

REVIEWING THE 14th AND 15th ASEAN SUMMIT 2009: CRISIS AND OPPORTUNITIES

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Abstract

The aim of this article is to investigate the major developments of regionalism in Southeast Asia through the ASEAN Summit and related summits which were held in Thailand in 2009. The 2009 summit ought to be given some attention as it was the first Summit held after the implementation of the ASEAN Charter which is expected to bring significant changes to operations and vision of ASEAN. ASEAN, at this Summit, was expected to deal with the coming economic crisis as the region was under severe effects of the global economic recession. However, the political turmoil in Thailand, the current chair of ASEAN became a concern as it had to postpone the Summit and other related important summits including the Asean Plus Three (APT) and East Asia Summit (EAS). The crisis is a double-edged sword for regionalism. While it could undermine the capability of individual government and actors, it also could generate strong motive and catalyst as witnessed through the aftermath of the economic crisis in 1997-98. Thus, this article argues that the current crisis-like conditions in the region should be considered as a critical juncture for the ASEAN's long term goal of establishing community.

Keywords: ASEAN Summit, ASEAN plus Three, East Asian Summit, regionalism, and ASEAN Charter

Introduction: The Summit at a Critical Juncture

The annual Association of Southeast Asian Nations (ASEAN) Summit¹ is executed in an extravaganza way. The leaders in the Southeast Asian region get-together on an annual basis in which every year one member host take turn to host the summit. The summit is the highest decision making body concerning any decisions about the organization. Alongside this summit, many other bilateral multilateral meetings and summits take place. Amongst the significant meetings are the East Asian Summit (EAS), ASEAN plus Three (APT), ASEAN's individual summits with their dialogue partner namely India, Japan, Republic of Korea and China.

Thailand was the first country, under the ASEAN Charter, to hold ASEAN Summit twice as the chair of ASEAN. The ASEAN Charter which came into force in 15 December 2008, brought about a new institutional development, that is the *ASEAN Summit Meetings shall be held twice annually, and be hosted by the Member State holding the ASEAN Chairmanship.*² Thus, Thailand hosted the 14th and 15th ASEAN Summit. The execution of the ASEAN Summit under the chairmanship of Thailand was chaotic. The 14th ASEAN Leaders Summit finally took place in the beach resort

of Hua Hin, in Thailand from 28th February -1 March 2009. The Summit which was originally scheduled to be held from 28 November- 3 December 2008, had to be postponed several times due to political chaos in Bangkok which also implicated in the Bangkok airports being closed. The APT Summit and East Asia Summit EAS which has been taking place along with ASEAN summits since 1997 and 2005 respectively could not be convened simultaneously. While the 15th ASEAN Summit was held from 23-25th October 2009 after being cancelled from the original date in April this year.

Hence, the 2009 summits were significant for several senses. First, there was new institutional development of ASEAN in 2009. There were two time ASEAN summit under single chairmanship in a year according to the ASEAN Charter. Both the themes of the 14th and 15th ASEAN Summit were people orientated which is "Asean Charter for Asean People" and "Enhancing Connectivity, Empowering Peoples" respectively. ASEAN has tried to embrace civil societies by having an unprecedented informal meeting with the leaders. Indeed, the controversial ASEAN regional human right body was finally approved through the summits. Amongst the important agreements and documents adopted at the summit were the ASEAN Political-Security Community Blueprint, Blueprint for the ASEAN Socio-Cultural Community (2009-2015), Cha-am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015), Initiative for ASEAN Integration (IAI) Strategic Framework and IAI Work Plan 2 (2009-2015), a joint declaration on attaining the Millennium Development Goals and a statement on food security in the region, a declaration on climate change, and a declaration on education cooperation to achieve an ASEAN Community.

