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# PANORAMA

INSIGHTS INTO ASIAN  
AND EUROPEAN AFFAIRS

## SECURITY ARCHITECTURES UNDER THREAT

THE STATUS OF  
MULTILATERAL FORA



PANORAMA  
INSIGHTS INTO ASIAN  
AND EUROPEAN AFFAIRS

# Security Architectures Under Threat

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## The Status of Multilateral Fora



# CONTENTS

|   |     |
|---|-----|
| Preface .....   | 7   |
| The East Asia Summit: On a Road to Somewhere? .....   | 9   |
| <i>Ralf Emmers</i>  |     |
| The ARF in Transformation .....   | 21  |
| <i>Le Hai Binh</i>  |     |
| The ASEAN Regional Forum in the Face of Great-Power<br>Competition in the South China Sea: The Limits of ASEAN's<br>Approach in Addressing 21st-Century Maritime Security Issues? ..... | 31  |
| <i>Renato Cruz De Castro</i>  |     |
| The Impact of East Asian Security Challenges on Southeast Asia .....  | 47  |
| <i>Hoo Chiew-Ping</i>   |     |
| Choosing Sides? Illiberalism and Hedging in the Philippines and<br>Thailand .....   | 63  |
| <i>Olli Suorsa and Mark R. Thompson</i>   |     |
| The Emergence of a 2nd Order Security Architecture in the<br>Asia-Pacific .....   | 77  |
| <i>Howard Loewen</i>  |     |
| The New US Foreign and Security Policy vis-à-vis Northeast Asia .....   | 91  |
| <i>Stefan Fröhlich</i>  |     |
| The Japanese Security Environment and Its Relationship with NATO .....  | 103 |
| <i>Yoko Nitta</i>   |     |
| Adaptation Under Pressure: NATO and the EU in the Shifting<br>European Security Landscape .....   | 113 |
| <i>Patrick Keller</i>   |     |

|   |     |
|---|-----|
| The European Security Order At Risk .....                     | 127 |
| <i>Gustav C. Gressel</i>                                      |     |
| Eurasian Security Cooperation: Issue Areas and Outcomes ..... | 147 |
| <i>May-Britt U. Stumbaum</i>                                  |     |

# Preface

The past decades have witnessed a steady growth of regional security fora and institutions in Asia and Europe, working together for the prosperity and stability of their member states. However, with the emergence of new security threats and precarious security concerns, there is a need to re-examine the security architectures in both regions. Through a realistic review of the current network of multilateral initiatives, the most effective and viable approach to address the rapidly changing global security order can be identified.

Multilateral fora have been playing an essential role in building confidence as well as promoting accepted norms, rules, and peaceful dispute settlement. They thereby reduce strategic disagreements. While there is no continent-wide organisation like the Organisation of Security and Cooperation in Europe (OSCE) in Asia, the Association of Southeast Asian Nations (ASEAN) has been seen as a driver of many preventive diplomacy initiatives, such as the East Asia Summit, ASEAN Regional Forum and ASEAN Defence Ministers Meeting. These fora have helped to spread cooperative security norms, engaged the major powers and contributed to the strengthening of the security architecture in the region. However, overlaps between the fora, the changing global security landscape and the shifting balance of power in East Asia have hindered the processes from achieving their full potential, ultimately resulting in the failure to build a stable institutionalised Asian security architecture.

Although new security threats have emerged in Europe and the continent is faced with a deterioration of the security in its immediate neighbourhood, the arrangements already in place can be viewed as a good example of the practice of conflict prevention and management. The North Atlantic Treaty Organisation (NATO), OSCE, Council of Europe and a series of collaborative measures on the European Union-level have shaped the security landscape in Europe and provided the much-needed stability that enabled the continent to become the economic powerhouse it is today. Yet, recent developments have highlighted the still existing challenges and the lack of effective harmonisation and integration of security and defence matters in the European Union. The Russian activities in Ukraine and in cyber space have raised questions on how effective the security arrangements are in reality. The increasing unpredictability resulting from the announced changes in the new US administration's foreign policy, especially with regard to NATO, also raise questions on how ready Europe is to ensure its own security and stability.

Growing maritime and territorial disputes, and increasing armament, terrorism, nationalism as well as non-traditional threats underline the need for robust and multipronged cooperation approaches on security issues. These challenges affect Asia and Europe alike, which makes it imperative for countries from both regions to work together to build a stable security order. In the context of the return of great-power



politics and a general shift towards unilateral actions, European and Asian countries should work collaboratively and embrace multilateral as well as regional solutions.

In this issue of our biannual journal *Panorama: Insights into Asian and European Affairs*, the authors discuss the current security challenges in the realm of the new global security landscape. Based on analyses of the different threats and dynamics, the papers look at ways to strengthen cooperative security arrangements. They argue that such collaborative initiatives are ultimately the most promising avenues to contain the transnational insecurities and build trust in order to develop a regional security architecture that will ensure regional stability and peace.



