, 1996.

⁸⁰ ASEAN Regional Forum, "Chairman's Statement of the 7th Meeting of the ASEAN Regional Forum" (Bangkok, ASEAN Regional Forum, July 27, 2000).

2. Period of Brief Respite and ARF's Inactions

The early 2000s saw a period of brief respite from tensions. Until the late 2000s, the maritime dispute was contained; claimants refrained from escalatory actions in the disputed waters. In 2002, ASEAN and China concluded the DOC. It should be noted, however, that discussions on the DOC were conducted between ASEAN and China, and were outside the ARF's auspices. During this period, the SCS dispute continued to be kept off ARF's agenda and the forum continued to issue generic Chairman's Statements to recognize progress made in the DOC and to welcome "establishment of the ASEAN-China Working Group that would oversee the implementation of the Declaration."⁸¹ The ARF continued to play no part in managing the dispute.

3. Renewed Tension and Limited Rhetoric in ARF Statements

Clashes and tension in the SCS resumed in the late 2000s. While most claimant states at some point in time took actions to assert claims, many of the escalatory events during this period involved China and are arguably related to China's increased assertion of sovereignty rights. In 2009, the ocean surveillance ship, USNS *Impeccable*, reported harassment by Chinese ships while performing a survey in the SCS. The same year, Malaysia's Prime Minister visited Swallow Reef in support of his country's claim to the feature. In 2011, Chinese patrol ships deliberately cut off Vietnamese survey vessels' cables while the latter vessels were conducting underwater survey in disputed waters. Chinese surveillance vessels were also involved in a separate standoff with a Philippine warship in Scarborough Shoal in 2012. Following the standoff, China deployed its coast guard ships to block the Philippines from conducting logistic and personnel transfers to the BRP *Sierra Madre*. In 2013, the Philippines sought formal recourse through the United Nations, asking the international body to establish an arbitral tribunal under UNCLOS to hear the dispute.⁸² More recently, in May 2014, China deployed governmental vessels to escort an oilrig to conduct unilateral exploration in disputed

⁸¹ ASEAN Regional Forum, "Chairman's Statement of the 12th Meeting of the ASEAN Regional Forum" (Vientiane, ASEAN Regional Forum, July 29, 2005).

⁸² Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea" (Seattle, WA: The National Bureau of Asian Research Commentary, October 9, 2013), 2.

waters off the Paracels.⁸³ While the operation was subsequently called off in July 2014, the unilateral exploration escalated tension and resulted in a number of incidents involving collisions between Chinese and Vietnamese ships.⁸⁴ In August 2014, while performing its mission in the SCS, an American P-8 Poseidon also escaped a near mid-air collision after a Chinese fighter jet intercepted it at close distance.⁸⁵

Despite the heightened tension during this period of time, the ARF's responses remained subdued. Notably, while China had been successful at keeping discussion of the SCS dispute out of previous ARF meetings, its increasing assertiveness in the late 2000s prompted 12 member states, which included the United States and all ASEAN claimants, to "raise concerns about China's increasingly assertive actions in the SCS"⁸⁶ at the 17th ARF in 2010.

In discussing ways to manage the SCS territorial dispute, tension flared between China and these member states. In the meeting, then U.S. secretary of state, Hillary Clinton, stated that "the United States, like every other nation, has a national interest in the freedom of navigation, open access to Asia's maritime commons, and respect for international law in the SCS."⁸⁷ The United States' statement explicitly supported ASEAN's bid to progress with discussions to implement the DOC to prevent further escalatory actions. These member states' collective stance was, however, seen by China as an orchestrated move by the United States to interfere with its rightful sovereignty claims. In response, China warned members "against encouraging United States involvement"⁸⁸ and insisted that the dispute should be addressed bilaterally with respective claimants. Consequently, the lack of consensus amongst ARF members meant

⁸³ Jianwei Li, "China, Vietnam, and the Paracels: Time for a Way Out?" *RSIS Commentaries*, no. 118 (June 24, 2014).

⁸⁴ Ibid.

⁸⁵ Ryan Santicola, "Responding to China's Air Intercept," *Diplomat*, August 27, 2014, <http://thediplomat.com/2014/08/responding-to-chinas-air-intercept/>

⁸⁶ Ian Storey, "China's Bilateral and Multilateral Diplomacy in the South China Sea," in *Cooperation from Strength: The United States, China, and the South China Sea*, ed. Patrick M. Cronin (Washington, DC: Center for a New American Security, January 2012), 57.

⁸⁷ David Scott, "Conflict Irresolution in the South China Sea," *Asian Survey* 52, no. 6 (November/December 2012): 1002.

⁸⁸ Storey, "China's Bilateral," 57.

that the forum was unable to move beyond the mere issuance of statement to “[stress] the importance of maintaining peace and stability in the South China Sea.”⁸⁹ The SCS dispute had been discussed in subsequent meetings but the forum remained unable to progress beyond its routine issuance of statements to stress the “importance of peaceful settlement of disputes through friendly consultations and negotiations by sovereign states directly concerned,”⁹⁰ and encourage the “full and effective implementation of the DOC and substantive consultations for [the] Code of Conduct in the South China Sea (COC).”⁹¹

B. REASONS FOR THE ARF’S LIMITATIONS

The intent of the preceding section is not to provide a detailed chronological rundown of skirmishes related to the SCS dispute. These events, and the ARF’s responses, however, provide the basis to assess the forum’s limitations in managing traditional security issues such as the SCS dispute. The “ASEAN way” modality adopted in the ARF had been criticized as ineffective in managing the territorial dispute because of its proclivity to adhere strictly to the principles of non-interference and consensus. Operating on the basis of the lowest common denominator, the forum is reluctant to intercede in the dispute without unanimous agreements from member states. To this end, divergent interests and policies between the United States and China, as well as ASEAN’s own disunity owing to Southeast Asian states’ conflicting interests, contributed to the forum’s inability to progress beyond the issuance of non-binding statements.

1. Strict Adherence to the “ASEAN Way”

The “ASEAN way” advocates non-interference in other states’ internal affairs. The SCS maritime territorial dispute is a complex multi-state dispute that encompasses

⁸⁹ ASEAN Regional Forum, “Chairman’s Statement for the 17th ASEAN Regional Forum” (Hanoi, Vietnam, ASEAN Regional Forum, July 23, 2010).

⁹⁰ ASEAN Regional Forum, “Chairman’s Statement of the 20th Meeting of the ASEAN Regional Forum” (Bandar Seri Begawan, July 2, 2013).

⁹¹ ASEAN Regional Forum, “Chairman’s Statement of the 21st Meeting of the ASEAN Regional Forum” (Nay Pyi Taw, ASEAN Regional Forum, Aug 10, 2014).

claims of varying degree by seven Asian states—China, Taiwan, and Vietnam claim all islets in the Spratly and Paracel chains; Brunei, Malaysia, and the Philippines claim sovereignty rights over specific islands in the Spratly group. Indonesia’s exclusive economic zone owing from the Natuna Islands archipelago also overlaps with China’s nine-dash line (NDL) claims. As with all other territorial disputes, the SCS dispute is zero-sum in that one state’s gain would be another state’s loss. The ARF could not intercede in states moves to assert sovereignty over the disputed islands because that would infringe on the principle of non-interference.

a. Non-interference in State Actions

The ARF’s upholding of the non-interference principle is evident from the lack of responses to claimant states’ actions to assert sovereignty. As noted in the earlier section, many of the confrontations in the SCS stemmed from states’ bids to consolidate control of the islands and waters surrounding these islands. As highlighted in the preceding section, China was a party to many of the confrontations in the dispute. It remains arguable, however, whether China’s actions would be more appropriately categorized as that of a provocateur or respondent to other claimants’ actions. Regardless, threatened by China’s seemingly increasing assertiveness, many claimant states felt the need for commensurate responses; states adopted actions to consolidate sovereignty over islands under their control. These actions included Vietnam’s construction of naval facilities in Bombay Castle in 1995, Malaysia’s occupation of the disputed Erica Reef and Investigator Shoal in 1999, and its announcement of intentions to build an airstrip and tourist resort on Swallow Reef in 2009, as well as the aforementioned Philippines grounding of BRP *Sierra Madre* on the Second Thomas Shoal in 1999.⁹² In 2009, Malaysia and Vietnam also submitted joint claims to the Commission on the Limits of the Continental Shelf (CLCS). Following its 2011 proposal to the International Tribunal of the Law of the Sea for international arbitration,⁹³ the Philippines sought formal recourse

⁹² Samuel Sharpe, “An ASEAN Way to Security Cooperation in Southeast Asia?” *Pacific Review* 16, no. 2 (2003): 240.

⁹³ Storey, “China’s Bilateral,” 57, 61.

through the United Nations in 2013.⁹⁴ Through these events, the ARF continued to issue generic statements that encourage claimants to “exercise ‘self-restraint’ and to promote confidence building.”⁹⁵ The forum was reluctant to dissuade claimant states from altering the status quo because that would contravene the principle of non-interference in members’ internal affairs.

b. *No Consensus on Multilateralism or Bilateralism*

The complexity of the SCS dispute as a maritime dispute that involves multiple state claimants and the increased complications accorded with the need to delineate maritime boundaries meant that it is extremely challenging, if not impossible, for states to reach consensus on measures to manage the dispute. Specifically, member states’ different preferences for multilateralism or bilateralism contributed to the forum’s inability to manage the dispute. Most ARF members, including ASEAN claimants and non-claimant states, which are concerned with the freedom of navigation in the SCS, including the United States, preferred multilateral discussions. China, however, preferred bilateral negotiations amongst claimant states outside the ARF.