Secondly, there were national and regional political tensions which threatened the convening of the leaders. Along with domestic political instability, the bilateral tension between Thailand and Cambodia remained unsolved. There witnessed some other bilateral tension and discussion of sensitive issues among the member states of ASEAN. The human rights conditions in Myanmar under the military junta rule became even worse despite its roadmap for reconciliation after natural disaster hit the states

Thirdly and more importantly in practical sense, it became an important test for ASEAN in dealing with the global financial crisis. The global economy recession and its possible spill-over effects on the region became dominant concerns. In the previous crisis in 1997-98 which brought massive socio-political impacts on the region, ASEAN was able to strengthen its cohesiveness through speeding up for economic integration and expanded cooperation at the East Asia level. Crisis thus became somewhat opportunity of deepening regionalism in the region. The crisis is a double-edged sword for regionalism. While it could undermine the capability of individual government and actors, it also could generate strong motive and catalyst as witnessed through the aftermath of the economic crisis in 1997-98. Thus, this article argues that the current crisis-like conditions in the region should be considered as a critical juncture for the ASEAN's long term goal of establishing community. In this article, after reviewing key issues developed, it will be argued that the current crises seemed not provide a unity to the grouping. Instead, it revealed the increasing diversity of perception on counter-crisis measure among ASEAN members in pursuing stability. Meanwhile, the fear of escalating crisis attributed to those somewhat critical issues in normal days such as human rights

issues in Myanmar was overshadowed by economic issues which largely depend on external partners of ASEAN.

On the hindsight, a trivial question arises as for the necessity of having two leaders summit in a year. Taking into consideration the already existing numerous ASEAN meetings numbering to about 650 in a year and the affordability of some of the poorer members to attend frequent meetings. Already this year, four leaders were not present for the opening ceremony of the 15th ASEAN Summit. Though the leaders had their own valid reasons but still it can be viewed that the double summit in a year and prove to be costly in terms of time and money spent.³ However it is only during one of the summit, the other bilateral and multilateral meetings will take place. Already Hun Sen, the Cambodian leader has made his remark (which will be elaborated at the later section of this paper) that he would be keener to attend meetings when the other East Asian leaders meet as he sees more opportunities there.

Internal Calamity in Host Country

The recent political instability of Thailand was triggered by the military coup in September 2006 which saw ousting of then Prime Minister Thaksin while he was at the UN General Assembly. The temporary military rule returned to civil rule through a general election of December 2007 which gave a victory to the People Power Party (PPP), a pro-Thaksin party led by Samak Sundaravej who was sworn in as prime minister after the election. Along with return of a pro-Thaksin group to politics, a trial on Thaksin Shinawatra and his wife's corruption begun without presence of the accused due to Thaksin and his family' flee to Britain. Political tension increased pro-Thaksin supporters rally crashed with counterpart group, by which the emergency was declared in Bangkok in September 2009. In spite of the change of Prime Minister from Samak to Somchai as the former was found guilty of hosting two television cooking shows, the demonstration against the government became even more accelerated. The political instability reached a peak when it caused at least sixteen death and hundred injuries. 'The People's Alliance for Democracy', the Opposition grouping, protested around and the parliament and once occupied the international airport in Bangkok in November. The Constitutional Court ruled that breaking up of the People Power Party for electoral fraud and bars its leaders from politics for five years, which brought the change of the government which led by Abhisit Vejjajiva. Not surprisingly, due to the political turmoil, ASEAN Summit could not take place as due in December 2008. The new scheduled ASEAN summit and its related summits such as ASEAN plus Three (APT), East Asia Summit (EAS), and a series of bilateral summits in 2009 were interrupted by another group for another purpose. Pro-Thaksin group became the government opponents so called 'the United Front of Democracy Against Dictatorship', organized a massive rally calling for the resignation of Abhisit.

The tug of war between the two groups has explicitly affected on the convention of ASEAN meetings. The leaders gathering for the 14th ASEAN Summit which was about to be in December 2008 and ASEAN related summit of April were postponed respectively due to the political turmoil in Thailand. The 15th ASEAN Summit was held amid of the crisis-like situation on February 2009 but without convening related summits such as APT and EAS. The related summits which used

to be held to be held in tandem with the Asean Summit were postponed to April. But again due to domestic political instability caused by pro-Thaksin group, it was postponed it again. In April unrest, after canceling an ASEAN summit, a state of emergency was declared. Finally the second ASEAN Summit and other summits with core partners subsequently called on October 2009.