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# The East Asia Summit: On a Road to Somewhere?

*Ralf Emmers*

## INTRODUCTION

A multilateral architecture exists today in the Asia-Pacific to address a challenging security environment. It consists of overlapping multilateral bodies and is the result of an incremental process that started in the 1990s. Complementing bilateral strategic ties structured around the United States (US), the Association of Southeast Asian Nations (ASEAN) and its associated fora such as the East Asia Summit (EAS), the ASEAN Regional Forum (ARF), and the ASEAN Defense Ministerial Meeting Plus (ADMM+) provide multilateral venues for regional countries to exchange strategic perspectives and work toward mutual understanding on security issues. The core principles of the Asia-Pacific architecture are based on national sovereignty, non-interference in the affairs of other states, and non-use of force to resolve inter-state differences. In addition, an informal process of interaction defines the norms of behaviour in the multilateral architecture. It includes a high level of informality, dialogue, self-restraint, and consensus building.

This paper examines the ASEAN-led multilateral architecture by focusing on one of its specific cooperative bodies, the East Asia Summit. It first discusses its origins, institutional design, and evolving membership. Attention is also given to its agenda and capacity to influence regional events. The paper then argues that the current challenges faced by the EAS consist of institutional constraints and geopolitical considerations linked to rising great-power competition in the Asia-Pacific. In response, the paper concludes that the EAS should go back to basics and encourage the type of informal rules of diplomatic engagement it was initially meant to promote to enhance peace and stability in the region. They are said to include a balance of influence between the parties involved, a reliance on a cooperative security approach, and more active ASEAN leadership.

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\* This article was submitted on 11 August 2017 and revised on 14 March 2018.

## ORIGINS OF THE EAS

Most analysts refer to the EAS as an extension of the East Asian Economic Group/Caucus (EAEC) concept put forward by then Malaysian Prime Minister Mahathir Mohamad in 1990. Mahathir's original EAEC concept excluded non-Asian states and his proposal was "wryly known as the 'caucus without Caucasians' for this very reason".<sup>1</sup> The EAEC was first proposed as a response to the "unsatisfactory progress of the Uruguay Round of multilateral trade negotiations".<sup>2</sup> The idea was strongly opposed by external powers, especially the United States and Japan, and by some ASEAN members like Indonesia and Singapore. For example, then US Secretary of State James Baker described the EAEC as a "dangerous idea that would draw a line in the Pacific Ocean and split Japan and the US".<sup>3</sup>

The EAEC idea was revived in 1997 amidst the Asian financial crisis and led eventually to the establishment of the ASEAN+3 (APT) summit bringing together the ten ASEAN states, China, Japan, and South Korea. Two separate groups were appointed to revive the regional economy, namely, the East Asian Vision group and the East Asian Study group respectively in 1998 and 2000. The Vision group completed its report in 2001 with 23 suggested measures across multiple sectors while the East Asia Study group submitted its proposals to the APT in 2002. The Study group "strongly urged moves towards institutionalising East Asian cooperation and recommended the setting up of an East Asian Forum".<sup>4</sup> At the second meeting of the East Asia Forum in Kuala Lumpur in 2004, then Malaysia Prime Minister Abdullah Badawi proposed the establishment of an East Asian Community (EAC) driven by an East Asia Summit of regional heads of state and government.

The EAS met for the first time in Kuala Lumpur in December 2005 alongside the annual ASEAN Foreign Ministers' Meeting (AMM) and included the leaders of the ten ASEAN states, China, Japan, South Korea, as well as India, Australia, and New Zealand. ASEAN was put at the centre of the EAS and was expected to lead the process of community building through its informal diplomatic style based on dialogue and consensus-building – the so-called "ASEAN Way". The EAS was described as an Asian-centric forum concerned with the building of a

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<sup>1</sup> Benjamin Reilly, "Regionalism and democracy in Asia: The Australia-Malaysia nexus," in *Globalization and Social Transformation in the Asia-Pacific: The Australian and Malaysian experience*, eds. Claudia Tazreiter and Siew Yean Tham (Basingstoke: Palgrave Macmillan, 2013), p. 22.

<sup>2</sup> K. S. Nathan, "Malaysia's approach to Asian regionalism in the context of expanding globalization," in *Globalization and Social Transformation in the Asia-Pacific: The Australian and Malaysian experience*, eds. Claudia Tazreiter and Siew Yean Tham (Basingstoke: Palgrave Macmillan, 2013), p. 38.

<sup>3</sup> S. D. Muni, "East Asia Summit and India," *ISAS Working Paper*, no. 13 (Singapore: Institute of South Asian Studies, 2006), p. 4.