The United States’ explicit support for multilateral security arrangements such as the ARF to “check ambitions of individual players”⁹⁶ in the SCS runs counter to China’s preference for bilateral negotiations. In maintaining neutrality, the United States had asked states to clarify the extent and basis of their claims and encouraged the early conclusion of a binding COC as that would allow freedom of navigation and continued access to the SCS. By stating in the 17th ARF in 2010 that “legitimate claims to maritime space in the SCS should be derived solely from legitimate claims to land features,”⁹⁷ the

⁹⁴ Thayer, “New Commitment,” 2.

⁹⁵ J. N. Mak, “Maritime Security and the ARF: Why the Focus on Dialogue rather than Action?” in *Cooperative Security in the Asia-Pacific*, eds. Jurgen Haacke and Noel M. Morada (New York: Routledge, 2010), 196.

⁹⁶ Patrick M. Cronin and Robert D. Kaplan, “Cooperation from Strength: U.S. Strategy and the South China Sea,” in *Cooperation from Strength: The United States, China, and the South China Sea*, ed. Patrick M. Cronin (Washington, DC: Center for a New American Security, January 2012), 10.

⁹⁷ M. Taylor Fravel, “U.S. Policy Towards the Disputes in the South China Sea since 1995” (policy report, S. Rajaratnam School of International Studies, Nanyang Technological University, Singapore, March 2014), 5.

United States implicitly opposed the basis of China's unilateral NDL claims and Vietnam's historical claims.⁹⁸ In stating "support for a "collaborative diplomatic process by all claimants,""⁹⁹ the United States also alluded to a preference for multilateral discussions in forums such as the ARF, in contrast with China's affinity for bilateral negotiations.

China had consistently resisted tabling the SCS dispute for discussion in the ARF or other international forums and organizations. In 1999, Malaysia joined China in blocking the Philippines' attempt to internationalize discussions of the SCS dispute in the 6th ARF meeting.¹⁰⁰ The ASEAN claimant, however, subsequently acceded to ASEAN's collective negotiations with China. In 2006, China also declared to the UN secretary general that "it would not accept any international court of arbitration in disputes over sea delimitation, territorial disputes, and military activities."¹⁰¹ In the same vein, China objected to the earlier mentioned joint Malaysia-Vietnam claims to the CLCS in 2009. During the 16th ARF meeting in 2009, China again opposed inclusion of the SCS dispute for discussion, stating that it was "not an issue for ASEAN, that [the dispute] involved only the coastal states, and that China intended to resolve the dispute through bilateral and not multilateral negotiations."¹⁰²

In 2010, China agreed to discussions with ASEAN to implement the DOC so as to deter these states from forming closer alliances with the United States. This did not mean that China was relenting to multilateral discussion of the issue. In 2010, when the United States signaled its support and willingness to facilitate multilateral negotiations to conclude the COC, China objected vigorously and stated that "if the issue is turned into an international or multilateral one, it will only make matters worse."¹⁰³ Wary of the United States' intentions in promoting multilateral diplomacy on the SCS dispute, China

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Mak, "Maritime Security and the ARF," 196.

¹⁰¹ Scott, "Conflict Irresolution," 1022.

¹⁰² Leszek Buszynski, "Rising Tensions in the South China Sea: Prospects for a Resolution of the Issue," *Security Challenges* 6, no. 2 (Winter 2010): 94.

¹⁰³ Scott, "Conflict Irresolution," 1023.

conducted dialogues with ASEAN to avoid alienating the association's member states. China remained "adamantly opposed"¹⁰⁴ to Secretary Clinton's suggestions in 2010 to involve the United States in DOC discussions and has repeatedly warned Vietnam and the Philippines "against encouraging U.S. involvement."¹⁰⁵ In addition, China rejected the Philippines' 2011 proposal to the International Tribunal of the Law of the Sea for international arbitration¹⁰⁶ and refused to acknowledge the Philippines' seeking of formal recourse through the UN in 2013. In addition, China sets an unhurried pace in negotiations, stating that talk of a quick fix . . . is an attitude neither realistic nor serious."¹⁰⁷ Commenting on the approach for discussions, China highlighted that it would adopt principles such as "consensus through negotiations,"¹⁰⁸ "elimination of interference,"¹⁰⁹ and a "step by step approach."¹¹⁰ This signals China's continued reluctance to conclude binding agreements on the SCS with ASEAN in the near future.

The forum's adherence to the principle of consensus based on the lowest common denominator meant that collective agreement from all member states would be required to implement dispute management measures. While the ASEAN-China DOC in itself is a significant milestone, it took place outside the ARF's auspices. The non-binding nature of the declaration also meant that it had limited utility in constraining Chinese actions. Significantly, the ARF's member states could not reach consensus on the mode for dispute management in the SCS. As a result, the ARF was unable to function beyond a talk shop.

¹⁰⁴ Storey, "China's Bilateral," 57.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid., 57, 61.

¹⁰⁷ Carlyle A. Thayer, "ASEAN, China, and the Code of Conduct in the South China Sea," *SAIS Review of International Affairs* 33, no. 2 (2013): 81.

¹⁰⁸ Ibid., 82.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

2. Divergent Interests and Policies between the United States and China

The United States' pivot to Asia policy in 2009, its categorization of the SCS as a core interest in the 2010 ARF meeting, and its strengthened defense relationships with ASEAN claimants elevated China's suspicion that the United States was seeking a containment policy against it. Consequently, China opposed multilateral discussions in the ARF because it was wary that ASEAN claimants would leverage external powers to assert pressure against its claims.

a. The United States' Concern for Freedom of Navigation versus China's Strategic Interests in the SCS

The United States had consistently stated in official communications that it does not take sides in the SCS dispute. The United States is interested in maintaining freedom of navigation and overflight in the SCS for strategic reasons. Connecting the Western Pacific to the Indian Ocean and the Middle East, the SCS is a waterway that is critical for United States' global redeployment of forces from the Pacific to theaters in the Middle East and Africa. Continued access to the SCS and naval primacy is also a pivotal requisite for the United States to maintain its hegemonic influence in the region. In addition, some \$1.2 trillion in U.S. trade transits through the SCS annually.¹¹¹

In asserting "indisputable sovereignty over the seas, islands, and their surrounding waters,"¹¹² China claims all of the SCS through its NDL map. China's main interests are access to maritime resources and "sea-lane security."¹¹³ Aside from the rich marine life and corresponding importance to the fishery industry, Chinese sources also labeled the SCS as "the second Persian Gulf,"¹¹⁴ claiming that it would "ultimately yield 130 billion barrels of oil or more."¹¹⁵ In addition, the SCS is a strategic waterway to China as it is for the United States. Ships carrying about 80% of China's energy needs transit the SCS and connecting seaways; China's import of raw materials and export of

¹¹¹ Cronin and Kaplan, "Cooperation from Strength," 7.

¹¹² Storey, "China's Bilateral," 57.

¹¹³ Ibid., 53.

¹¹⁴ Cronin and Kaplan, "Cooperation from Strength," 9.

¹¹⁵ Ibid.

finished products to international markets depends on continued access to the SCS. To China, this constitutes a “strategic vulnerability”¹¹⁶ and necessitates development of strategies to assert greater control over the SCS’s Sea Lines of Communication (SLOCs). To this end, China’s extensive claims and the People’s Liberation Army Navy’s (PLA Navy) fleet modernization worked in tandem with its strategy of “anti-access and area-denial”¹¹⁷ to assure control of the vital waterways.

b. The United States’ Policy of “Active Neutrality”¹¹⁸ and China’s Strategy of “Non-Assertive Confrontation”¹¹⁹

The United States adopts a policy of “active neutrality”¹²⁰ towards the SCS dispute. In response to rising Chinese assertiveness, the United States’ announced its pivot to Asia strategy in 2009, and substantiated it with increased military deployments, including forward deployment of the Littoral Combat Ship (LCS) and a 2,500-strong Marines detachment in Singapore and Australia, respectively. More recently, following Secretary Hagel’s strongly worded address in the 2014 Shangri-La Dialogue that the United States “would not look the other way when fundamental principles of the international order are being challenged,”¹²¹ it announced in October 2014 the plan for forward deployment of two additional missile destroyers with the Navy’s latest ballistic missile defense (BMD) systems to Japan by 2017. In addition, the U.S. Army reported that it would redeploy troops from Central Command to the Pacific Command and indicated an estimated 60% increase in forces assigned to the region.¹²²

¹¹⁶ Storey, “China’s Bilateral,” 54.

¹¹⁷ Cronin and Kaplan, “Cooperation from Strength,” 9.

¹¹⁸ Mingjiang Li, “The Changing Contexts of China’s Policy on the South China Sea Disputes,” First Manila Conference on the South China Sea: Toward a Region of Peace, Cooperation, and Progress, Manila, Philippines, July 5–6, 2011, 201.

¹¹⁹ *Ibid.*, 199.

¹²⁰ *Ibid.*

¹²¹ Chuck Hagel, “The United States’ Contribution to Regional Security,” presentation at the Shangri-La Dialogue 2014, 13th Asia Security Summit, Singapore, May 31, 2014, <http://www.iiss.org/en/events/shangri%20la%20dialogue/archive/2014-c20c/plenary-1-d1ba/chuck-hagel-a9cb>.

¹²² Gary Sheftick, “Soldiers Shifting to Pacific Via New ‘Pathway,’” United States Army, October 14, 2014, http://www.army.mil/article/136129/Soldiers_shifting_to_Pacific_via_new_pathway/.