Incidents around the summit indicated that how domestic matters are related to regionalism. It was not only over the convening the summit itself but also it seemed to reiterate the relevance of the old value of stability and peace as vision for ASEAN. Fortunately, it seemed overturned the sentiment among the political divisions, the current Thai government managed to restore the order and host the 15th ASEAN Summit and related Summit without bloodshed violence. Although there were somehow repressive measures such as the declaration of emergency and using security law against the protesters, dispersing demonstrators without bloodshed violence, may contribute to the government's credibility internally and externally. While the ASEAN member states remained silence and neutral over the tug of war in Thailand by not giving preference to any segment, they have concerned the possible spread of instability and impact on neighboring countries. It should be noted that Thai authorities regardless of patrician showed a certain level of patient over the protesters. It was often considered humiliating the nation's image rather than the matter of retreating democracy in the state. Democracy in Thailand survived the political turmoil over the recent years. Consequently, the series of ASEAN meetings were convened in spite of serious threat from domestic instability which did not undermine *per se* democracy. The real and more serious challenges to ASEAN were from bilateral or global level which we shall turn to next.

There has been another crisis related to the host of ASEAN as it has had a conflict with Cambodia. In July 2008, the standoff between Thailand and Cambodia was provoked when Preah Vihear temple was listed for UN World Heritage Site. While two states started to talk in search of peaceful resolution, they also dispatched their armies to the dispute area. The crisis was engulfed with the death of two Cambodian soldiers in an exchange of fire on the disputed site near the Preah Vihear temple in October. It might be considered serious breach of ASEAN norms of peaceful settlement of dispute without using arms forces. Despite the growing concerns over the possibility of extension of physical clash between the two, ASEAN was not utilized as a mean for dispute-settlement mechanism. Furthermore, the two states denied discussing the dispute within an ASEAN framework.

The second round of bilateral tensions incurred over ousted Thaksin during the Summit in October. Cambodian prime minister Hun Sen's invitation for Thaksin as economic adviser for Cambodia provoked the war of words with Thai counterpart, Abhisit. Hun Sen referred the matter to the case of Aung San Suu Kyin in Myanmar. Abhisit, a host of summit, admonished his guest, saying that "I don't know how many people share Hun Sen's view that Thaksin is like Aung San Suu Kyi. I doubt there are many, for fairly obvious reasons". Hun Sen's provocative remark was certainly unprecedented as the leaders of ASEAN traditionally have kept sensitive issues on other members' domestic issues away from the meetings.

External Crisis from Global Financial Crisis

The most important issue throughout both the Summits was the economic crisis. Despite the quiet different nature of the crisis comparing the one in 1997-98, the region which has kept trauma raised strong concerns on economic matter.

Despite the nature of economic crisis which deprived from the turmoil of the US financial market, trade issue yet dominant issue over the summits. In the first meeting, ASEAN leaders reiterated their intention towards greater economic co-ordination and fight protectionism. Indeed, the trade agreement between ASEAN and Australia and New Zealand was signed. Indeed, leaders of ASEAN expressed their willingness denying protectionist policies. It could be consider as a common economic and political policy on particular issue. However, the hard-compromise relation between the domestic demands and liberalization in crisis was witnessed. With hindsight from the economic crisis in a decade ago, the failure of tackling domestic tensions and demands which were caused by economic crisis would mean the severe challenge to the political regime itself. Aftermath of the economic crisis in 1997-98, in fact, there were collapse of Suharto regime, the change of government in Thailand, and serious political instability in Malaysia. Abdullah, then Malaysia Prime Minister, expressed the necessity of a certain level of protectionism in dealing with economic crisis or more precisely with domestic political pressure. The advocacy for somewhat protectionism was joined by Thai counterpart called to buy local products first.

The protective stances revealed by two leaders should be seen as response to on-going domestic political challenges. As seen above Thailand has gone through dramatic political changes. If fail to tackle the economic crisis, the sentiment of anti-government could re-flame easily given the current fragile stability. Abdullah's remark and stance on management of economic crisis might be understood as response to domestic political challenges. With or without direct impacts of the current economic crisis, *Barisan Nasional* (BN), the alliance of ruling parties led by Abdullah has experienced dramatic 'political tsunami' as it lost two third majority of parliamentary seats for the first time and control over five state governments as an immediate result of the general election in April 2008. Among the factors pulled down a popularity of BN was the economic issue such as rising inflation rate including soaring oil prices, unemployment rate. Given the economic recession at the global level, Malaysia was not only country being affected by it. However, the sentiment on economic issue partly due to the lack of proper social safety net and growing fear that economic crisis could be worsened make it more political issue. By the time, Abdullah already faced the serious challenges on his political life as Prime Minister. In this circumstance, Abdullah after returning Malaysia emphasized that somewhat protective measures were necessary amid of economic crisis. Thus, the statement of Abdullah which might be understood in a domestic political terms indicated difficulties of ASEAN's decision toward liberalization.