<sup>4</sup> Muni, "East Asia Summit and India," p. 7.

regional community. After initial disagreements over the conditions of membership, ASEAN set three criteria for external powers wanting to be admitted into the EAS. The members had to be Dialogue Partners of ASEAN, have substantial economic relations with the regional entity, and be signatories of ASEAN's Treaty of Amity and Cooperation (TAC).

Japan, Indonesia, and Singapore were of the view that the EAS membership had to be wide and inclusive, while other members, particularly China and Malaysia, felt that the EAS should be limited to the APT countries. The inclusion of three participants located outside the East Asian region was therefore a diplomatic concession to Japan, Indonesia, and Singapore. Both the Koizumi and Abe administrations had played "a pivotal role" in the realisation of the EAS and pushed for a membership inclusive of Australia, New Zealand, and India.<sup>5</sup> New Delhi was motivated to join the EAS for strategic and economic reasons and its participation in 2005 was part of "a wider paradigm shift that characterises India's 'Look East Policy'".<sup>6</sup> In contrast, as a non-signatory to the TAC, the United States was not invited to the inaugural summit despite its membership in the ARF and the Asia Pacific Economic Cooperation (APEC) forum.

## INSTITUTIONAL EVOLUTION OF THE EAS

A review of the EAS can be divided into two distinct periods: pre-US participation (2005-2010) and post-US participation (2011-present). In its initial phase, the EAS was described not only as a confidence-building mechanism but as a "future venue for substantive cooperation".<sup>7</sup> The creation of the EAS also came at a time when both APEC and the ARF were perceived as having lost momentum. Up to 2005, Beijing had concentrated its diplomatic efforts on the APT process while Washington had been mostly committed to APEC. Bruce Vaughn wrote in a 2005 Congressional Research Report that the EAS could lead to a new regional forum led by China that would, over time, displace APEC and other fora as the leading multilateral institution in Asia.<sup>8</sup> The initial attention given to the EAS thus resulted from the fact that it could form the basis of a future EAC that would exclude the United States. Given

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<sup>5</sup> Takashi Terada, "The United States and East Asian Regionalism: Inclusion-Exclusion Logic and the Role of Japan," in *A Pacific Nation: Perspectives on the U.S. Role in an East Asia Community*, eds. Mark Borthwick and Tadashi Yamamoto (Tokyo: Japan Center for International Exchange, 2011), p. 141.

<sup>6</sup> Arenla, "India and the East Asia Summit," *Indian Foreign Affairs Journal*, 9, no. 4 (2014), p. 390.

<sup>7</sup> Ralf Emmers, Joseph Chinyong Liow, and See Seng Tan, "The East Asia Summit and the regional security architecture," *Maryland Series in Contemporary Asian Studies*, no. 3 (Baltimore: University of Maryland School of Law, 2010), p. 50.

<sup>8</sup> Bruce Vaughn, "East Asian Summit: Issues for Congress," *CRS Report for Congress* (Washington, D.C.: Congressional Research Service, 2005), p. 1.

the ambivalence of the Bush administration towards multilateralism, the creation of the EAS was viewed by some “as evidence that China was taking advantage of regionalism to dominate the region”.<sup>9</sup> In response, commentators felt that the United States had to be a part of the EAS, with Cook remarking, for example, that US participation would “identify the Summit as an Asia-Pacific body” in contrast to an East Asian one dominated by China.<sup>10</sup>

Despite initial enthusiasm, observers assess the early impact of the EAS as limited. Kim notes that it failed during this period to promote a sense of community in East Asia.<sup>11</sup> Reddy asserts that nothing was achieved toward “winning the appreciation of critics of Asian regionalism”<sup>12</sup> while Teh adds that the EAS was “simply another name for an ASEAN+6” meeting.<sup>13</sup> Moreover, China had at first promoted the EAS idea, as it supported the formation of a more permanent institution where it could play a leading role in comparison to the ASEAN-dominated APT.<sup>14</sup> Yet Beijing became less keen as soon as Japan and others pushed for a wider membership that would dilute its own leadership.<sup>15</sup> In response, China placed greater emphasis again on the APT, as illustrated at its 2005 summit when Chinese Premier Wen Jiabao declared that the APT was “of great significance to keeping East Asian cooperation on the right track”.<sup>16</sup> Finally, the participation of other members was underwhelming. Notably, India’s contribution in terms of ideas and initiatives was limited and it only played a small part in the areas of energy, maritime security, and disaster management.

The Obama administration changed the climate of cooperative relations in the Asia-Pacific by adopting a new interest in multilateralism. President Barack Obama ratified the TAC by presidential decree in July 2009 and then Secretary of State Hillary Clinton announced in January 2010 that the United States intended to par-

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<sup>9</sup> Jae Cheol Kim, “Politics of regionalism in East Asia: The case of the East Asia Summit,” *Asian Perspective*, 34, no. 3 (2010), p. 114.