The United States also strengthened its bilateral defense relations with claimant states such as Vietnam and the Philippines to signal its resolve to deter China from making further assertions in the SCS. With Vietnam, the United States concluded the Memorandum of Understanding on Advancing Bilateral Defense Cooperation in 2011. Subsequently, the two states had conducted naval exchanges and exercises on an annual basis.¹²³ In 2011, the United States concluded a sales deal with the Philippines for a refurbished Hamilton-class coast guard cutter to boost the Philippine navy's fledgling capabilities.¹²⁴ In the 2011 signing of the Manila Declaration,¹²⁵ the United States also announced that it "will always be in the corner of the Philippines [and] will always stand and fight with [the Philippines]"¹²⁶ More recently in December 2013, the United States promised a program to develop the Philippines's maritime domain awareness with US\$40 million funding.¹²⁷ The United States' increased force posturing and strengthened alliances played to Chinese fears that the United States intended to "play a direct role in the [SCS] dispute."¹²⁸

To China, the significant force reassignment to Asia and strengthened alliances with rival claimant states signaled United States' intent to maintain "military preponderance in the SCS . . . to contain or constrain China's rise."¹²⁹ In response, China adopted policies of "non-confrontational assertiveness."¹³⁰ China understands that its current military capabilities still lag those of the United States and does not want to engage in confrontational actions that would draw the United States into the SCS dispute. This, however, does not mean it is willing to relent on its claims. Despite repeated calls to clarify the extent of its claims, China prefers to leave the interpretation of its NDL claims ambiguous. Official statements consistently assert that "China has indisputable

¹²³ Fravel, "U.S. Policy Towards the Disputes," 8.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid., 9.

¹²⁷ Ibid.

¹²⁸ Ibid., 6.

¹²⁹ Li, "Changing Contexts," 201.

¹³⁰ Ibid., 199.

sovereignty over the South China Sea islands and adjacent waters”¹³¹ but falls short of delimiting the boundaries.

To support its assertions of sovereignty, China mounted a number of exercises on a significant scale. In 2009, China conducted large-scale military exercises in the SCS involving the airborne refueling of its J-10 fighter planes.¹³² In 2010, China conducted a long-distance naval exercise that saw the deployment of North Sea Fleet assets to the SCS “to protect its maritime territorial integrity through long-distance naval projection.”¹³³ Separately, China also organized a “large scale live-ammunition exercise”¹³⁴ in the SCS that “involved China’s most advanced vessels from all three fleets.”¹³⁵ In so doing, China is sending a deterrence signal to remind rival claimants that despite increased U.S. commitments in the region and renewed defense relationships, it remains determined to defend its claims of the SCS islands and surrounding waters as a core interest.

Clashes between U.S. and Chinese interests and policies in the SCS make it nearly impossible to include the SCS dispute as an issue for deliberation in the ARF. Mutual suspicions between the two great powers mean that one state’s actions are seen as countervailing the other’s—the United States saw China’s increased assertion of controls and restricted access of U.S. military activities in the SCS as detrimental to its interests, while China perceived United States’ involvement in the SCS dispute and increased deployment to the Pacific as a containment strategy against itself. The ARF operates on the basis of the lowest common denominator; divergent interests amongst the two great powers made it implausible for the forum to establish mutually agreeable positions to address the SCS dispute in a substantial manner.

¹³¹ M. Taylor Fravel, “China’s Strategy in the South China Sea,” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 33, no. 3 (December 2011): 294; Storey, “China’s Bilateral,” 59.

¹³² Li, “Changing Contexts,” 203.

¹³³ Fravel, “China’s Strategy,” 309.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

3. ASEAN Disunity—ASEAN’s Concern for Regional Stability, Intra-Association Disunity, and Limited Collective Actions in the ARF

While ASEAN demonstrated a general willingness to manage the SCS maritime territorial dispute collectively on the basis that security instability would negatively impact the region’s economy, opinions on the legal status of the SCS islands remained divided amongst states in the association.¹³⁶ Each of the ASEAN claimants had “as much of a dispute with other ASEAN claimants as they have with China,”¹³⁷ making it extremely challenging to formulate a common ASEAN position in the ARF.

In addition, while professing support for a common “ASEAN spirit”¹³⁸ in furthering multilateral approach to dispute management in the SCS, each ASEAN claimant state had engaged in separate bilateral discussions with China. Some analysts had warned that bilateral discussions with China played into Chinese strategy to “divide [ASEAN states] and clobber [ASEAN states] one by one.”¹³⁹ ASEAN states, however, continued bilateral negotiations because they were dissatisfied with the lack of progress in multilateral engagements. To this end, the Philippines concluded a joint seismic exploration agreement with China in 2004 that allowed state oil companies to conduct joint survey in disputed waters.¹⁴⁰ While the agreement was later expanded in 2005 to include Vietnam, it can be argued that ASEAN states’ bilateral approach to conclude agreements with China had the effect of undermining the association’s unity in addressing the issue collectively with China.¹⁴¹ ASEAN claimants’ tendency to take unilateral actions in pursuing legitimacy over the disputed waters further exacerbated ASEAN disunity. The earlier mentioned Malaysia–Vietnam joint submission to the CLCS in 2009, and the Philippines’ seeking of formal recourse through the UN in 2013 without formal consultation with the association are further evidence of ASEAN disunity in managing the SCS dispute.

¹³⁶ Snyder, “Security in the South China Sea,” 7.

¹³⁷ *Ibid.*

¹³⁸ *Ibid.*

¹³⁹ *Ibid.*, 8.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*, 10–11.

Further, not all ASEAN member states are parties to the maritime dispute. Non-claimant states such as Singapore and Thailand are principally concerned with regional stability and advocated for “maintaining a balance of power supported by an active U.S. military presence.”¹⁴² Other non-claimant states such as Cambodia displayed inclinations towards China. In 2012, Cambodia, as ASEAN’s rotating chair, refused to endorse the ASEAN Ministerial Meeting’s (AMM) draft statements that incorporated Vietnam and the Philippines’ objections to Chinese activities in the SCS’s disputed waters.¹⁴³ Cambodia echoed China’s stand that the SCS disputes were bilateral and should be kept off AMM’s joint communiqué. It was not until Indonesia’s conduct of shuttle diplomacy to broker agreement amongst states that the chair finally released ASEAN’s six-point principles on the SCS.¹⁴⁴

In sum, even though ASEAN displayed increased unity from late 2010 in pursuit of a multilateral approach with China to implement the DOC, discussions were kept outside of the ARF, between ASEAN and China. The association’s member states also continued to maintain bilateral negotiations with China; ASEAN states did not see multilateral engagements in the ARF as a critical means of managing the SCS dispute.

¹⁴² Amitav Acharya, “ASEAN’s Dilemma: Courting Washington without Hurting Beijing,” *Asia Pacific Bulletin*, no. 133 (October 18, 2011).

¹⁴³ Thayer, “ASEAN, China, and the Code,” 78.

¹⁴⁴ *Ibid.*, 79.

III. LIMITS OF THE ASEAN REGIONAL FORUM IN FOSTERING PRACTICAL SECURITY COOPERATION IN COUNTER-TERRORISM AND HUMANITARIAN DISASTER RELIEF

Traditional security threats typically involve state actors during intra-state or inter-state conflicts. By contrast, non-traditional security (NTS) challenges emanate from “a host of transnational threats to human well-being and state capacity.”¹⁴⁵ NTS challenges in Asia ranged from trans-boundary crimes such as illegal smuggling across land and maritime frontiers, terrorism, insurgencies, and natural disasters. Responding to these challenges, the ARF set up various Inter-Sessional Meetings (ISMs) to discuss and foster regional cooperation to tackle the various NTS challenges. Different initiatives in the form of workshops and exercises were also conducted to enhance practical cooperation in these areas. The first part of this chapter recalls events that triggered the ARF’s decision to cooperate in counter-terrorism and HADR, and highlights the different scope of initiatives in the two NTS domains. The second part then tests the hypothesis proposed in Chapter I through analysis of the ARF’s limited practical cooperation to tackle NTS challenges, and argues that while member states’ interests were aligned in the NTS areas of counter-terrorism and HADR, practical cooperation fell short of coordinated operational responses because of states’ reluctance to cede principles of non-interference, and concerns on the infringement of sovereignty rights. The last part of this chapter highlights bilateral and multilateral coordination outside of the ARF’s auspices in recent counter-terrorism coordination and disaster relief efforts, and concludes that, despite encouraging progress made by the forum to tackle these NTS challenges, operational cooperation under the ARF’s banner remained limited.

¹⁴⁵ Alan Collins, “Non-Traditional Security,” in *Routledge Handbook of Asian Regionalism*, eds. Mark Beeson and Richard Stubbs (New York: Routledge, 2012), 313.

A. BACKGROUND TO ASIA'S NON-TRADITIONAL SECURITY CONCERNS AND THE ARF'S RESPONSES

The ARF states' realization of the importance of cooperation in counter-terrorism and HADR was triggered by two events, the 2002 Bali bombing and the 2004 Indian Ocean tsunami, respectively. Following the catastrophic September 11 terrorist attacks in the United States, the forum condemned terrorist atrocities during meetings and issued statements that "emphasized [the] need for the ARF to find ways and means to cooperate further in the fight against terrorism."¹⁴⁶ Subsequently, the discovery of terrorist cells in Southeast Asia and the 2002 Bali bombing internationalized the United States' campaign against terrorism; the United States categorized the region as the "second front"¹⁴⁷ to counter terrorism. Separately, the lack of coordinated responses to the devastating Indian Ocean tsunami in 2004 brought the importance of regional HADR cooperation to the fore of the forum's agenda. Even though Asia as a region had a high occurrence of natural calamities, including earthquakes, tsunamis, and floods, there was no region-wide HADR cooperative framework to deliver aid and render assistance to disaster-struck areas.

B. THE ARF'S PRACTICAL COOPERATION IN COUNTER-TERRORISM AND HADR

The ARF embarked on separate initiatives to foster practical cooperation in counter-terrorism and HADR. Evidently, the scope for cooperation in counter-terrorism and HADR were quite different: counter-terrorism cooperation only progressed from the issuance of joint declarations to workshops and seminars; by contrast, the ARF has undertaken practical cooperation in HADR, such as tabletop exercises (TTXs) and field training exercises (FTXs). The reasons for the disparity in scope will be discussed in the second part of the chapter. The rest of this section outlines activities conducted under the ARF's auspices in the two NTS domains.