Will East Asia Regionalism be More Important?

As mentioned earlier, the ASEAN summit is held simultaneously with the APT and the EAS. This year is the economic crisis or recession was the common concern all ASEAN members as well as its partners of East Asia. Like the earlier crisis, this

crisis too proved that ASEAN alone is still incapable of handling the problem. The responses from the ASEAN level was somewhat present but lacking in actions. For instance, there was a proposal for the formation of the ASEAN Retail Chain focusing SMEs' the cultural products. In order to enhance sub-regionalism, the leaders of members of East Asia Growth Area (BIMP-EAGA), namely, Brunei Darussalam, Indonesia, Malaysia and the Philippines, have agreed to discuss future directions and develop trade facilitation which was not far from the initial status from the formation. Yet, the most distinguished feature of regionalism in crisis mode is accelerating economic integration or cooperation in trade and financial sectors. ASEAN has already concluded FTAs with 6 of its major trading partners who are also members of EAS. To name a few China-ASEAN Free Trade Area (CAFTA) will be established in 2010, after six years of negotiations ASEAN signed a FTA with India this year which would take effect next year, the grouping also signed a FTA with Australia and New Zealand this February.

However the somewhat bold and meaningful response to the crisis was at the level of East Asia in particular APT. ASEAN and APT countries agreed to increase total amount of Chiang Mai Initiative to US\$ 120 billion in April and reaffirmed its implementation by this year. The spread of economic crisis accelerated the financial cooperation in the region. While the 1997-98 financial crisis gave birth to initiatives such as the Chiang Mai Initiative (CMI), the current crisis seems to have added momentum to this by propelling the movements towards multilateralization of BSAs including a collective decision-making system. In APT financial ministers' meeting in Phuket in February 2009, they agreed to increase the total amount of bilateral swap under the Chiang Mai Initiative from the initially agreed level of US\$80 to US\$120 billion. The proportion of the amount of contribution from member countries but unequally ASEAN will contribute 20% while Japan will be the largest contributor amounting to US\$38.4 billion, while China and Hong Kong will pump in US\$38.4, and Korea and will bear the rest. As the former economic crisis gave a birth to the, The proposal of finance ministers was approved by the APT summit in October 2009. While the Asian Bond Markets Initiative was discussed, the proposal for an East Asian Free Trade Area (FTA) was reviewed.

Given the nature of crisis which is needed to be tackled at global level, ASEAN response was thought to be involved at global affairs. As part of such intention, ASEAN Chair and the Secretary-General of ASEAN had attended previous G-20 Summits in London and Pittsburgh.

Along with multilateral cooperation there was also unilateral proposals from each East Asian countries to enhance their bilateral ties with ASEAN. China had pledged of \$ 10billion to the China-ASEAN Fund on Investment and Cooperation and \$ 15 billion for commercial credit. Indeed, she pledged the contribution of \$200million to Asian Bond Market Initiative and \$100,000 to the ASEAN Foundation to promote people and cultural ties. Meanwhile, India also pledged \$50 million to the ASEAN-India Cooperation Fund and ASEAN Development Fund. Japan continuing economic role was witnessed as it pledged its contribution of \$13million to the Japan-ASEAN Integration Fund for disaster management and emergency response. South Korea promised to contribute to fight climate change through the East Asia Climate Partnership Initiative in which \$100 million is pledged.