<sup>10</sup> Malcolm Cook, “The United States and the East Asia Summit: Finding the proper home,” *Contemporary Southeast Asia*, 30, no. 2 (2008), p. 293.

<sup>11</sup> Kim, “Politics of regionalism in East Asia,” p. 114.

<sup>12</sup> G. Jayachandra Reddy, “East Asia Summit: Interests and expectations,” *International Journal of Peace and Development Studies*, 1, no. 3 (2010), p. 44.

<sup>13</sup> Benny Teh Cheng Guan, “Japan-China rivalry: What roles does the East Asia Summit play?” *Asia Pacific Viewpoint*, 52, no. 3 (2011), p. 350.

<sup>14</sup> Kim, “Politics of regionalism in East Asia,” p. 118.

<sup>15</sup> Dick K. Nanto, “East Asian Regional Architecture: New economic and security arrangements and U.S. policy,” *CRS Report for Congress* (Washington, D.C: Congressional Research Service, 2010), p. 23.

<sup>16</sup> As cited in Kim, “Politics of regionalism in East Asia,” p. 126.

ticipate in the EAS.<sup>17</sup> In October 2010, Clinton commented in a speech in Hawaii that ASEAN would play a central role in US diplomacy and that the EAS would “become a substantive forum for engaging current security and strategic issues such as nuclear non-proliferation, maritime security, and climate change”.<sup>18</sup> Clinton attended the 2010 EAS summit held in Vietnam as a “Guest of the Host”, and, having met all the criteria, the United States subsequently became a member of the EAS in November 2011, together with Russia.

American participation in the EAS led to a new sense of optimism best summed up by former Australian Foreign Minister Bob Carr, who claimed that the expansion of the EAS created “an institution with the membership and mandate to help manage an increasingly crowded strategic landscape, ensure outward-looking regionalism that continues as the bedrock of Asia-Pacific integration and foster habits of cooperation”.<sup>19</sup> The EAS had arguably resolved its membership issue by involving all the great powers and relevant middle powers in the Asia-Pacific and this meant that the EAS now represented a large percentage of the world’s population and gross domestic product (GDP). The forum was therefore expected to serve as a diplomatic platform to improve Sino-US relations and socialise the great powers into good international behaviour.

The EAS agenda has continued to widen since 2005 and is now structured around various trade, security, and social issues. The five initial priority areas in the EAS framework were energy, education, finance, health issues, and disaster management. ASEAN connectivity was added as an area of cooperation in 2011 while non-traditional security issues and maritime security were included in recent years. Since the American participation, more attention has also been given to regional strategic flashpoints, ranging from the North Korean nuclear programme to the overlapping claims in the South China Sea, as well as to other matters like climate change and human rights. Members have also openly disagreed on appropriate topics to be included on the agenda with, for example, Beijing protesting that the South

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<sup>17</sup> Hillary Clinton, “Remarks on regional architecture in Asia: Principles and practice,” Imin Center-Jefferson Hall, Honolulu, Hawaii, January 12, 2010. Available at: <https://2009-2017.state.gov/secretary/20092013clinton/rm/2010/01/135090.htm>.

<sup>18</sup> Carlyle A. Thayer, “The United States, China and Southeast Asia,” in *Southeast Asian Affairs 2011*, ed. Daljit Singh (Singapore: Institute of Southeast Asian Studies, 2011), p. 19. For transcript of Clinton’s speech, see <https://2009-2017.state.gov/secretary/20092013clinton/rm/2011/11/176999.htm>.

<sup>19</sup> Bob Carr, “The East Asia Summit: Building our regional architecture for the 21st Century,” *Strategic Review: The Indonesian Journal of Leadership, Policy and World Affairs* (2012). Available at: [http://foreignminister.gov.au/articles/2012/bc\\_ar\\_120706.html](http://foreignminister.gov.au/articles/2012/bc_ar_120706.html).

China Sea dispute is an issue between China and the Southeast Asian claimants and that it should therefore not be discussed under the EAS framework.<sup>20</sup>

The extensive agenda of the EAS was apparent at the 11th EAS summit held in September 2016 in Vientiane, Laos. The leaders reaffirmed six priority areas: energy, education, finance, global health, environment and disaster management, and ASEAN connectivity. Other areas of cooperation included maritime cooperation, disarmament and non-proliferation, and food security and safety.<sup>21</sup> The 2016 EAS summit also covered an extensive list of regional and international challenges, ranging from the South China Sea, the Korean Peninsula, terrorism, refugees, illegal, unreported and unregulated fishing, to wildlife and timber trafficking.