¹⁴⁶ Morada, "ASEAN Regional Forum and Counter-Terrorism," 152.

¹⁴⁷ Ibid.

1. Limited Practical Cooperation in Counter-Terrorism

The ARF initiated the formation of the ISM on counter-terrorism and transnational crime (ISM-CTTC) in 2003 to discuss avenues for counter-terrorism cooperation. The ISM-CTTC's scope included a broad range of issues outside of counter-terrorism such as illicit drug smuggling and human trafficking. To this end, the ISMs fostered consensus on the need to "recognize the multidimensional nature of terrorism including its links with transnational crimes"¹⁴⁸ and to work on "practical, action-oriented, and concrete"¹⁴⁹ actions to counter the threats of terrorism. In 2006, the ARF ISM-CTTC declared that to complement enforcement cooperation, it was also necessary to emphasize a "people-centered approach to counter terrorism."¹⁵⁰ This theme was highlighted subsequently in every ISM-CTTC, including the 2009 ISM-CTTC, in which members "recognized the urgency to implement a 'soft' approach" and noted "recommendations to [promote] inter-faith and inter-cultural dialogue, [promote] human rights, intelligence exchanges and information sharing, [expand] inter-governmental networks and [strengthen] police, judicial, and extradition cooperation."¹⁵¹ Subsequent ISM-CTTC also issued statements indicating the need for more "comprehensive and multifaceted strategies."¹⁵² Despite the strongly worded rhetoric and statements, practical cooperation under the ARF did not progress further than the organization of counter-terrorism training workshops and limited intelligence and information sharing. Table 2 recaps the counter-terrorism workshops and seminars conducted by the ARF.

¹⁴⁸ Ibid., 167.

¹⁴⁹ Ibid.

¹⁵⁰ ASEAN Regional Forum, "Co-Chairs' Summary Report of the Fifth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime" (Singapore, ASEAN Regional Forum, May 2–4, 2007).

¹⁵¹ ASEAN Regional Forum, "Co-Chairs' Summary Report of the Seventh ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime" (Hanoi, Vietnam, ASEAN Regional Forum, May 4–7, 2009).

¹⁵² ASEAN Regional Forum, "Co-Chairs' Summary Report of the Eighth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime" (Bandar Seri Begawan, Brunei, ASEAN Regional Forum, Apr 28–30, 2010).; ASEAN Regional Forum, "Co-Chairs' Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime" (Kuala Lumpur, Malaysia, ASEAN Regional Forum, May 29–31, 2011).

Table 2. Counter-terrorism workshops and seminars conducted under ARF auspices¹⁵³

Practical Cooperation in Counter-terrorism under ARF		
Year	Workshops and Seminars	Exercises
2014	- ARF Workshop on Cyber Confidence Building Measures in Kuala Lumpur, Malaysia; co-chaired by Australia, Russia, and Malaysia	
2013	- ARF Workshop on Measures to Enhance Cyber Security—Legal and Cultural Aspects in Beijing, China; co-chaired by China and Malaysia - ARF Workshop on Countering Radicalization in Tokyo, Japan; co-chaired by Japan and Malaysia	
2012	- ARF Workshop on Preparedness and Response to a Biological Event in Manila, Philippines; co-chaired by Australia, the Philippines, and the United States - ARF Workshop on Proxy Actors in Cyberspace in Quang Nam, Vietnam; co-chaired by Vietnam and the United States - ARF Workshop on Cyber Incident Response in Singapore; co-chaired by Australia and Singapore - ARF Seminar on Confidence-Building Measures in Cyberspace in Seoul, Korea; co-chaired by Republic of Korea and Malaysia	
2010	- ARF Cybercrime Capacity-Building Conference in Bandar Seri Begawan, Brunei; co-chaired by United States and Vietnam	
2008	- ARF Conference on Terrorism and the Internet in Bali, Indonesia; co-chaired by Australia and Indonesia	
2007	- ARF Seminar on Cyber Terrorism in Busan, Korea; co-chaired by Korea and the Philippines	ARF Maritime Security Shore Exercise in Singapore*
2006	- ARF Seminar on Cyber Terrorism in New Delhi, India	
2005	- ARF Seminar on Cyber Terrorism in Cebu, Philippines; co-chaired by Korea and the Philippines	
2004	- ARF Seminar on Cyber Terrorism in Jeju Island, Korea; co-chaired by Korea and the Philippines	
2003	- ARF CBM Workshop on Managing Consequences of a Major Terrorist Attack in Darwin, Australia; co-organized by Australia and Singapore	
2002	- ARF Workshop on Financial Measures Against Terrorism in Honolulu, United States; co-organized by Malaysia and the United States - ARF Workshop on Prevention of Terrorism in Bangkok, Thailand; co-organized by Australia and Thailand - ARF Workshop on Counter-terrorism in Tokyo, Japan; organized by Japan	

* The ARF Maritime Security Shore Exercise (MARISX) 2007 is not strictly a counter-terrorist exercise per se. Its focus was on a range of maritime security-related challenges, where counter-terrorism was featured as a component.

The ARF workshops and seminars initially focused on two main areas: capacity building, and intelligence and information sharing. In 2002 and 2003, four separate counter-terrorism workshops were conducted under the forum's banner. These workshops addressed different focal areas including measures to cut off financing for terrorist

¹⁵³ Information provided in the ASEAN Regional Forum official website.

organizations, plausible responses to terrorist threats that can be taken at the national, bilateral, and multilateral level, and lessons learnt from terrorist attacks. All of the workshops recommended the “enhancement of existing networks of law enforcement”¹⁵⁴ and called for “further information and intelligence exchange[s].”¹⁵⁵ There was, however, conspicuous absence in follow-ups to effect concrete counter-terrorism cooperation.

Following the workshops held in 2002 and 2003, all but one workshop focused on cyber security and cyber terrorism. It is significant to note that these workshops, like the ones conducted earlier, did not generate any new initiatives or agreements to enhance practical cooperation on counter-terrorism. While workshops such as the 2008 ARF conference on terrorism and the Internet in Bali, Indonesia, co-organized by Australia and Indonesia did recommend “the use of existing training centers in ARF participating countries for trainings on countering terrorist use of the Internet,”¹⁵⁶ there have been no actual follow ups to the initiative. Similarly, calls from the Republic of Korea to “examine the possibilities of constructing a Computer Emergency Readiness Team (CERTs) network within the framework of the ARF . . . to minimize the damaging effects of cyber terrorism through information exchange and technical support”¹⁵⁷ during the 2004 ARF Seminar on cyber terrorism did not see further progress.¹⁵⁸ In addition, despite the aforementioned emphasis on “multifaceted strategies”¹⁵⁹ to “[deepen] cooperation among the relevant law enforcement agencies in countering terrorism within the region and [promote] interfaith and intercultural dialogue,”¹⁶⁰ there were no ARF workshops or initiatives organized on these specific areas. This calls to question whether there was synergy between the ISM-CTTC and organizers of the various workshops. The lack of a concerted

¹⁵⁴ Morada, “ASEAN Regional Forum and Counter-Terrorism,” 162.

¹⁵⁵ Ibid.

¹⁵⁶ ASEAN Regional Forum, “Co-Chairs’ Summary Report for ASEAN Regional Forum Conference on Terrorist use of the Internet” (Bali, Indonesia, ASEAN Regional Forum, Nov 6–8, 2008, 1).

¹⁵⁷ ASEAN Regional Forum, “Co-Chairs’ Summary of the First ARF Seminar on Cyber Terrorism” (Jeju Island, Republic of Korea, ASEAN Regional Forum, Oct 13–15, 2004).

¹⁵⁸ By contrast, ASEAN states collaborated activities amongst the ASEAN CERTs and conducted drills such as the ASEAN CERTS Incident Drills (ACID).

¹⁵⁹ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime” (Kuala Lumpur, Malaysia, ASEAN Regional Forum, May 29–31, 2011).

¹⁶⁰ Ibid.

thematic focus in the various workshops calls into question whether these activities were organized for the mere sake of maintaining cooperation tempo under the forum's auspices.

2. Practical Cooperation in HADR

The ARF formed a separate ISM to discuss HADR-related issues. The ISM for search and rescue coordination and cooperation in 1996 was subsequently renamed as the ISM for Disaster Relief (ISM-DR) in 1997, reflecting the meeting's intent to expand previous scope for search and rescue (SAR) to include more generally, disaster relief matters outside of SAR. Suspended in 2000 because of member states' differences over the cross-border deployment of militaries for relief efforts, the ISM-DR resumed following the devastating Indian Ocean tsunami in 2004.¹⁶¹ Since then, the ISM-DR has held annual meetings to stock take and discuss practical cooperation in HADR.

Practical cooperation in HADR under the ARF's auspices included workshops and seminars, TTXs, and more recently, FTXs (see Table 3 for the summarized list of HADR activities organized under ARF's ambit). Significantly, HADR cooperation progressed beyond workshops and seminars with the conduct of ARF's inaugural desktop exercise on disaster relief in 2008. Held in Jakarta, Indonesia, and co-organized by Australia and Indonesia, the exercise was aimed at enhancing interoperability between ARF member states in disaster relief operations.¹⁶² Member states practiced the draft ARF standard operating procedure (SOP) for HADR, which was subsequently developed into the ARF strategic guidance for HADR. This was followed with the voluntary demonstration of response (VDR) in 2009, co-organized by the United States and Philippines. Conducted in Luzon, Philippines, the VDR saw the participation of 26 ARF member states and involved assets from 14 participating states.¹⁶³ During the VDR, Japan's Maritime Self Defense Force (JMSDF) coordinated with the Philippines Coast

¹⁶¹ Haacke, "ASEAN Regional Forum and Transnational Challenges," 142.

¹⁶² ASEAN Regional Forum, "Co-Chairs' Summary Report of the Eighth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief" (Banda Aceh, Indonesia, ASEAN Regional Forum, Dec 5–6, 2008).

