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Editorial

With respect to their economies, Asian countries, headed by China and India are the most dynamic and fastest-growing in the world. This economic strength is accompanied by increasing political self-confidence and aspirations for acceptance and participation in world affairs.

Against this background it is often over-seen, that within Asia and also in the Pacific, efforts for enhanced regional integration are taking place slowly but steadily. The new edition of ZEI's Regional Integration Observer (RIO) is reflecting these developments. Asian regionalism has taken a road different from integration in Europe. Because of the so-called "Asian Way", which was promoted among others by the former Prime Minister of Singapore, Lee Kuan Yew, and which is emphasizing the principle of national sovereignty, supranational elements are mostly lacking.

Still, the quest for deeper cooperation is going on. Particularly the smaller Asian countries are seeing regional integration as an opportunity to remain involved as actors through the forging of coalitions and the exploitation of synergies. Even the great players like China, India, South Korea and Japan, which are traditionally more skeptical about regional integration are recognizing its growing significance.

The articles of this RIO edition take a closer look at regional groupings like ASEAN. Furthermore the role of China and some aspects of the relations between Asia and Europe are analyzed. Finally in the RIO interview, the Secretary-General of the Pacific Islands Forum, gives an insight into recent developments of regional integration in the Pacific.



Matthias Vogl, Junior Fellow at ZEI



European and Asian heads of state and government at the 8th Asia-Europe-Meeting (ASEM) on 4 October 2010 in Brussels. © European Council

The ASEAN Political and Security Community

* Rizki Damayanti

Introduction

42 years after its establishment, the Association of South East Asian Nations (ASEAN) consists now of 10 member nations namely, Indonesia, Malaysia, Philippines, Thailand, Singapore, Vietnam, Cambodia, Laos, Myanmar, and Brunei Darussalam. In line with the goal of further integration, ASEAN, at the present time, concentrates on framing an ASEAN Community.

At the Summit of Bali in 2003 the ASEAN Concord II was agreed and thereby a vision which eventually gave rise to the concept of forming an ASEAN Community until 2020. Four years later, at the ASEAN meeting in Cebu, Philippines, in 2007, the plans for the ASEAN community were further enhanced and stabilized by the "Cebu Declaration on the Acceleration of the Establishment of an ASEAN Community by 2015." In other words, the period of the realization of ASEAN community has been shortened from 2020 to 2015. ASEAN Community 2015 is a community with forward-looking

perspective, in a peaceful, stable and prosperous environment, unified by dynamic partnership relationship and with community members showing concern for each other. This ASEAN Community was established to solidify ASEAN integration in facing the development of the international political constellation.

ASEAN is fully aware of the necessity to adjust its perspective to be more open in dealing with internal and external problems, to improve solidarity, cohesiveness and effectiveness of cooperation. It does not only concentrate on economic cooperation but it also has to be supported by cooperation in the political, security and socio-cultural field.

For that reason, the establishment of the ASEAN community 2015 was based on three pillars, namely the ASEAN Economic Community (AEC), the ASEAN Socio-Cultural Community (ASCC) and the ASEAN Political Security Community (APSC) on which this article is mainly focusing. These main pillars of ASEAN were agreed on in 2004 by each member country to be rea-

lized through a "Plan of Action".

The development of ASEAN was even more clearly pointed by the formulation of the ASEAN charter. This constitutional foundation established in 2007 gives ASEAN a legal status and legitimization from all walks of life of the South Asian community. As a relatively stable regional organization, ASEAN now faces more challenges in order to acquire a stronger spirit of cooperation and develop a community on a regional basis, like a kind of ASEAN nationalism.

Shaping and Sharing of Norms and Conflict Prevention in the framework of the Plan of Action of ASEAN Community 2015

After Concord II of 2003 to date, there are only two components of the Plan of Action of ASEAN Community of 2015 that have been realized. The first component is "Shaping and Sharing of Norms" realized through the effort of formulating the ASEAN charter. In compliance with the Cebu Declaration on the Blueprint of the ASEAN Charter, the ASEAN charter will transform ASEAN into a rule based organization. This is crucial, considering that up to the present, the character of ASEAN, as an unconsolidated association, is regarded as not being able to respond to the challenge of integration and globalization. The other achievement of the component "Shaping and Sharing of Norms" is the signing of the Treaty on Mutual Legal Assistance in Criminal Matters (MLAT) in 2007. This treaty has given opportunity to support the more concrete cooperation in law, in providing legal assistance. The second component is "Conflict Prevention". The ASEAN Defense Ministers Meeting (ADMM) held in Kuala Lumpur in May 2006 is the main achievement of this component. ADMM gave the opportunity to cooperate in the area of security without establishing any defense treaty or military alliance. In the component of conflict prevention, the implementation of cooperation in the area of cross-border crime will be prioritized. Also in the area of cooperation against terrorism, a number of measures have been taken, e.g. through the improvement of understanding and maintenance of harmony among the members of religious groups. In 2006 the ASEAN Convention on Counter Terrorism (ACCT) was signed, which provides the legal foundation for ASEAN cooperation in the fight against terrorism. In relation to ACCT and MLAT, the challenge ahead for ASEAN implementing the component of "Shaping and Sharing of Norms", among others is the formulation of an ASEAN extradition treaty. In this respect, the high ranking officials of ASEAN in the area of law (ALSOM) in 2007 approved the establishment of a working group to commence the process of the formulation of the said treaty.