## CURRENT CHALLENGES

### Institutional constraints

The EAS has all the necessary ingredients to be the primary cooperative body in the Asia-Pacific and it remains “the highest institutional recognition of ASEAN centrality”.<sup>22</sup> It brings together the leaders of 18 Asia-Pacific countries and its agenda covers economic, strategic, and social issues. The EAS is therefore “an important vehicle for community and confidence-building”<sup>23</sup> while it preserves the ASEAN centrality in the regional security architecture. Participation by non-ASEAN members is by invitation only and all have to fulfil the three criteria mentioned above. As dialogue partners, Canada and the European Union (EU) have, for years, expressed their sustained interest in being invited to the EAS summits and to, ultimately, become members of the forum. Both partners attended their first East Asia Summit in November 2017 as guests of the ASEAN Chair at the invitation of Philippine President Rodrigo Duterte. Still, while Canada and the EU have arguably met the three criteria mentioned above, there is lingering concern in some Southeast Asian capitals that a further expansion in membership would further complicate the decision-making process in the EAS and reopen debates on the trajectory of the regional architecture.

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<sup>20</sup> Chien-peng Chung, “China and Japan in ‘ASEAN Plus’ multilateral arrangements: Raining on the other guy’s parade,” *Asian Survey*, 53, no. 5 (2013), p. 815.

<sup>21</sup> *Turning Vision into Reality for a Dynamic ASEAN Community*, Chairman’s Statement of the 11th East Asia Summit, 8 September 2016, Vientiane, Lao PDR, pp. 2-4. Available at <http://asean.org/chairmans-statement-of-the-11th-east-asia-summit/>.

<sup>22</sup> Malcolm Cook and Nick Bisley, “Contested Asia and the East Asia Summit,” *ISEAS Perspective*, no. 46 (Singapore: ISEAS-Yusof Ishak Institute, 2016), p. 3.

<sup>23</sup> Singapore Institute of International Affairs, “Rethinking the East Asia Summit: Purpose, processes, and agenda,” *Policy brief* (Singapore: Singapore Institute of International Affairs, 2014), p. 10.

Nevertheless, even with only 18 members, the cooperative process in the EAS has mostly been restricted to dialogue and joint declarations with limited tangible outcomes and there have been repeated demands for a more focused and structured agenda. Various commentators have argued that the EAS has failed thus far to deliver concrete policy outcomes and to become the primary regional forum. For example, Bisley and Cook assert that the EAS has “been constrained in its influence because of the bargain struck between ASEAN centrality and major power involvement”.<sup>24</sup> Likewise, Akhir and Sudo write that the “process of community-building lags behind with no clear blueprint as yet for the actions and steps needed in achieving an ultimate aim”.<sup>25</sup> The EAS has thus not yet demonstrated an ability to shape regional events.

ASEAN has attempted to deepen cooperation through a 10th-year review of the EAS in 2015. It resulted in the Kuala Lumpur Declaration that reaffirmed that the EAS would operate as a leaders-led forum for dialogue on broad strategic, political, and economic issues with the aim of promoting peace, stability, and economic prosperity in East Asia. The leaders also outlined initiatives to strengthen the EAS institutionally, including the creation of a dedicated unit within the ASEAN Secretariat, periodic reviews of areas of cooperation, and by enhancing the role of the annual Chair.<sup>26</sup> However, few concrete results have been achieved so far.

The absence of material outcomes derives partly from the institutional format of the EAS. The latter is under-institutionalised, as it has no secretariat, budget, or membership fees to support its agenda.<sup>27</sup> Institutional support on economic matters has instead been provided by the Economic Research Institute for ASEAN and East Asia (ERIA), predominantly funded by the Japanese trade ministry, while a small unit within the ASEAN secretariat has been created to support the EAS administratively. The under-institutionalised nature of the EAS has prevented it from moving beyond rhetorical statements. Bisley and Cook remark that this is not helped by the fact that “the key component of the EAS, the summit itself, is limited to one afternoon and is largely taken up by set-piece speeches by each member-

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<sup>24</sup> Nick Bisley and Malcolm Cook, “How the East Asia Summit can achieve its potential,” *ISEAS Perspective*, no. 56 (Singapore: ISEAS-Yusof Ishak Institute, 2014), p. 5.

<sup>25</sup> Md Nasrudin Md Akhir and Suet Sudo, “The institutionalization of ‘East Asian’ regionalism: the critical cases of ASEAN Plus Three and East Asia Summit,” in *Institutionalizing East Asia: Mapping and reconfiguring regional cooperation*, eds. Alice D. Ba, Cheng-Chwee Kuik, and Suet Sudo (Oxon: Routledge, 2016), p. 44.

<sup>26</sup> East Asia Summit, *Kuala Lumpur Declaration on the Tenth Anniversary of the East Asia Summit*, 22 November, 2015. Available at <http://www.asean.org/wp-content/uploads/images/2015/November/10th-EAS-Outcome/KL%20Declaration%20on%2010th%20Anniversary%20of%20the%20EAS.pdf>.