¹⁶³ ASEAN Regional Forum, "Co-Chairs' Summary Report for ASEAN Regional Forum Voluntary Demonstration of Response (ARF-VDR)" (Luzon, The Philippines, ASEAN Regional Forum, May 4–8, 2009).

Guard and Navy in the deployment of a JMSDF search-and-rescue short takeoff and landing (STOL) Shin Maywa US-2 plane to exercise the SAR of injured survivors on a vessel in Manila Bay. Other participants of the VDR also deployed medical and engineering capabilities. The VDR signified a “major step for ARF in developing concrete and tangible”¹⁶⁴ practical cooperation in HADR and encouraged the development of further initiatives to increase HADR cooperation.

¹⁶⁴ Ibid.

Table 3. HADR workshops, seminars, and exercises conducted under ARF auspices¹⁶⁵

Practical Cooperation in HADR under ARF			
Year	Workshops and Seminars	Tabletop exercises (TTX)	Field Exercises
2014	- ARF Workshop on Consular Contingency Planning and Crisis Management in Bali, Indonesia; co-chaired by Australia and Indonesia		
2013		- ARF DiREx 2013 in Cha-am, Phetchaburi Province, Thailand; co-organized by Thailand and Korea	- ARF DiREx 2013 in Cha-am, Phetchaburi Province, Thailand; co-organized by Thailand and Korea
2012	- ARF Seminar on the Laws and Regulations of Disaster Relief in Beijing 2012, China; co-chaired by Indonesia, China, and the United States		
2011		- ARF DiREx 2011 in Manado, Indonesia; co-organized by Japan and Indonesia	- ARF DiREx 2011 in Manado, Indonesia; co-organized by Japan and Indonesia
2010	- ARF Seminar on the Laws and Regulations of Disaster Relief 2010 in Beijing, China; co-chaired by China, and Thailand - ARF Training Workshop on developing a common framework for post disaster needs assessment, recovery and reconstruction in Asia in Bangkok; co-chaired by EU and Thailand		
2009	- ARF Seminar on the Laws and Regulations of Disaster Relief in Beijing 2009, China; co-chaired by China, and Singapore		- ARF VDR 2009 in Luzon, Philippines; co-organized by the United States and Philippines
2008	- ARF Seminar on Stabilization and Reconstruction Issues in Bangkok, Thailand; organized by the United States	- ARF Desktop Exercise on Disaster Relief in Jakarta, Indonesia; organized by Australia and Indonesia	
2005	- ARF workshop on Civil Military Operations in Manila, Philippines; co-organized by Australia and the Philippines		
2002	- Humanitarian Assistance and Disaster Relief Seminar in Singapore; organized by Singapore - Combined Humanitarian Assistance Response Training (CHART) in Singapore;		
2000	- ARF Train the Trainers Seminar "Towards Common Approaches to Training in Disaster Relief" in Bangkok, Thailand; organized by Thailand		

¹⁶⁵ Information provided in the ASEAN Regional Forum official website.

Following member states' acknowledgement of the VDR's utility in promoting HADR coordination, the ARF ISM-DR endorsed recommendations for regular disaster relief exercises (DiREx). In 2011, Japan and Indonesia co-organized the ARF DiREx in Manado, Indonesia. DiREx 2011 occurred under the backdrop of the 2011 Japanese earthquake and tsunami—the actual exercise took place three days after the calamity. Consequently, DiREx 2011 saw reduced participation from United States and Japan but witnessed the participation of 25 ARF member states and civil organizations such as the UNICEF, UNOCHA, WFP, WHO, and IFRC. The three-component DiREx 2011, which included a TTX, FTX, and a humanitarian civil action (HCA) component, saw increased exchanges between participants. The HCA saw deployment of medical teams from China, Indonesia, the Philippines, Singapore, Timor-Leste, and the European Union (EU) in the provision of free medical services in Indonesian villages. The medical teams were also deployed onboard a floating hospital onboard the TNI AL's hospital ship, *KRI Soeharso*. Significantly, the FTX also saw coordination of military assets from participants, including ships and boats from the Indonesian and Indian navies, and helicopters from Indonesia, India, and Singapore.¹⁶⁶

The endeavor towards greater practical cooperation in HADR continued in 2013, with the conduct of DiREx 2013 in Phetchaburi province, Thailand. Co-organized by Korea and Thailand, the exercise saw the participation of 24 ARF member states. In DiREx 2013, MERCY Malaysia and the Trilateral Cooperation Secretariat, which is an international organization comprising of China, Japan, and South Korea, and designed to promote peace and common prosperity, also joined civil organization participants who had participated in the previous DiREx. DiREx 2013 also saw increased deployment of military assets from participants in the FTX, including “ships and boats from Thailand, the ROK, and the United States, helicopters from Thailand, and transport aircrafts from Thailand, Japan, Malaysia, ROK, and Singapore.”¹⁶⁷ Civil organizations such as the UOCHA, IFRC, and WHO also contributed “other types of assets such as medical,

¹⁶⁶ ASEAN Regional Forum, “Co-Chairs’ Summary Report ASEAN Regional Forum Disaster Relief Exercise (ARF DiREx) 2011” (Manado, Indonesia, ASEAN Regional Forum, Mar 15–19, 2011).

¹⁶⁷ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the ASEAN Regional Forum Disaster Relief Exercise (ARF DiREx) 2013” (Cha-am, Thailand, ASEAN Regional Forum, May 7–11, 2013).

communications, canine, and SAR equipment.”¹⁶⁸ Aside from the increased participation of physical assets, the FTX also saw the exercising of more systematic HADR coordination, with the Emergency Operations Center (EOC) set up to act as the main coordinating body to synchronize deployment of ASEAN and non-ASEAN civilian and military assets. The EOC coordinated with the ASEAN Coordinating Center for Humanitarian Assistance and Disaster Management (AHA Center) for deployment of ASEAN civil–military assets, with the On-Site Operations and Coordination Center (OSOCC) for non-ASEAN civilian assets, and the Civil–Military Operations Center (CMOC) for non-ASEAN military assets.¹⁶⁹ While this seemed like a cumbersome hierarchical structure, ARF member states’ willingness to exercise the structure symbolized significant shifts to plausible greater practical cooperation in HADR.

Overall, the ARF ISM-DR’s efforts to foster greater practical cooperation in HADR have been encouraging. In 2009, ARF members endorsed the joint Australia and Singapore proposal to implement the ARF disaster relief mapping service initiative.¹⁷⁰ The Internet-based geospatial disaster relief mapping service was subsequently operationalized in mid-2010. ARF participants were encouraged to “input data on a voluntary basis, in coordination with Australian Department of Defense.”¹⁷¹ In the 2012 ISM-DR, Australia highlighted that “the service had been utilized to an extent during the Christchurch earthquake in 2011.”¹⁷²

Plans for DiREx 2015 also moved towards more comprehensive exercising of inter-state civil–military coordination in HADR. Updating members on preparations, co-

¹⁶⁸ Ibid.

¹⁶⁹ ASEAN Regional Forum, “Co-Chair’s Summary Report ASEAN Regional Forum Disaster Relief Exercise (ARF DiREx 2013) Final Planning Conference (FPC)” (Cha-am, Thailand, ASEAN Regional Forum, Apr 1–3, 2013).

¹⁷⁰ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Honolulu, Hawaii, United States, ASEAN Regional Forum, Sep 16–18, 2009).

¹⁷¹ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Tenth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Bangkok, Thailand, ASEAN Regional Forum, Sep 2–3, 2010).

¹⁷² ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Eleventh ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Brisbane, Australia, ASEAN Regional Forum, Apr 16–17, 2012).

organizers China and Malaysia stated that the exercise aims to “[create] synergy towards the effective implementation of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) as the common platform for regional disaster management.”¹⁷³ Ratified by all 10 ASEAN member states in 2009, the AADMER offers the framework for ASEAN’s HADR responses. The aim to further the AADMER in DiREx 2015 signifies ASEAN’s desire to assume centrality within the ARF amidst other HADR initiatives and exercises in parallel ASEAN-led institutions such as the EAS and ADMM+. Relatedly, Singapore and Malaysia had also highlighted separately that there is a need to align priority areas listed in the ARF ISM-DR Work Plan with the AADMER work program.¹⁷⁴ In the same tone, the United States proposed to convene an ARF workshop to focus efforts on “reconciling, creating synergy, and coordination between ARF disaster relief exercises throughout the ASEAN mechanisms.”¹⁷⁵ Whether these initiatives will materialize remains to be seen, but so far, the ARF’s practical cooperation in HADR has been promising. While the forum is still unable to mount coordinated responses to deliver aids to disaster areas, it has managed to progress beyond dialogues and declarations, and organized desktop and field exercises, to foster significant practical cooperation amongst member states in disaster relief.

C. REASONS FOR THE DIFFERENT PACE OF PROGRESS IN COUNTER-TERRORISM AND HADR

While ARF members recognized and agreed that there is a need for greater cooperation in both counter-terrorism and disaster relief, the forum saw more practical cooperation in HADR compared to counter-terrorism. Using the framework proposed in Chapter I, this section highlights the different challenges the ARF has faced in furthering cooperation in the two NTS domains, and argues that ASEAN states’ reluctance to compromise the principle for non-interference resulted in the ARF’s inability for counter-

¹⁷³ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Thirteenth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Chengdu, China, ASEAN Regional Forum, Feb 26–28, 2014).

¹⁷⁴ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Twelfth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Padang, Indonesia, ASEAN Regional Forum, Mar 12–13, 2013).

¹⁷⁵ Ibid.

terrorism cooperation beyond workshops, and limited intelligence and information sharing. Separately, notwithstanding the encouraging signs of increased practical cooperation in HADR, the forum fell short of coordinating ARF-centered operational responses to disasters. This section argues that states' concern for infringement of sovereignty rights meant that HADR operational responses in the region remained limited to bilateral and multilateral coordination amongst trusted partners outside of the ARF's auspices.