The role of APT or East Asian states in dealing with crisis was featured not only in only physical terms but a psychological term in particular, perception of some ASEAN member states. For instance, Cambodia has expressed its preference to APT than to ASEAN in dealing with economic matter. The Cambodian Prime Minister Hun Sen hinted that he may not attend a ASEAN Summit in February. He said “If it’s only the 10 ASEAN countries meeting, it would be difficult for Hun Sen to go”.⁴ Unlike his reservation of attendance to only ASEAN meeting, he almost immediately confirmed his presence to ASEAN related meeting with East Asian states when the schedule of meeting was revealed. Consequently he attended the ASEAN Summit in February but he missed the opening ceremony of 15th ASEAN Summit in October due to somehow different reason. The reason told was that at Phu Nom Phen he had to meet the president of South Korea, Lee Myung Bak who was on visit before attending the ASEAN related summits where Hun Sen attended too. The latter case also indicated the ill-considered schedule of South Korean government. Given the bilateral tension and annoyance, the remark and response from Cambodia was not attributed to the only efficient role of East Asian states in economic field. The Cambodian case through the year certainly reflected the increasing diversity of interests among the members. It also showed that the possibility that national interests would be sought at the expense of regional grouping interests in particular when they involved with more attractive partner, in this context, Plus Three countries.

Possibly because of the realization of this inadequacy in ASEAN and that the larger role played by their East Asian partners, ASEAN’s claim of being the driving force of East Asian regionalism was reemphasized by Surin that “*The fact is that the world is looking at East Asia and it is our responsibility to ensure ASEAN centrality as we are the cornerstone of the regional architecture*”.⁵ Apart from the financial assistance from these countries, the unprecedented meeting among the leaders of China, Korea, and Japan at Japan and China respectively has to be scrutinized. Though ASEAN provided a room for these contending three countries, such sub-region like gathering among Northeast Asian countries may weaken the role of ASEAN as a mediator.

It seemed that amid the crisis East Asian regionalism became revitalized. However it was not without competing among the related members especially on the architecture of East Asian regionalism. During the summits along with co-existence of two concepts, there were another two proposals from Japan and Australia respectively. Australian Prime Minister Kevin Rudd reiterated the proposal for an Asia-Pacific Community by 2020, which was proposed in 2008 while Japanese new Prime Minister Yukio Hatoyama pushed his rival plan for an East Asian Community. The former plan focusing on disaster management and climate change and allows the inclusion of the US. The latter one gives priority on economic cooperation with certain level of flexibility without giving time limit. The latter emphasizes on the role of East Asia as “leading the world”. However both of the ideas are congruent on that the US should be involved in the regionalism and it can also be viewed as an indication that the rest of the members are perturbed with ASEAN’s weak role in creating a vision for the grouping. A scholar from Bangkok voiced his annoyance towards ASEAN in his writings in the Bangkok Post:

These new regionalist endeavours, however, do portend a growing frustration with Asean. East Asian regionalism has not gone anywhere because Asean is stuck. Its insisted centrality in East Asia's regionalism has become a stumbling block.

With the outside powers generating new momentum, enthusiasm and direction for East Asia, Asean will be hard pressed to keep up in face of its own internal defects. Much repair work and retooling of the Asean charter are in order if the grouping is to remain relevant to the major powers in the region and the international community beyond.⁶

The two new ideas may add somehow complexity of East Asian regionalism. Yet, there was little agreement on institutionalization of East Asian regionalism in particular competitive concept of APT and EAS. The supports of two form of East Asian regionalism may vary from political and economic condition of member states. So called China factor which still might be seen as threat to some member states often extend the possible membership beyond the geographical term such as the US.

Asean Intergovernmental Commission on Human Rights

Based on the reluctant agreement on the establishment of human right body in ASEAN Charter, ASEAN member states finally formed the Asean Intergovernmental Commission on Human Rights.⁷ Furthermore, the leaders agreed to establish another mechanism on the rights of women and children, the ASEAN Commission on the Rights of Women and Children by 2010. The 'intergovernmental', not supranational, commission lacks of authority of investigation and enforcement. It was result of compromise among the member since some members are extremely vulnerable in human right record and sensitive over its political regime. Leaders' concern on the regional human right body was that it should be gradually evolved at comfortable level. For instance, Abdullah, the then Malaysian Prime Minister commented that "*Let's accept the fact that there will be differences and whatever we can accept to go together, we move forward*". A similar defense can be found from Singaporean counterpart, Lee Hsien Loong statement that "*we go for the substance of human rights, rather than the form.*"⁸

However, there was somewhat difference stance was expressed from Indonesia that has undergone democratization since the fall of Soeharto regime in 1998. President Yudhoyono claimed its role of setting up an example for the ASEAN human right body. Further Indonesia called ASEAN members to redefine non-interference principle. Indonesian Foreign Minister Hassan Wirajuda said as follows.