Notwithstanding the several targets already

achieved in the components of "Conflict Prevention" and "Shaping and Sharing of Norms", the entire implementation of Plan of Action APSC still needs reinterpretation of the ASEAN's norms and principles, such as the principles of non-interference, consensus and sovereignty as an ASEAN Way adopted by ASEAN member countries, even legalized in ASEAN Charter. Ironically, this charter requires ASEAN to still focus on cooperation among the governments without the entire support and participation of the ASEAN community. No article states how the ASEAN community can participate in it. It is stated in the ASEAN Charter that any decision in ASEAN is still made on consensus basis, and submitted to the member state governments in the end. Another reason as to why APSC will not be fully realized by 2015, is the ineffective institutional structure and functioning within ASEAN. Similarly, no sanction shall be imposed on the ASEAN member countries that do not implement the decisions made. Accordingly, ASEAN can only function as a place for diplomatic cooperation.

Blueprint of ASEAN Political Security Community 2015: Test Case Myanmar

Initially, in the ASEAN Concord II of 2003, the agreement was to build the ASEAN Security Community (ASC), however, due to serious effort made by Indonesia, ASC was then developed into ASEAN Political Security Community (APSC). Indonesia's main responsibility was to elaborate the blueprint of APSC, which was approved in February 2009. It is expected that this blueprint will give clear and specific guidance and serve as a roadmap to further cooperation. In general sense, it can be concluded that with the formulation of an APSC'S blueprint, after a number of tough negotiation and consultation processes with either the fellow member nations or various community elements, ASEAN has made progress towards the establishment of ASEAN Community. The following are several targets to be achieved in APSC:

1. APSC includes agenda of Human Security as part of the understanding included on the concept of Comprehensive Security. State (government) will be no longer a threat for its people.
2. It is expected that APSC will create a cohesive, peaceful, stable and resilient environment at state level and not quasi stability created by sweeping the problem under the carpet but by making an effort toward conflict prevention and conflict resolution emphasizing efforts to achieve these goals and ignoring the option to use military power as a solution for solving problems.
3. APSC should be achieved through a process of political development aimed at the enforcement of principles of democracy, rule of law and good government as well as respect for efforts of promotion and protection of human rights and fundamental

freedoms as outlined in the ASEAN treaty, which is also the shared value and norms of ASEAN.

4. ASEAN also plays central and proactive role in its relation with partner countries (partner for dialogue) in regional and global arena (outward-looking).

Although the blueprint of APSC has been formally received by all ASEAN countries, we should admit that the implementation of such a blueprint is not definitely efficient. This is due to the diversified political system in ASEAN countries. Moreover, it is obvious that some people, in several ASEAN countries, still dislike talking about democracy and the protection of human rights. Thailand and Myanmar are examples of this. The events in Myanmar have given rise to international pressure. In the period since June 2007, the number of political prisoners in Myanmar increase sharply to 2100 prisoners. In November 2008, more than 100 prodemocracy activists, journalists, Buddhist monks, volunteers and lawyers were sentenced to imprisonment up to 68 years. The UN Secretary General, Ban Ki Moon and more than 100 ex-leaders and statesmen demanded the release of Aung San Suu Kyi and called all countries in the world to use influence and capacity so that military junta would fulfill the commitment to Democracy (road map to democracy).

The case in Myanmar, as a matter of fact, has not impelled ASEAN to make any improvement after the ratification of the ASEAN Charter. Even at present, ASEAN has, in fact, only "made a process" rather than achieved a progress in the enforcement of human rights and democracy. On the one hand, from a longer-term perspective, ASEAN has already projected itself to be an integrated institution. Yet on the other hand, ASEAN still adopts a rigid interpretation of the principle of sovereignty and non-intervention. This gap evidently is a hindrance for ASEAN to move ahead. Therefore, the ASEAN Charter is just old wine in new bottles. The tendency to maintain rigid compliance to the principles of non-intervention and sovereignty by ASEAN has been confirmed by the exclusion of Myanmar issue from the agenda of discussion at the 13th ASEAN Summit, in 2007 in Singapore. The international community does not only blame the authoritarian regime in Myanmar, but also the effectiveness of ASEAN cooperation in dealing with the problem.