1. Reluctance to Compromise ASEAN Principles for Non-interference in State Affairs

Efforts under the ARF in counter-terrorism were limited to the conduct of workshops and seminars because ASEAN states continued to be wary of interference from extra-regional states. The 9th ARF ISM-CTTC's decision that the inclusion of new priority areas in counter-terrorism would be allowed, "only if there are lead countries from both ASEAN and non-ASEAN ARF participants"¹⁷⁶ had been highlighted on multiple occasions in different ARF ISMs on CTTC.¹⁷⁷ The reminder was put forth in 2011 when Russia proposed the ISM to tackle issues related to terrorist financing, and was again mentioned in 2014 when the EU recommended to add trafficking of human beings to the ISM's agenda. It can be inferred that ASEAN states wanted to maintain control over the type of counter-terrorism cooperation in the region and to ensure that this cooperation would not infringe the principle for non-interference.

The reluctance to compromise the principles for non-interference in state affairs was most evident in light of some ARF states' responses to the United States' 2003 invasion of Iraq. Some ARF member states feared that the discovery of Islamic terrorist cells linked to the Al-Qaeda network in their countries would open the door to similar interventions by United States and other extra-regional states. Responding to the United

¹⁷⁶ ASEAN Regional Forum, "Co-Chairs' Summary Report of the Twelfth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime" (Bali, Indonesia, ASEAN Regional Forum, Apr 14–16, 2014).

¹⁷⁷ ASEAN Regional Forum, Co-Chairs' Summary Report of the Seventh ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime; ASEAN Regional Forum, Co-Chairs' Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.

States' invasion of Iraq with neither the mandate of the UN Security Council nor "convincing evidences for the claim of WMD that served as its pretext,"¹⁷⁸ Indonesia and Malaysia released strongly worded statements deploring the act as "an action of a cowardly, imperialist bully"¹⁷⁹ and "praised the Iraqi people for their 'heroic dedication' in defending their nation against U.S.-led invasion."¹⁸⁰ Malaysia and Indonesia have also cautioned against associating terrorist networks with specific races and religions. In the 2011 ARF ISM-CTTC, Malaysia, in its capacity as the co-chair, highlighted that "terrorism should not be associated with a particular ethnicity, nationality or religion."¹⁸¹ In so doing, states with a predominantly Muslim population, such as Malaysia and Indonesia, were wary of plausible intervention that in turn would result in political backlash from domestic constituents.

States' lack of mutual trust rooted in concerns over external interferences can also be inferred from the the ISM-CTTC's reluctance to endorse initiatives to further intelligence and information sharing. Despite acknowledgement that "ARF should enhance cooperation in information and intelligence sharing,"¹⁸² the forum could not agree on actual concrete measures. In the 2010 ISM-CTTC, the United States put forth proposals to establish the ARF Transnational Threat Information-Sharing Center (ATTIC) and ARF Mutual Legal Assistance Task Force.¹⁸³ In 2012, the United States again recommended to convene "workshops on the concept development of the ATTIC."¹⁸⁴ The United States argued that the setting up of the ATTIC and the ARF Task Force was aimed at "deepening information sharing arrangements in line with the Hanoi

¹⁷⁸ Morada, "ASEAN Regional Forum and Counter-Terrorism," 154.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid., 155.

¹⁸¹ ASEAN Regional Forum, Co-Chairs' Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime

¹⁸² ASEAN Regional Forum, "ASEAN Regional Forum. "Co-Chairs' Summary Report of the Tenth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime." (Quang Nam, Vietnam, ASEAN Regional Forum, Mar 16–17, 2012).

¹⁸³ ASEAN Regional Forum, Co-Chairs' Summary Report of the Eighth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.

¹⁸⁴ ASEAN Regional Forum, ASEAN Regional Forum. "Co-Chairs' Summary Report of the Tenth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.

PoA to implement the ARF vision statement.”¹⁸⁵ Implementation of these initiatives, however, remain to be seen. ARF members have since dropped discussion on the ARF task force in subsequent ISMs following lackluster responses; discussions on the ATTIC are still ongoing. States’ apprehension for legalized and binding agreements in information sharing was suitably summed up in the 2006 ISM-CTTC statement, which states that “information sharing needs to be done on a reciprocal basis within the limits of the domestic legislation and regulation of a particular country.”¹⁸⁶ In sum, while states have repeatedly voiced a willingness to share intelligence and information in the fight against terrorism, the ARF has not seen any comprehensive measures in that regard because states continue to harbor mutual suspicious.

2. Concerns over Plausible Infringement of Sovereignty Rights

Despite the expansion in scope for practical cooperation in HADR from dialogues and workshops to FTXs in DiREX 2011 and 2013, the ARF still lacks the ability to coordinate operational responses to deliver aid to disaster struck areas. The inability to further HADR cooperation, unlike the case for counter-terrorism, however, is not an issue of capacity. In fact, many ARF member states have troops that are well equipped and experienced in HADR. Rather, the forum’s inability can be attributed to states’ concerns over plausible infringement of sovereignty rights.

ARF member states’ concerns for “national sovereignty and domestic legislative issues in the use of foreign military assets”¹⁸⁷ were evident from lackluster responses to the United States’ proposal for an ARF Rapid Disaster Response Agreement (RDR). The U.S.-proposed agreement asked members to consider an agreement to “allow military assets to conduct rapid disaster response operations until such time as the domestic

¹⁸⁵ ASEAN Regional Forum, Co-Chairs’ Summary Report of the Ninth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.

¹⁸⁶ ASEAN Regional Forum, “ASEAN Regional Forum. “Co-Chairs’ Summary Report of the Fourth ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.” (Beijing, China, ASEAN Regional Forum, Apr 26–28, 2006).

¹⁸⁷ ASEAN Regional Forum, Co-Chairs’ Summary Report of the Eleventh ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief.

government and NGO assets could effectively respond to the disaster.”¹⁸⁸ To some states, this translates into a blanket agreement to allow foreign military troops into sovereign territory. In response, some states cited the non-binding ARF Voluntary Model Arrangement for Use of Foreign Military and Civil Defense Assets (MCDA). These states highlighted that disaster relief assistance should follow the MCDA’s stipulations, which calls for “bilateral arrangement between ARF participants on a voluntary basis.”¹⁸⁹ In essence, ARF member states remained uncomfortable with agreements, either temporary or permanent, that allow foreign militaries to enter state territory without explicit prior approval.

During the series of ARF seminars on the Laws and Regulations of Disaster Relief conducted since 2009, member states again indicated their discomfort with allowing foreign militaries to enter a member states’ sovereign territory without receiving prior approval from that member. The seminars were seemingly conducted in response to Myanmar’s resistance to “admit foreign military assets to speed up humanitarian relief effort”¹⁹⁰ during the 2008 Cyclone Nargis. The 2009 seminar noted that “in some countries, the militaries were the main institution while, in others, it was the civil agencies that took the lead, with the militaries playing a supporting and complementary role.”¹⁹¹ In addition, the seminar also noted that “external assistance shall be provided with the consent of the affected country, and the HADR efforts should be under its overall control and supervision.”¹⁹² Subsequent seminars in 2010 and 2012 repeated the same lines, noting “it is critical to remove all legal obstacles in international HADR operations to expedite deployment of relief assistance”¹⁹³ but accepted that “a standard

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ Haacke, “ASEAN Regional Forum and Transnational Challenges,” 144.

¹⁹¹ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the ASEAN Regional Forum Seminar on Laws and Regulations on the Participation in International Disaster Relief by Armed Forces” (Beijing, China, ASEAN Regional Forum, Apr 22–25, 2009).

¹⁹² Ibid.

¹⁹³ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Third ASEAN Regional Forum Seminar on Laws and Regulations on the Participation in International Disaster Relief by Armed Forces” (Beijing, China, ASEAN Regional Forum, Jun 11, 2012).

multilateral agreement might not be appropriate to the national legal framework of each individual country.”¹⁹⁴ Nevertheless, the seminars remained unable to foster consensus to develop agreements that allow for rapid deployment of foreign military assets to disaster areas.

¹⁹⁴ Ibid.

IV. THE LIMITS OF THE ARF

The 1995 ARF concept paper identified three key phases—confidence-building, PD, and CR—through which the forum should be expected to progress. After 20 years, however, the ARF has arguably not been able to progress beyond the confidence-building phase. Chapters II and III of this thesis analyzed the ARF’s roles, or lack thereof, in managing the region’s traditional security and NTS challenges. These chapters also provided explanations for the ARF’s inability to manage and resolve traditional security challenges such as the SCS maritime territorial dispute, and its limitations in facilitating practical cooperation in the NTS areas of counterterrorism and HADR. This concluding chapter matches empirical findings in these chapters to the proposed hypothesis highlighted in Chapter I. It argues that the ARF can be reasonably expected to effectively tackle security challenges only if the two conditions—maintenance of ASEAN core principles and alignment of members’ (critically, great powers’) interests—are fulfilled. The first part maps findings in Chapters II and III to the proposed hypothesis. The second part then highlights significant headway made by other ALIs, such as the ASEAN Defense Minister Meeting Plus (ADMM-Plus), in tackling NTS challenges, and concludes the thesis by arguing that in order for the ARF to maintain its position of centrality as Asia’s inclusive security forum, members should be cognizant of the forum’s limits and work within these confines. As a continual process of confidence-building amongst its broad geographical membership, the ARF should align its efforts with other ALIs to further practical cooperation in the respective NTS domains.