<sup>27</sup> Bisley and Cook, “How the East Asia Summit can achieve its potential,” p. 6.



state”.<sup>28</sup> Additionally, leaders have “few chances to actually communicate with one another,”<sup>29</sup> as the APT and EAS summits are scheduled back to back with the ASEAN and the ASEAN+1 summits.

Another institutional constraint is that the EAS operates in a region that is already teeming with multilateral bodies. Given the duplication of members and issues discussed in each of them, the EAS often comes across as redundant despite its leaders-led status. For example, the APT, EAS, ARF, and ADMM+ deal with non-traditional security issues, making “regional cooperation more encumbering, confusing, and difficult”.<sup>30</sup> Attempts at building a hierarchy among the different bodies and reducing the duplication of functions have been opposed by ASEAN, which fears losing its centrality in the overall security architecture.

ASEAN’s limitations constitute another constraint for the EAS. ASEAN has developed a diplomatic culture based on a specific set of norms and principles and encouraged an informal code of conduct to regulate Southeast Asian relations. Yet, even within Southeast Asia, its mode of conflict management has been restricted to the shelving of inter-state tensions and it has failed to conduct conflict resolution effectively despite the ASEAN Political and Security Community (APSC) initiative. The tendency to engage in conflict avoidance is a resulting feature of the ASEAN way and not a principle of the security architecture. In other words, ASEAN does not have the capacity to address controversial issues where clashes of interest are to be expected despite conflict resolution being a key component of the ASEAN Security Community. When transferred to the Asia-Pacific, there is an on-going debate as to whether the ASEAN cooperative model and its so-called centrality truly matter in the wider security architecture.<sup>31</sup> In particular, there are concerns over its leadership role in the EAS and its ability in “facilitating conversations among non-ASEAN members”.<sup>32</sup> As such, the EAS is unlikely to be able to manage inter-state relations effectively among its members in cases of conflict given ASEAN’s own inability to do so.

## Great-power dynamics

The greatest challenge to the EAS is arguably the rise of great-power competition in the Asia-Pacific. The security environment has been transformed by the economic development and military modernisation of China. Washington has in recent years

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<sup>28</sup> Bisley and Cook, “How the East Asia Summit can achieve its potential,” p. 5.

<sup>29</sup> Ki-Hyun Bae, “ASEAN as a community of managerial practices,” *Global Governance*, 23 (2017), p. 252.

<sup>30</sup> Chung, “China and Japan in ‘ASEAN Plus’ multilateral arrangements,” p. 821.

<sup>31</sup> Kai He, “Facing the challenges: ASEAN’s institutional responses to China’s rise,” *Issues & Studies*, 50, no. 3 (2014), p. 143.

<sup>32</sup> Bae, “ASEAN as a community of managerial practices,” p. 250.

become increasingly concerned over Chinese military capabilities while Beijing has been critical of the US alliance system and regards the allocation of additional US military might to the region as part of a containment strategy. The competition for influence between China and Japan has been another source of regional instability. Tokyo has deepened its military alliance with Washington and stepped up maritime and defence cooperation with various Southeast Asian states in an attempt at balancing Chinese power. All these geopolitical transformations have escalated a series of security flashpoints in the Asia-Pacific. The North Korean and the Taiwan issues are tangled with broader Sino-US relations while tensions in both the East and South China Seas have been escalating since the early 2010s.

While relations between the great powers have become more competitive in recent years, ASEAN is ill-equipped to address such geopolitical concerns. The Southeast Asian states have attempted to negotiate a code of conduct for the South China Sea with Beijing but this has, in part, been complicated by increased Sino-US competition. China is especially concerned that the United States is interfering in the South China Sea issue to contain its rise and threaten its national interests. Great-power rivalry has also been part of EAS dynamics, as shown, for example, in the context of Sino-Japanese relations. ASEAN has been unable thus far, as the central driver of the EAS, to manage inter-state competition. Ho notes that ASEAN's role has been that of a "neutral platform" for major powers to meet but he questions if the neutrality can be sustained in light of the evolving dynamics between the United States and China.<sup>33</sup> Such developments undermine ASEAN centrality in the security architecture and the relevance of the EAS in influencing regional relations.

Furthermore, the United States and China have adopted lukewarm and contradictory approaches toward the EAS. The US interest in the forum has varied across administrations. When the EAS was formed, the Bush administration was deeply involved in the Middle East and criticised for paying insufficient attention to Southeast Asia. Moreover, Washington then opted to signal its support for APEC instead of the EAS for being "by far the most robust, multilateral grouping in Asia".<sup>34</sup> The decision by the Obama administration to re-engage with Asia arose from the rise of China and the signing of free trade agreements in the region.<sup>35</sup> Obama subsequently attended the EAS summits, with the exception of the 2013 edition due to domestic priorities. However, the Trump administration is likely to be less engaged with the EAS. In addition to its "America First" approach, Limaye explains that

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<sup>33</sup> Benjamin Ho Tze Ern, "ASEAN centrality in a rising Asia," *The Journal of Defence and Security*, 4, no. 2 (2013), p. 146.