In relation to the problem of the enforcement of human rights in South East Asia, the solution offered by ASEAN for Myanmar case is still far from the expectation. To date ASEAN can only declare the Myanmar issue as an "ASEAN problem" to avoid any excessive intervention from other countries or institutions outside the region. Another discussed option is whether to exclude Myanmar from ASEAN membership or not.

However for the time being ASEAN has not taken any significant measure.

The crisis in Myanmar has at least 3 significant meanings for ASEAN. The first is the very slow anticipation and recognition of problems. As regional actor experienced in the process of solving the conflict in Cambodia, ASEAN should have been more sensitive to the roots of conflict as the basis of the relationship between military junta and a prodemocracy movement. The second, the Myanmar crisis still shows the dilemma and principle of non-intervention and state sovereignty adopted by ASEAN up to the present. The third, the Myanmar case has confirmed the need for a mechanism of conflict resolution in the ASEAN region itself, because even now ASEAN often sweeps sensitive political issues under the carpet. After the ratification of ASEAN Charter by 10 member nations, effective in 2009, it can be concluded that the solution of the problem in Myanmar is the first test case.

Obstacles of the Implementation of the ASEAN Political Security Community Blueprint

In addition to Myanmar problem, APSC is still hampered by some other factors, which are related to the substance of the content of APSC blueprint and to the aspect of preparedness and commitment of ASEAN's

member nations.

a. Obstacles related to the APSC blueprint's content:

1. Promotion and protection of human rights: despite the addition of the word protection to its heading, the actions are still focused on promotion rather than protection.
2. Effort to promote the principle of democracy will still take a long time.
3. There are no clear formulations on how APSC interacts with people, academic institutions, study institutions and NGOs. The blueprint only states the improvement of participation of the community. Up to the present, academics and NGOs do not have many opportunities to carry out collective activities. There are only a few centers of education and research specifically concentrating on the study of South East Asia in ASEAN, the one which is quite outstanding is the Institute Of Southeast Asian Studies (ISEAS) in Singapore. This is especially due to a lack of financial resources. So far a number of border-crossing academic activities still completely hinge on external funding.
4. No deadlines are specified, like the formulation of a work plan by each member nation to effect institutional change in order to implement the principles in ASEAN charter.

b. Obstacles related to the preparedness and commitment from ASEAN countries:

1. No political willingness from ASEAN member nations to carry out transformation of mechanism and character of ASEAN.
2. The implementation of non-interference and respect of sovereignty, which is not yet flexible.
3. Low commitment to the enforcement of democracy and human rights as it is a lip-service.
4. The implementation of consensus-based decision-making process rather than observing the rule of law, which at a certain level can allow imposition of sanction.
5. Elite-based/state-centric/exclusive ASEAN, which is still existing and which is still under controversy in connection with sensitive issues as proved by the walk out incident by a number of the highest leaders of ASEAN member nations in the meeting with the representatives of different NGOs in March 2009.
6. Absolutely limited consultation process with civil society.
7. Lack of leadership in ASEAN to motivate its member nations to conduct transformation.

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ZEI Director gives Lecture on Global Region-Building at the University of Douala

Regional integration issues have also entered the world of academia in Central Africa. The complicated realities of the CFA Franc zone under the Central African Economic and Monetary Union, CEMAC, and the slowly emerging Economic Community of Central African States, ECCAS-CEEAC, designated to be one of the building blocs of the African Economic Community under the auspices of the African Union (AU) are gradually entering spheres beyond governments and diplomatic circles.

While security issues remain vital in Central Africa with several weak states, the formal customs union encounters on-the-ground problems with issues of double taxation and lack of infrastructure for trans-border trade.

The overlapping membership in several existing regional groupings does not facilitate the exercise of clear-cut integration priorities in the region. In the summer of 2010, the Heads of State of Central Africa have initiated a Steering Committee to look into options for the fusion of CEMAC and ECCAS. Against this backdrop, a Research Group on Regional Integration has been established at the Faculty of Juridical and Political



ZEI Director Prof. Dr. Ludger Kühnhardt together with the Dean of the Faculty of Juridical and Political Science at the University of Douala, Cameroon, Prof. Modi Koko Bebey and Dr. Emmanuel Kam Yogo, Lecturer at the Faculty.

Sciences at the University of Douala in Cameroon. Dr. Emanuel Kam Yogo, lecturer at the faculty and participant of the ZEI Academy in Comparative Regional Integration 2010, inaugurated this first ever Central African research group on issues of regional integration in the course of a workshop with ZEI Director Prof. Dr. Ludger Kühnhardt. His public lecture on global region-building was attended by more than

hundred students and professors, including the Faculty's Dean Prof. Modi Koko Bebey and gained lots of attention, which proves that awareness for regional integration is rising also in Central Africa. The working relationship between the Center for European Integration Studies and the new Cameroonian Research Group in Douala will continue in the future.