"There should be a new definition of the principle of non-interference. Gross violations of human rights are not a domestic problem...the human rights body must not start with a low level of mandate, or it will lose credibility on the international stage".⁹

In moving away from its elitist mode to a more people oriented organization, Malaysia was the first host in 2005 to have allocated 15 minutes time for civil society groups to make their deliberation. This was subsequently continued in the following summits. However, several member countries mainly Myanmar, Cambodia and Laos who do not conform to democratic system were uncomfortable with this arrangements. As such these countries began to put pressure towards Thailand to downgrade the meetings with these groups and that in future delegates who represent the civil society groups has to be screened prior to the meeting. Despite these pressures and also a walk out threat by the Cambodian and the Myanmar leader, the meetings was held with the leaders for 20minutes.

There were various tensions among the ASEAN members were revealed around the summits. In a trade issue, Thailand and the Philippines and Thailand were engaged in dispute over rice price as Thailand asked "fair deal" on tariffs from the Philippines at the expense of its commitment on AFTA. On political side, Malaysia Prime Minster expressed a view on domestic matter of Thailand by calling a certain degree of autonomy to Southern Thailand of which majority are Muslim.

Conclusion

The regional affairs in 2009 resembles in the 1997-98 conditions at least in terms of creating a relation between the crisis and regionalism. Although the current economic crisis is not as severe as the previous one it might be premature to assume that the region would be safe from the on-going global economic recession that requires more long-term and structural adjustment. Indeed, there have been increasing concerns on the various instability, tensions, conflicts at various level including domestic, bilateral, and regional.

ASEAN's advancement towards deepening and widening regionalism for the last decade was largely motivated by the crisis and responses. However, memory of the crisis did not last long at least to the extent of regionalism. Along with the incremental recovery from the crisis, the strong motive for more integrated region has waned as well. For instance, the CMI that is main responsive mechanism against the financial crisis had to remain as a web of bilateral swap agreements until the recent crisis incurred. The notion of human rights and democracy in particular over the Myanmar crisis seems no longer a concern for ASEAN.

Comparing with a previous time of crisis, ASEAN now has set considerably ambitious goals and visions for the formation of an ASEAN Community. Given the limited time for the ASEAN Community by 2015, the cohesiveness and unity among the members are greatly required if they are serious in achieving the goal.

Endnotes

¹ ASEAN established in 1967. Undertook their 1st Summit 8 years after its establishment in 1976 in Bali, the 2nd in Kuala Lumpur in 1977 and the third in Manila in 1987 and their 4th in 1992 in Singapore, since then it has been held on an annual basis.

² Article 7 of the ASEAN Charter.

³ Cambodian Prime Minister Hun Sen was hosting an official visit by South Korean President Lee Myung-bak, Indonesia is swearing in a new government and Malaysia's government was presenting its budget to Parliament while Philippines President stranded due to typhoon.

⁴ Retrieved from <http://globalnation.inquirer.net/news/breakingnews/view/20090109-182392/Cambodian-premier-may-skip-ASEAN-summit>.

⁵ ASEAN, "Summits End with Community-Building on Course, Cha-am Hua Hin, Thailand, 25 October 2009" retrieved from [<http://www.aseansec.org/23112.htm#Article-20>]

⁶ *Bangkok Post*, available at <http://www.bangkokpost.com/opinion/opinion/26460/after-two-summits-farther-away-from-a-community> (Accessed : 16 Nov. 2009).

⁷ The body will be run by the USD 200,000 seed money funded by ASEAN Member States.

⁸ Lilian Budiarto, "RI vows to buck ASEAN rights slide," *The Jakarta Post*, March 05 2009, available at <http://www.thejakartapost.com/news/2009/03/05/ri-vows-buck-asean-rights-slide.html>

⁹ Ibid.