A. MAPPING EMPIRICAL EVIDENCES TO HYPOTHESIS

Chapter I laid out the hypothesis that the ARF’s ability to effectively tackle security challenges is premised on the fulfillment of two conditions—that ASEAN core principles can be maintained and members’ (critically, great powers’) interests are aligned. The ARF had not been able to manage or resolve the SCS maritime territorial dispute because these two necessary conditions were not fulfilled. First, the ARF’s active management of the dispute would entail intervening in states’ affair, which is a key

ASEAN principle. Second, divergent interests between the United States and China, and amongst ASEAN claimants, prevented the establishing of consensus. Consequently, the ARF could not progress beyond dialogue and issuance of statements.

On the other hand, the ARF managed to foster limited practical cooperation in counter-terrorism and HADR because cooperation in these areas did not infringe ASEAN core principles, and members' interests were broadly aligned. With these two conditions fulfilled, the ARF saw progress beyond dialogues and declarations in these areas to include the conduct of workshops, seminars, and field training exercises. Notwithstanding the significant progress, ARF members remained unable to mount coordinated operational responses under the ARF's auspices in these NTS domains because of a lack of trust amongst member states. Table 4 correlates the conditions laid out in the hypothesis with empirical findings from Chapters II and III.

Table 4. Correlation of hypothesis with empirical evidence

<i>Type of Security Challenge</i>	<i>Traditional Security Challenge</i>	<i>NTS</i>	
<i>Case Studies</i>	SCS Maritime Territorial Dispute	Counterterrorism	HADR
<i>Can the ARF maintain ASEAN core principles in tackling the security challenge?</i>	No	Yes	Yes
<i>Are members' interests aligned in tackling the security challenge?</i>	No	Yes	Yes
<i>Was the ARF able to progress beyond dialogues and declarations in the security challenge?</i>	No	Yes, but limited to workshops and seminars	Yes, but limited to practical cooperation that is short of coordinated operational responses

1. ARF's Limited Utility in the SCS Dispute

Pertaining to the SCS dispute, the ARF has been unable to progress beyond dialogues and declarations. While the ARF in itself was not able to manage or resolve the

SCS dispute, the forum had arguably exhibited limited utility in concert with other regional institutions in discouraging states from further escalatory behaviors in the SCS. To this end, there have been limited initiatives and agreements concluded outside of the ARF, most notably by ASEAN. These agreements encouraged self-restraint from claimants and signified at least the willingness of claimant states to negotiate the maritime dispute without compulsion and the use of force. Amongst these, ASEAN had advocated for “dialogue and consultation among parties”¹⁹⁵ to prevent inadvertent escalations. Discussions between China and ASEAN concluded a number of mutual agreements, such as the aforementioned DOC, which called for “voluntary restraint on activities that would cause tension and for consultation and negotiation rather than coercion to resolve disputes.”¹⁹⁶ In 2011, China and ASEAN also agreed on the Guidelines to Implement the DOC.¹⁹⁷ Discussions on the implementation of the guidelines commenced between China and ASEAN in 2012. Four expert committees on maritime scientific research, environmental protection, search and rescue, and transnational crime were set up to further initiatives in these areas.¹⁹⁸ In addition, ASEAN released its “Six-Point Principles on the South China Sea”¹⁹⁹ in July 2012 to articulate the association’s positions based on ASEAN norms. The document reinforced ASEAN’s prior commitment to implement the DOC, and to continue the exercise of self-restraint and non-use of force in the dispute.²⁰⁰ Relatedly, Indonesia also exercised initiative in circulating the zero draft of a regional Code of Conduct (COC) in the 2012 ASEAN ministers meeting. Indonesian diplomats based the proposal on prior documents such as the DOC and ASEAN’s Six-Point Principles. In 2013, ASEAN and China commenced official discussions on the COC, and the meeting endorsed an expert group

¹⁹⁵ Thayer, “ASEAN, China, and the Code,” 77.

¹⁹⁶ Jeffery Bader, Kenneth Lieberthal, and Michael McDevitt, “Keeping the South China Sea in Perspective,” *Brookings: The Foreign Policy Brief* (August 2014): 4.

¹⁹⁷ Thayer, “ASEAN, China, and the Code,” 77.

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid.*, 79.

²⁰⁰ *Ibid.*

to develop the COC.²⁰¹ Progress on the COC is, however, expected to be long-drawn because of claimants' different interpretations of sovereignty rights and unwillingness to relent on their separate claims.

More recently, during the slew of meetings between Asia-Pacific leaders in November 2014, states also adopted conciliatory stances in discussing the maritime dispute. During the 12th ASEAN-China meeting, China stated that the dispute would be addressed "through friendly consultations and negotiations and in a peaceful way."²⁰² China's leader also dedicated a long speech during the G20 conference to address the dispute, stating "it is China's longstanding position to address peacefully its disputes with countries concerned and territorial sovereignty and maritime interest through dialogue and consultation."²⁰³ In a meeting between China and Malaysia's leaders during APEC, China also praised Malaysia for "adopting the quiet diplomacy approach in tackling maritime disputes in the SCS."²⁰⁴ Reciprocating the conciliatory gesture on the sidelines of the APEC meeting, the Philippines leader stated "[on] most of the general points [in discussions related to the dispute], we had a meeting of the minds."²⁰⁵ While the positive-spirited statements suggested a shift towards more moderate overtures, the rhetoric in leader's statements itself does not guarantee that the conflicting claims in the dispute would be kept below its simmering point. The situation in the SCS remains volatile, and tensions can be easily reignited should states engage in unilateral assertions seeking to alter the status quo.

²⁰¹ Ibid., 82.

²⁰² People's Daily Online, "China Insists on 'Dual-Track' Approach to Resolving South China Sea Issues," November 18, 2014, <http://english.peopledaily.com.cn/n/2014/1118/c98649-8810382.html>.

²⁰³ Michelle Florcruz, "South China Sea Maritime Dispute: Xi Jinping Vows Peaceful Resolution, as PLA Prepares for Possible Use of Force," International Business Times, November 17, 2014, <http://www.ibtimes.com/south-china-sea-maritime-dispute-xi-jinping-vows-peaceful-resolution-pla-prepares-1724819>.

²⁰⁴ "China's Xi Praises Malaysia's 'Quiet Diplomacy' on South China Sea Issues," Channel NewsAsia, November 18, 2014, <http://www.channelnewsasia.com/news/asiapacific/china-s-xi-praises/1465796.html>.

²⁰⁵ Benjamin Kang Lim, "Beijing, Philippines Move to Calm South China Sea Tensions," Reuters, November 11, 2014, <http://www.reuters.com/article/2014/11/11/china-apec-philippines-idUSL3N0T11OQ20141111>.

Empirical evidence cited in Chapter II has shown that the ARF had not been able to manage, let alone resolve the SCS territorial dispute. The ARF, led by ASEAN and modeled on the basis of the “ASEAN way,” is loosely institutionalized as an inclusive forum. Being ASEAN-led, the reluctance of ASEAN to compromise the principle of non-interference in state affairs meant that the forum could not intercede when members undertook unilateral actions that have, at times, escalated tensions in the SCS. The absence of securitization in the ARF owing to its large membership base and correspondingly, its members’ widely divergent interests, also meant that it has been very difficult, if not impossible, to achieve consensus in dealing with zero-sum traditional security issues such as the SCS maritime dispute, where one states’ gain is another state’s loss. Consequently, in traditional security issues such as the SCS maritime dispute, the ARF could not progress beyond dialogues and declarations, and remains a high-level talk shop that can only manage the issuance of statements to encourage states restraint.

2. Limited Counter-Terrorism and HADR Practical Cooperation under ARF’s Auspices

Notwithstanding the progress made by the ARF to foster regional cooperation in counter-terrorism and HADR, operational responses have remained largely bilateral and multilateral outside of the ARF’s auspices. Instances in which intelligence exchanges contributed to counter-terrorism have been confined to voluntary exchanges amongst willing states, most notably between the United States and ASEAN states. For instance, the intelligence exchanges between relevant ASEAN states led to the arrest of Jemaah Islamiyah (JI) operatives such as leader Mas Selamat Kastari and explosives expert Fathur Rohman Al-Ghozi in Singapore and the Philippines, respectively.²⁰⁶ Similarly, Malaysia and Singapore’s provision of video testimonies by JI operatives residing in their respective states during the trial of JI spiritual leader, Abu Bakar Bashir was a trilateral cooperation outside of the ARF.²⁰⁷ On the same note, the United States–led multilateral proliferation security initiative (PSI) occurred outside of the ARF; it was the strong

²⁰⁶ Tan See Seng and Kumar Ramakrishnan, “Interstate and Intrastate Dynamics in Southeast Asia’s War on Terror,” *SAIS Review* 24, no. 1 (2004): 94–5.

²⁰⁷ *Ibid.*

bilateral alliances between the United States and key Southeast Asian countries that led to the successful interdiction of weapons of mass destruction (WMD) and other terrorism-related paraphernalia.²⁰⁸

HADR operational responses have also been confined largely to bilateral and multilateral cooperation outside of the ARF. Just as it had been in the 2004 Indian Ocean tsunami, where the “makeshift coalition of the United States, Japan, Australia, and India—known as the Tsunami Core Group (TCG)”²⁰⁹ was instrumental in coordinating aid delivery to disaster areas, operational responses to recent calamities such as the 2008 Cyclone Nargis and the 2013 Typhoon Haiyan were conducted outside of the ARF. Occurring hours after the inaugural ARF HADR desktop exercise in Jakarta, Myanmar’s junta government rejected all forms of foreign assistance. It was ASEAN that coordinated relief efforts in Myanmar. Through deployment of the ASEAN Emergency Rapid Assessment Team (ERAT), the association assessed the population needs before facilitating “the effective distribution and utilization of assistance from the international community, including the expeditious and effective deployment of relief workers.”²¹⁰ Despite ASEAN’s facilitation, Myanmar’s government rejected propositions for foreign military assets, including those from Southeast Asia, to assist in disaster relief.