Rising China's Regional Policy

* Ting Wai

In September 2009, just one month after his advent of power, the former Japanese Prime Minister, Yukio Hatoyama, proposed to the Chinese government the idea of setting up an "East Asian Community". Apparently the Chinese leaders welcomed this idea, but remain cautious of what is to be done. There are two reasons for the Chinese caution. First, the Japanese Prime Ministers usually are short-lived, and nobody knows whether the next Japanese leader would be equally enthusiastic in forging the construction of an East Asian Community. Second, Sino-Japanese relations are susceptible to uncertainties and depend on the political attitude of leaders. While the last three Prime Ministers adopted a rather conciliatory attitude towards China since 2006, resuming high-level contacts which were baptized as "ice-breaking" and "ice-freezing"; many people believed that Hatoyama continued the more "pro-China" attitude. However, not long after the new Prime Minister Naoto Ken came to power, controversy rekindled again. In effect, without constant Sino-Japanese relations, it is impossible to start the establishment of the East Asian Community, as the bilateral relationship of the two nations is the "axis" for any meaningful regional cooperation attempt.

Until the mid-90s, the government of China was reluctant to join any multilateral framework constructed in the Asia-Pacific region, as the "Cold War mentality" still lingered in the Chinese minds. Beijing at that time was skeptical of the real objective of any regionalization efforts of its neighbours, whether they would simply want to "lock" China within these multilateral frameworks, thus reducing the Chinese freedom to maneuver in foreign policies. Apart from those multilateral constructions which are basically forums for discussion like APEC, China refrained from joining efforts in fostering concrete achievements in regional cooperation, as she was suspicious of the very fact that any regional frameworks would be dominated by the US and Japan aiming to circumscribe or bind China. Beijing did not feel comfortable dealing with multilateralism, but found it much more comfortable to deal with bilateral relationships. If the partner is weak, Beijing thinks that it enjoys an advantageous position. If the partner is strong, it is still easier to deal with it individually.

However, after the mid-90s, China started to be more receptive to regionalism. While the Chinese market economy became more deeply integrated into global capitalism, the crucial importance of developing good relationships with neighbouring countries began to surface. Increasing interdependence not only leads to deeper economic integration between China and economic powers

such as the US, Japan and South Korea but also to more reliance of Southeast Asian economies on the Chinese market. The Chinese policies regarding its neighbours in Asia began to formulate in several aspects.

Firstly, Beijing authorities always emphasize the significance of mutual benefits. Prime Minister Wen Jiabao launched the catchwords "Mulin, Anlin, Fulin" (developing friendship with, appeasing, and enriching the neighbours). This policy of appeasement is epitomized by the attempts of the Chinese government to import more from the Southeast Asian nations in relation to exports whenever it is possible, so as to create a trade surplus for these nations, even though ASEAN countries mainly export agricultural products and raw materials. China continually has deficits in its commercial transactions with neighbouring countries or regions like Japan, South Korea, Taiwan, Thailand, Malaysia etc., contrary to the large surpluses in China's trading with the US and Europe. In 2008, China's imports from ASEAN reached US\$117.0 billion, while exports were US\$114.3 billion. The major regionalization effort made by China is the establishment of the ASEAN+1 Free Trade Area (FTA) which came into force in January 2010. ASEAN products can enter the Chinese market without tariff. This is regarded as a crucial measure in helping ASEAN countries to benefit from the rise of China. However, two questions still remain unresolved. First, the massive inflow of Chinese products into ASEAN since the creation of FTA has aroused criticism from the local business sector, whose weak industries are unable to compete with Chinese goods. Second, regional cooperation can only achieve significant results provided that the ASEAN+3 FTA, including China, Japan and South Korea, could be constructed. There is in fact no difficulty for these three to establish FTA with ASEAN respectively, but there still exist immense difficulties in constructing a FTA among the big three, as their industries and agriculture are still in severe competition.