<sup>34</sup> Vaughn, "East Asian Summit: Issues for Congress," p. 3.

<sup>35</sup> Terada, "The United States and East Asian Regionalism," p. 135.

Trump's presidency is sceptical toward multilateral groupings and that it adopts a deal-making approach to foreign policy.<sup>36</sup>

President Trump's tepid approach towards the EAS is best exemplified in his vacillating decision to attend and his early exit at the 2017 EAS. While visiting the ASEAN Secretariat in Jakarta in April 2017, US Vice President Mike Pence announced that President Donald Trump would attend the EAS, APEC, and ASEAN-US summits to be held in November 2017. In October, about 3 weeks before the summit, the White House announced that Trump would not attend the EAS and would leave Manila on November 13. The only reason given was that the US President would not travel the additional 84 kilometres to Angeles where the summit was being held the next day. The following week, before setting off on his 12-day tour of Asia, Trump announced that he would now attend the EAS. On the day itself, Trump was expected to attend the main session of the summit but instead left for the United States after a lunch with the other state leaders where he delivered his prepared remarks. His early exit was purportedly due to a delay in the meeting schedule. Then US Secretary of State Rex Tillerson subsequently sat in for Trump at the summit. As a result, the President's actions have cast doubts over US commitment to multilateralism in the Asia-Pacific.

China's interest in the EAS has mostly declined since its early days. In the 2000s, Beijing had relied on regional groupings, viewing multilateralism as the safest strategy to expand its "international influence and protect its national interests".<sup>37</sup> China also supported the EAS as part of its "strategy to limit, if not replace, American strategic preponderance in the region".<sup>38</sup> Yet Beijing lost its enthusiasm for the EAS once its membership went beyond the immediate East Asian region. China did not oppose the subsequent entry of the United States but instead refocused its efforts on the APT and later announced its own multilateral initiatives like the Asian Infrastructure and Investment Bank and the Belt and Road Initiative. In short, given China's lukewarm approach to the EAS, Kim posits that the forum has "little chance of reaching its potential of replacing the APT and laying the foundation for the EAC".<sup>39</sup>

Among the great powers, Japan has been the strongest supporter of the EAS since its inception. Cook refers to Japan as a "major force" behind the EAS, as its trade ministry, trade organisations, and relevant think tanks have provided assistance to the forum. In response to China's political manoeuvring to favour the

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<sup>36</sup> Satu Limaye, "Signs are taken for wonders. 'We would see a sign': The Trump administration and Southeast Asia," *Contemporary Southeast Asia*, 39, no. 1 (2017), pp. 18-19.

<sup>37</sup> Zhao Hong, "India and China: Rivals or partners in Southeast Asia?" *Contemporary Southeast Asia*, 29, no. 1 (2007), p. 136.

<sup>38</sup> Kim, "Politics of regionalism in East Asia," p. 119.

<sup>39</sup> Kim, "Politics of regionalism in East Asia," p. 127.

APT, Japan has actively supported the EAS framework as the main regional body. Since 2011, the forum has allowed Japan to act within an open regional framework that includes the United States. Tokyo has encouraged functional cooperation and the promotion of universal values, like democracy and human rights, subjects that “China does not wish to address”.<sup>40</sup> While aware of the lack of progress, Japan has so far expressed its satisfaction with the EAS and with the institutional review conducted by ASEAN in 2015.<sup>41</sup>

## RULES OF ENGAGEMENT

The EAS has not yet met its potential to become the primary cooperative body in the Asia-Pacific due to institutional constraints, great-power competition, and the divergent views that the United States, China, and Japan have of the forum. The prospect for the EAS to promote regional peace and stability is limited as the great powers compete for influence and ASEAN is incapable of managing inter-state competition among EAS members. Still, the EAS can play a small part in stabilising great-power relations in the midst of shifts in the regional distribution of power. In particular, it can help institutionalise great-power dynamics by promoting diplomatic rules of engagement acceptable to all. If observed, rules of engagement can contribute to the preservation of a stable and peaceful regional order. The EAS should emphasise three informal rules that have defined security multilateralism in the Asia-Pacific since the 1990s. These are: a balance of influence between the involved parties, a reliance on a cooperative security approach, and active ASEAN leadership.

First, preserving a balance of influence between the involved parties is critical to the stability of the overall multilateral architecture. The EAS should continue to lock in the United States, China, India, Japan, as well as a series of middle powers like Australia, Indonesia, and South Korea to the multilateral security architecture. At present, the EAS already has all the important players at the table but this should not be taken for granted as great-power interest in the EAS may waver as a result of increased regional rivalry and/or domestic factors. The EAS should aim therefore to secure long-term American and Chinese engagement irrespective of rising bilateral competition and domestic developments linked to the Trump administration and Chinese party politics. By bringing all the key players to the table, the EAS can help in guaranteeing the sovereign rights of all its members. In particular, the small and middle powers in the Asia-Pacific have an interest in strengthening the multilateral

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<sup>40</sup> Kim, “Politics of regionalism in East Asia,” p. 131.