Relief efforts during the 2013 Typhoon Haiyan were similarly relegated to bilateral initiatives, outside of ARF, and even ASEAN auspices. Despite the prior conduct of large scale DiRExS in 2011 and 2013, there was an evident absence of disaster relief coordination through the ARF. Singapore’s deployment of C-130 transport planes to deliver relief supplies, Brunei’s deployment of a patrol vessel and fixed wing aircraft, and Indonesia and Thailand’s contribution of air assets and medical supplies were all conducted on a bilateral basis.²¹¹ Similarly, Japan’s Self Defense Forces’ (SDF) assets,

²⁰⁸ Cha, “Complex Patchworks,” 43.

²⁰⁹ Ibid., 37.

²¹⁰ Haacke, “ASEAN Regional Forum and Transnational Challenges,” 144.

²¹¹ Euan Graham, “Super Typhoon Haiyan: ASEAN’s Katrina Moment?” *RSIS Commentaries*, no. 213 (November 23, 2013).

including some “1100 personnel, 16 military aircraft, and three ships”²¹² could only deploy after the Philippines “formally requested”²¹³ them. Unlike the case of Cyclone Nargis, the Philippines did not resist foreign military aid. The troubling issue, however, is that despite prior exercises to practice regional HADR responses, disaster relief efforts remained slow and uncoordinated.

Unlike traditional security issues such as the SCS maritime territorial dispute, NTS challenges are not zero-sum, generally do not contravene the ASEAN principle of non-interference, and are broadly aligned with great powers’ interests. Despite this, the respective ARF ISMs only managed to foster limited practical cooperation under the ARF’s auspices to tackle NTS challenges such as counter-terrorism and HADR. While the ARF was able to progress in these areas beyond dialogues and declarations to see the conduct of the aforementioned counter-terrorism workshops and HADR desktop and field exercises, it was not able to influence member states to agree on operational cooperative initiatives, such as the U.S.-proposed ATTIC, ARF Mutual Legal Assistance Task Force, and the ARF RDR.

The ARF’s inability to advance operational cooperation in NTS can be attributed to a lack of mutual trust amongst all members, the forum’s strict adherence to consensus, and members’ averseness to binding arrangements. The lack of mutual trust limited counter-terrorism cooperation to voluntary information sharing amongst willing states with existing defense arrangements, most notably between the United States and its defense partners in Asia. Being an ASEAN-led forum, the ARF abides by the principles of consensus and is averse to binding arrangements. Not all members are comfortable with the trans-boundary deployment of military assets for HADR. While some activist members are keen to conclude arrangements such as the RDR, others remain wary that acceding to these binding agreements equates to granting uncontrolled access to foreign militaries. Consequently, consensus could not be reached in the forum, and significant operational cooperation in HADR remained bilateral and multilateral outside of the ARF’s auspices.

²¹² Ibid.

²¹³ Ibid.

B. CONCLUSION: CENTERING EFFORTS TO FOSTER PRACTICAL COOPERATION IN THE NTS DOMAIN

In the last two decades, Asia has seen the sprouting of new security institutions, such as the Shangri-La Dialogue, the ADMM, and the ADMM-Plus, which to a certain extent, had enhanced the existing security architecture in the region. Some of these, such as the ADMM-Plus, have made significant headways in fostering practical cooperation amongst members. In addition, traditional security matters such as the SCS dispute have also crept into the agenda of economic-focused forums such as the East Asia Summit (EAS) and the Asia-Pacific Economic Cooperation (APEC). This begs the question of whether regional states and the great powers still believe in the ARF's relevance in tackling the region's security challenges.

1. Parallel NTS Initiatives by ADMM-Plus

Conceived in 2007, the ADMM-Plus is an expanded grouping of the ADMM, which brings together defense officials from ASEAN's eight extra-regional dialogue members, including Australia, China, India, Japan, South Korea, New Zealand, Russia, and the United States. With the concept approved in the second ADMM held in Singapore in 2007, the ADMM-Plus held its inaugural meeting in 2010. Different from the ARF, the ADMM-Plus focuses primarily on practical cooperation in NTS issues such as "natural disasters, pandemics, and the security implications of climate change and environmental deterioration."²¹⁴ Deliberate in its efforts to not be relegated into another talk shop forum, the ADMM-Plus instituted Expert Working Groups (EWGs) to discuss and further practical approaches to tackle various NTS challenges in the region. Five EWGs on the areas of HADR, maritime security, peacekeeping, counterterrorism, and military medicine were established, with each EWG co-chaired by an ASEAN member and an extra-regional dialogue partner.

So far, the ADMM-Plus has organized a significant number of exercises to foster practical security cooperation amongst members in NTS areas. Separate tabletop

²¹⁴ Desmond Ball, "Reflections on Defence Security in East Asia," RSIS Working Paper 237, Institute of Defense and Strategic Studies, Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 2012, 17.

exercises on military medicine and maritime security were organized in 2012 by the respective EWGs. In 2013, a large scale HADR and military medicine exercise was conducted in Brunei. Different from the ARF DiREXs, which typically featured civil–military cooperation, the ADMM-Plus exercise focused on military to military cooperation.²¹⁵ Some “3200 personnel, seven ships, and 15 helicopters,” including “a cargo ship by the U.S. Navy . . . a hospital ship by China, as well as more than 300 troops by Japan”²¹⁶ were deployed.²¹⁷ In the same year, the ADMM-Plus also conducted a counterterrorism exercise (CTX) in Sentul, Indonesia, as well as a maritime security field training exercise in Sydney, Australia. In 2014, a tabletop exercise on peacekeeping was also conducted in Manila, Philippines. Practical cooperation under the ADMM-Plus have matched, and arguably exceeded, the scale and scope of those conducted under the ARF’s auspices. The ADMM-Plus, however, faced the same challenges as the ARF, with a general inability to mount coordinated operational responses to the region’s NTS challenges. Notwithstanding this, members’ willingness to participate in the aforementioned exercises signaled readiness to progress beyond mere dialogues and declarations towards practical security cooperation in these NTS domains. It is therefore appropriate that regional institutions such as the ARF and other security-focused ALIs such as the ADMM-Plus focus confidence-building measures along these NTS domains.

2. Can the ARF Maintain Its Position of Centrality as an Inclusive Regional Security Institution?

Instead of following the footsteps of ARF critics and advocates, who held distinct interpretations of the ARF’s objectives and, correspondingly, used different yardsticks to assess the forum’s effectiveness and relevance, this thesis approached analysis of the ARF by examining the forum’s limits and offered reasons for these limitations. Rather than making extreme arguments that led to the concluding of the ARF as either an ineffective talk shop or a norm-shaping forum, it laid out the conditions that are

²¹⁵ Tomotaka Shoji, “ASEAN Defense Ministers’ Meeting (ADMM) and ADMM-Plus: A Japanese Perspective,” *NIDS Journal of Defense and Security*, no. 14 (December 2014): 13.

²¹⁶ Ibid.

²¹⁷ Ibid.

necessary for the forum to progress security issues beyond dialogues and declarations, and tested them against the forum's approaches to specific traditional security and NTS challenges. The thesis found that there was insufficient evidence to prove ARF advocates' claims regarding the existence of a regional social norm that would constrain states from engaging in assertive behaviors. The ARF, like other regional institutions that operate based on a cooperative security framework, was not able to manage and resolve the region's traditional security issues. In this regard, the ARF has fallen short of ARF advocates' claims. This handicap, however, does not necessarily mean that the ARF is an ineffective talk shop, as claimed by ARF critics. To this end, the ARF had fostered significant practical security cooperation in the NTS areas of counter-terrorism and HADR.

The ARF was formulated post-Cold War to engage great powers in the region so as to afford a stable security complex for economic progress. For the ARF to maintain its position as the central security forum in the region, member states, and more importantly, ASEAN as the organization that leads the forum, need to be cognizant of the forum's limits and formulate realistic objectives within these confines. Specifically, the ARF should continue and, if possible, synergize with parallel ALIs in the conduct of multilateral exercises within the NTS domains. While these exercises fall short of operational coordination in responding to the actual NTS challenges, frequent exchanges in these areas promote state-to-state interaction and contribute to the forum's confidence-building framework.

There are reasons to be sanguine about the ARF's continued relevance. When ASEAN initiated the forum in 1997, it had not envisioned that member states with divergent interests would be able to come together in large-scale joint exercises to address the region's security challenges. The ARF has since evolved from a talk shop that was only capable of dialogues and declarations, to one that has fostered increased practical cooperation to tackle specific NTS challenges. To this end, the ARF is slated to conduct the "first iteration of its major disaster relief exercise (DiREx 2015),"²¹⁸ which

²¹⁸ Prashanth Parameswaran, "ASEAN Eyes Closer Military Ties in 2015," *Diplomat*, February 12, 2015, <http://thediplomat.com/2015/02/asean-eyes-closer-military-ties-in-2015/>.

has the laudable objective of “implementing the AADMER as the common platform for regional disaster management.”²¹⁹ Separately, the ARF has also spurred the creation of other institutions such as the ADMM-Plus, whose effort to promote military-to-military exchanges was praiseworthy. The ADMM-Plus’s EWGs have started planning for the combined field training exercise on maritime security and counter-terrorism to be conducted in 2016.²²⁰ In addition to these increased cooperation, the year 2015 marks the dateline for ASEAN to bring the idea of the ASEAN community to fruition, with the ASEAN Political-Security community as one of the community’s three pillars. All these point to regional and extra-regional states’ willingness to deepen security cooperation within the confines of NTS. Although some of these initiatives fall outside of the ARF’s auspice, the forum, recognized as the most inclusive security institution in the region, could leverage on the opportunity to coordinate activities with parallel ALIs to concretize its position of centrality and relevance.

²¹⁹ ASEAN Regional Forum, “Co-Chairs’ Summary Report of the Thirteenth ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief” (Chengdu, China, ASEAN Regional Forum, Feb 26–28, 2014).

²²⁰ Parameswaran, “ASEAN Eyes Closer.”

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