Secondly, China has to promote a peaceful border security environment, while at the same time alleviate the skepticism and fear of the neighbors vis-à-vis the rise of China. Beijing plays a pivotal role in the Six-Party Talk on the Korean Peninsula, but appears to be ineffective in fostering changes within North Korea. China was the first extra-regional country that signed the ASEAN Treaty for Amity and Cooperation in 2003. The Chinese initiative of establishing the "Shanghai-5" in 1996, which later became the Shanghai Cooperation Organization (SCO) in 2001, is the first international institution based on the Chinese ideas. It is inevitable that Beijing would attempt to influence the future of international regimes or institutions by formulating new "rules of

the games" or international norms. China has promulgated a "new security outlook", hoping that this could transform the political order of the international community. The Chinese idea is also baptized as "cooperative security," which is integrated into the SCO. Confidence-Building Measures (CBM) are considered as fundamental in promoting mutual trust among neighbors. Deployment of soldiers at a certain distance away from the border, as well as informing the exchange are considered as concrete steps in CBM. However, lots of concrete actions are needed in order to forge community spirit between China and Central Asia. No doubt there are a lot of meetings in order to demonstrate the good neighborliness, but joint efforts in achieving something for the common good are lacking.

Thirdly, China's regional policy aims to secure the vital energy supplies, which are related to security issues especially the protection of sea lanes. In order to avoid the over-dependence on the Middle East, Beijing has sought for massive import of oil from Russian Siberia. However, the long awaited 1000-km pipeline (72km in Russia) from Skovorodino in Siberia to Daqing in Heilongjiang, opened in September 2010, could only supply 15 million tons of petroleum per year. This accounts for only 7.4% of China's total import of oil in 2010. Though for China, import from Siberia is the easiest way to obtain crude oil, Russia considers export of oil as an important political instrument and seems to be cautious in exporting more oil to China. On the other hand, the construction work of a 771-km oil pipeline and a 793-km natural gas duct from the coastal city of Kyaukpyu, Myanmar, to the border town of Ruili in Yunnan Province, has already started in September 2010. After the completion of the construction in 2013, annually 22 million tons of oil from the Middle East will then be loaded at Myanmar and sent to China without passing through the Strait of Malacca, which is regarded by the Chinese analyst as an impasse in case of conflicts between China and the others.

In short, China has evolved from refusing to join any multilateral frameworks to actively participating within the last two decades. It is also seeking for influencing international norms based on Chinese ideas and world views. While Asian neighbors have reasons to be skeptical of whether China's Middle Kingdom mentality would be revived, the future regional political order still hinges on whether the liberal-institutionalist approach would prevail over great power politics. The major condition is the creation of China-Japan axis leading to regionalization, which depends in turn to the clairvoyance of the leaders of the two great powers.

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Briding the Gap: The Asia-Europe Foundation and European Studies in Asia

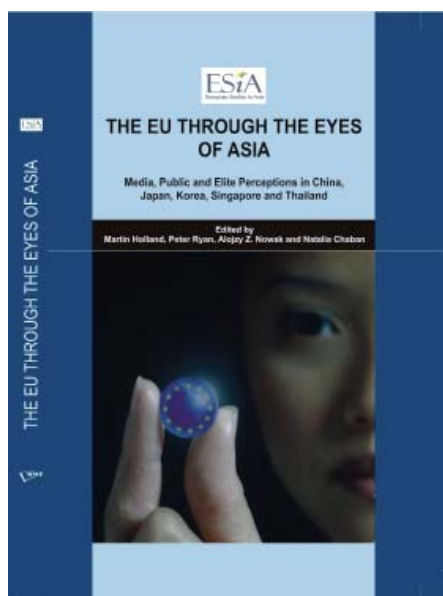
* Ronan Lenihan

The Asia-Europe Foundation (ASEF) promotes greater mutual understanding between Asia and Europe through intellectual, cultural and people-to-people exchanges. Through ASEF, civil society concerns are included as a vital component of deliberations of the Asia-Europe Meeting (ASEM). ASEF was established in February 1997 by the participating governments of ASEM and has since implemented over 450 projects, engaging over 15,000 direct participants as well as reaching out to a much wider audience in Asia and Europe.

It is this desire to improve mutual understanding that inspired ASEF in 2005 to create the European Studies in Asia (ESiA) Network in partnership with the National Centre for Research on Europe (NCRE) – University of Canterbury. From the outset the ESiA Network was set up in reaction to an expressed imbalance between the number of Asian specialists in European studies and the number of European specialists in Asian studies. Such a discrepancy is inimical to Asia-Europe understanding and bridging this gap is the key driving force behind the ESiA Network initiative.

From the outset the ESiA Network sought to stimulate European studies in the Asian region not only by strengthening interaction between existing networks in Asia, but also by creating synergies between European study centres in both Asia and Europe. The inter-disciplinary and open platform embraces any institution in ASEM member countries offering European studies research and networking opportunities. ESiA's strategic objective is to complement the work of existing networks by pragmatically bringing together some of the most relevant institutions in Asia focused on Europe, into an unprecedented, sustainable forum for information exchange and the promotion of mutual interests.

More specifically, ESiA aims to facilitate the mobility of European studies specialists from Asia, provide a platform for co-operation on European studies curriculum development and student mobility for Asian and European universities or institutes and contribute positively to the overall European Studies research agenda. These objectives are met through a number of initiatives and projects, none more substantial than the ESiA networks' flagship project "The EU through the Eyes of Asia". This long term research project has been carried out in 12 locations across Asia using a rigorous and unique methodology to gauge the public, media and key opinion leader perceptions of the EU in Asia. In addition to the large amount of data produced, to date the project has trained over 40 young researchers, brought together research partners from 11



ASEM member countries and spawned a mirror project entitled "Asia in the Eyes of Europe", which is currently examining the perceptions of Asia in 8 European locations.

"The EU through the Eyes of Asia" research project gauges the perception of the EU from three distinct vantage points, public, media and opinion leaders. The public perception is gathered through public opinion surveys of a sample of 400 respondents in each location, thus far the project has carried out 4,805 interviews across Asia. The media analysis research component, is the most robust of the three and involves tracking the daily coverage of the EU and its institutions. The research covers four national media sources in each location; the most circulated popular, business and English language newspapers, while the most watched primetime TV news broadcast is also analysed. To date a total of 12,218 pieces of news have been captured in the comprehensive research datasets. The final research component is the face to face interviews of business, political, media and civil society opinion leaders in each location, a culmination of 428 interviews have been carried out across the 12 research locations.

The research project has highlighted some interesting and startling trends on the visibility of the EU among its Asian partners. In terms of the media findings, the overall visibility of the EU was very low, featuring predominantly in business and English language news. In the popular daily newspapers, on average the EU featured once a day, a significantly low figure given the importance of the EU as a global actor. However, a more alarming trend appeared in the analysis of TV news, with the exception of China and Indonesia, the EU was virtually invisible on Asian primetime news broadcasts.

In terms of the type of news that was featured in Asian media, the EU was framed predominantly as a political and economic actor - as expected - but an interesting finding was uncovered in relation to how the EU is viewed as an environment and development actor. The volume of news framing the EU as an environment actor was very low across each research location. This drought in terms of coverage is evidence of a major "expectations deficit". As the EU's international role and rhetoric on environmental issues become more influential, the perception from the ground remains low.

The interviews of Asian media opinion leaders focussed on how hard it was to sell news on the EU, the results of which offered an interesting insight into why the volume was very low. One reason given was that the demand for EU related stories was low as most interest was given to stories concerning the US or a powerful regional actor, e.g. China, India, Japan. Another factor, according to media sector respondents, was that the diversity of the EU made it difficult to consume EU news. Given the expense of posting foreign correspondents in Brussels very few media outlets have permanent representatives to pick up important EU news, thus they rely on predominantly on International News Wires for EU news (interestingly this trend featured in the sources of the articles captured in the media analysis). However, despite the low media coverage and difficulty in understanding the EU, there was much optimism among the public on the potential for the EU potential to grow as respondents in 8 of the 12 research locations cited that the EU's importance to their country would increase. It remains to be seen whether this optimism prevails or whether the perceptions of the EU across Asia have shifted, perhaps the latest expansion of this research, planned for 2011, will provide equally interesting outcomes.

Through the initiatives of the ESiA network, European Studies has gone from strength to strength in the Asian region. ESiA has provided the support and capacity for burgeoning European studies centres to meet with and share best practices with established institutes in Asia and in Europe. The network will continue to support substantial projects such as "The EU through the Eyes of Asia" and others in providing a platform and resources to bridge the knowledge gaps and, in the spirit of ASEF's overall objective, support the improvement of mutual understanding between Asia and Europe. For more information on the ESiA Network and other ASEF activities visit, www.asef.org.

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The ASEAN Charter - Convergence with the EU-model of regional integration?

* Anja Jetschke

Two years ago, the Charter of the Association of Southeast Asian Nations (ASEAN), officially called the ASEAN Charter, gained effect. The treaty appears to mark a change of spirit of ASEAN's ten member states. Members envision integration along the lines of the European Union (EU). Observers commented that the document provided ASEAN with an "EU-like" set-up. The ASEAN Charter appears to symbolize a sea change. The economic success of Singapore, Malaysia, Thailand and to a lesser degree, Indonesia, and political stability made the group a darling of global and regional financial organizations who heralded the "Asia factory" as a new model of regional cooperation and alternative to the supranational and bureaucratic EU. The so-called ASEAN Way of cooperation, with its emphasis on sovereignty, non-interference and non-deliberation of contentious issues, became the organization's trade mark. Why then this change of plan in the form of the ASEAN Charter? This article explores what propelled members to change their institutional set-up and evaluates to what extent the Charter represents a departure of the ASEAN Way and a convergence with an EU model of supranational governance.

A series of crises and serious economic competition by China and India ultimately triggered the overhaul of regional institutions, making the EU a model worthy of consideration. The financial crisis of 1997-98 spreading from Thailand to other members, the haze problem connected to the forest fires in Indonesia, the UN intervention in East Timor and ASEAN's inability to convince the military junta in Myanmar of reforms converted the image of ASEAN's flexibility and consensus-orientation into an existential weakness. A report pointing out that ASEAN was losing in competitiveness relative to India and China persuaded hesitators of more fundamental changes. There slowly emerged a consensus - also promoted by think tanks and civil society groups in the region - that ASEAN had to democratize and increase its institutionalization. Malaysia, Singapore, Thailand, a democratic Indonesia and pro-active Secretary-Generals (SG) supported by the ASEAN Secretariat (ASEC) became the key drivers behind ASEAN reforms. An EU sponsored technical assistance program (APRIS) provided the methods and institutional capacity to implement these reforms.

The ASEAN Community now consists of three official communities, each headed by a Council and dubbed "pillars" of the organization. These are the ASEAN Security and Political Community, the ASEAN Economic Community (AEC), and the ASEAN Social and Cultural Community (ASCC). The ASEAN Ministerial Meeting, the "exe-

cutive" of ASEAN besides the Summits, will be renamed into ASEAN Foreign Ministers Meeting. The most important innovation of the ASCC is the ASEAN Inter-Governmental Commission of Human Rights, which will have promotional functions only. Members expanded the role for the SG and ASEC. The SG and ASEC understand themselves to be the "guardian of the treaties" thereby emulating the EU Commission in spirit, but certainly not in its competences. While empowered to monitor members' compliance with ASEAN projects and to interpret the Charter, members have not provided ASEC with harder sanctioning mechanisms. The role of the SG has been strengthened by doubling the number of Deputy SGs to four. Another innovation that is highlighted by ASEC is ASEAN's legal personality. This gives ASEAN a legally binding framework for the first time. ASEC might now enter into international agreements on behalf of ASEAN members. To further streamline decision-making within ASEAN, a Permanent Committee of Representatives has been established modeled after the Committee of Permanent Representatives of the EU.

The primary functional driver appears to be AEC, which envisions a single market and production base until 2015. More legalized forms of dispute settlement have appeared since 1992. AEC foresees a mechanism to resolve complaints on AEC-related operational problems, modeled after the EU's SOLVIT mechanism, and mediation services for resolving disputes, modeled after the WTO. The mixed panel system consisting of a professional arbitration panel, a political decision-making body represented by the Senior Economic Officers Meeting and the Council of Ministers of the Economy as appellate body has been modified.

The appellate body was replaced by an Organ of Appeal, composed of experts and deciding on the basis of law.

Despite the EU-speak in ASEAN documents and the adoption of integration methods and styles, ASEAN does not show signs of fundamentally changing its inter-governmental character. Members continue to be sensitive toward sovereignty issues, they exhibit a low intra-ASEAN trade and a large outward trade orientation, great economic disparities between the old and new ASEAN members, and huge political diversity. In sum, the demand factors for regional integration are still not in place. The strongest push factor toward integration is an acute concern to lose out in competition between India and China. Members currently see a competitive advantage by developing into a single market characterized by the rule of law. This together with ASEAN's institutional crisis explains the adoption of EU institutions. However, these perform different functions as they have been consciously stripped of their supranational capacity. For example, while there is a drive toward professional arbitration, legal experts also note the emergence of an informal norm to keep the procedures of the Appeal Organ confidential, preventing the development of a set of robust laws. ASEAN's legal personality does not de facto increase ASEC's autonomy from members, as they still overwhelmingly sign and ratify treaties in their individual capacities, not collectively. The new ASEAN is still very much different from the EU.

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Three Questions to Tuiloma Neroni Slade, Secretary-General of the PIF

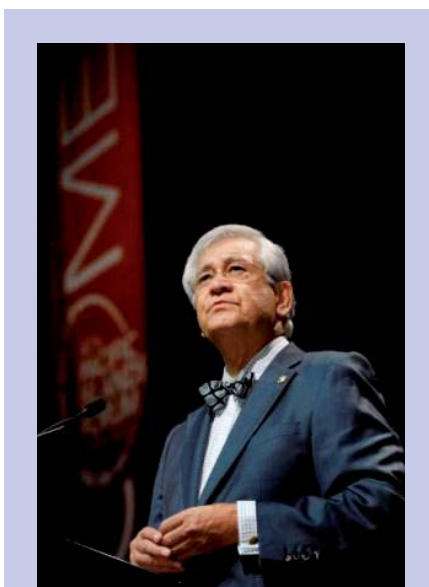
1. Against the background of future challenges and developments especially in the fisheries sector, is there any prospect for a first step of Pacific regional integration towards supranationality by transforming the “Pacific Islands Forum Fisheries Agency” into a supranational body in the short or medium-term?

‘Supranationality’ in fisheries management and development may be attainable amongst the Pacific Island Countries but, given differences in resource and comparative trade factors as well as relative national budgetary dependence on fishing access revenues, will require time and collective high level commitment in the context of broader economic and political integration in the Pacific. However, many of the benefits of a supranational approach in fisheries management and development are already being achieved by the PIC. Moreover, the premier regional fisheries cooperation entity, the Forum Fisheries Agency (FFA), actively promotes member state cooperation and closer fisheries integration through its various strategic plans and its work program.

Close cooperation and coordination are hallmarks of the PIC approach to fisheries management, based on Member national sovereignty and sovereign rights over their fisheries resources and marine space. This cooperation involves heightened degrees of formality and integration whereby member states essentially act as one in matters of fishing management and commercial value-maximization and cooperation, such as the harmonized terms of fishing access, the unified FFA member approach to regional fisheries management in the Western and Central Pacific Fisheries Commission, development of regional Monitoring, Control, Surveillance (MCS) and security and, at its most developed, the Parties to the Nauru Agreement arrangement. These arrangements effectively meet current PIC needs for coordination to ensure sustainable regional stock management and economic leverage to extract value from the resource.

2. How does the implementation of the ambitious „Pacific Plan“ agreed upon in 2005 by the members of the Pacific Islands Forum advance? What are the main challenges ahead?

The Pacific Plan remains the key strategic overview document for greater cooperation and integration at the regional level. It is underpinned by a Leaders vision of a Pacific that “can, should and will be a region of peace, harmony, security and economic prosperity, so that all of its people can lead free and worthwhile lives.” In 2009, Leaders’ endorsed a set priorities recognizing the unique vulnerabilities of the region to guide implementation of the Pacific Plan for the period 2010-2012 (refer to Annex C of



Tuiloma Neroni Slade from Samoa is Secretary-General of the Pacific Islands Forum (PIF) since 2008.

the 2009 Forum Communiqué). The priorities cover economic development, improving peoples livelihoods, climate change, better governance, and stability. The priorities and implementation of the Pacific Plan are reviewed annually by the Pacific Plan Action Committee, which is made up of senior representatives from Member Countries and from Council of Regional Organisations in the Pacific (CROP) agencies.

The main challenges around implementation of the Pacific Plan are resources and political will. There are a number of initiatives that could be implemented under the Pacific Plan if there was more funding. A fundamental requirement for regional integration and cooperation is political will. Countries need to find the right balance between their national priorities and regional opportunities, and often this takes vision to see opportunities to enhance cooperation.

3. Will it be possible to frame a comprehensive Economic Partnership Agreement (EPA) between the Pacific region and the European Union in the near future? What are main objectives from the Pacific side in the negotiations?

The Pacific - ACP region has always considered that the EPA must go beyond market access arrangements and constitute a trade and development cooperation agreement that will form the basis of a strong and strategic partnership on economic development between the PACPS and the EU. For the PACP-EU EPA to create positive development outcomes, it must provide national policy space, adequate special and differential treatment as enshrined in the Cotonou Agreement, and adequate resources to address the region’s signifi-

cant trade and development challenges.

The EPA process in all ACP regions has been a complex, drawn out process, and most ACP States continue to engage in negotiations. The Pacific ACP mandate is to continue negotiating a comprehensive EPA as a region, and Pacific - ACP Trade Ministers will meet in December to take stock of the negotiations thus far and to consider a number of options to move the EPA negotiations forward. In particular, development cooperation remains a concern for Pacific ACP States, who need to see substantive additional assistance, over and above that currently provided, to ensure they fully benefit from the EPA.

Pacific Islands Forum (PIF) Facts and Figures

General

PIF was founded in 1971 as South Pacific Forum. In 2000 the name was changed into Pacific Islands Forum.

Members

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

Guiding Principles & Values

- Embrace the cultural diversity of the region
- Strive for recognition of the region’s responsibility for guardianship of the world’s largest ocean and its resources
- Address the priority needs and rights of Members, communities and people
- To strive for professional excellence; and demonstrate personal leadership.

Mission & Goals

To stimulate economic growth, to strengthen regional cooperation and to monitor and evaluate the implementation of Leaders’ decisions.

Institutions and legal framework

- Heads of State and Government Summit
- PIF Secretariat
- Council of Regional Organizations in the Pacific (umbrella for several special agencies - e.g. “Forum Fisheries Agency”).

1. Development and Economic Policy
2. Trade and Investment
3. Political, International and Legal Affairs
4. Corporate Services.

Source

www.forumsec.org.fj

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