<sup>41</sup> Kei Koga, “Japan’s ‘strategic coordination’ in 2015: ASEAN, Southeast Asia, and Abe’s diplomatic agenda,” in *Southeast Asian Affairs 2016*, eds. Malcolm Cook and Daljit Singh (Singapore: ISEAS-Yusof Ishak Institute, 2016), p. 69.

architecture to multiply their influence and prevent the emergence of a bipolar or concert system that would exclude them.

Second, and despite the change in geopolitics, the EAS should continue to adopt a cooperative approach to security management and promote standard international norms and principles. Based on the notion of inclusiveness, the cooperative security model focuses on dialogue and confidence-building measures to improve the climate of relations. Fora like the EAS do not try to replace military alliances and partnerships but rather co-exist with them in the promotion of security.

Finally, ASEAN should continue to lead the EAS in light of its own institutional experience and the lack of an alternative leader acceptable to all participants. ASEAN has driven multilateral security cooperation in the Asia-Pacific since the early 1990s and it has established and operated a variety of overlapping security fora. The latter have incorporated economic-security linkages as part of their cooperative structures and taken on new security issues ranging from terrorism to health concerns. The United States, China, and Japan have so far not questioned ASEAN's managerial role in the cooperative process. Still, there is a need for ASEAN to better implement and coordinate its initiatives. The regional body has to demonstrate the substance of its centrality so that the EAS can be more effective and outcome-driven. A particular challenge for ASEAN is to strengthen the conflict management capabilities of the multilateral security architecture, as it remains too weak in its ability to prevent and resolve disputes before they escalate into open conflicts.

The Southeast Asian states have long realised the need to rely on cooperative security mechanisms to maintain their relevance and avoid being excluded from a strategic landscape dictated solely by the great powers. Likewise, Japan, Australia, South Korea, and New Zealand have advocated the benefits of Asia-Pacific multilateralism. Despite all its shortcomings, the EAS brings together the leaders of 18 Asia-Pacific countries and therefore remains the best platform to discuss contrasting views on security and lessen overall mistrust.

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# The ARF in Transformation

*Le Hai Binh*

The year 2017 marks the 50th anniversary of the Association of South East Asian Nations (ASEAN). Established during the tumultuous Cold War period, the group is now proud of playing a significant role in the Asia-Pacific. As the Philippines' Secretary of Foreign Affairs Alan Peter S. Cayetano put it during the 50th ASEAN Ministerial Meeting and related Meeting in Manila in August 2017, ASEAN is now “respected, resilient and dynamic, enjoying the respect and admiration of many other countries and other regional organisations around the world”.<sup>1</sup> However, during those very events, the ASEAN Regional Forum (ARF), one of the ASEAN-led mechanisms, had to cope with ever-growing conundrums. Since its establishment 23 years ago, the ARF has been facing multi-faceted challenges and even criticisms of its relevance to the ongoing developments in the region, especially its capacity to help resolve potential regional conflicts.

## TIME TO CHANGE?

It must be admitted that in the post-Cold War context, the ARF became a useful venue for nations from both the Western and Asian continents, either big or small, rich or poor, to promote dialogue and build mutual trust. At its founding, the forum was not intended to resolve critical issues; nor did it seek to be a negotiating forum. Nearly a quarter of a century later, however, the regional landscape in the Asia-Pacific has completely changed. The region has been witnessing the dramatic rise of China, challenging the long-established role of the United States (US). Contentious issues such as territorial disputes and maritime conflicts have been overshadowing regional peace and security. And yet it has been shown that the roles of the ASEAN-led mechanisms, among them the ARF, are considerably limited.

Against this backdrop, there are at least five challenges that the forum has to cope with. First and foremost, the unpredictable foreign policies and tremendous

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\* This article was submitted on 28 August 2017.

<sup>1</sup> “Speech by H.E. Alan Peter S. Cayetano at the Plenary Session of the 50th ASEAN Ministerial Meeting”, Manila, 7 August 2017, available at <http://www.asean2017.ph/remarks-of-secretary-of-foreign-affairs-alan-peter-s-cayetano-during-the-amm-plenary-session/>.

competition among major powers, especially between the US, its allies and China, have created a lot of uncertainties in the region. Second, there are more security-related threats in the region, both traditional and non-traditional ones. Third, differences among the member states of the ARF have been growing, even leading to mistrust and less understanding than decades ago. Fourth, the forum has weak coordination capabilities and its responsibilities even overlap with other regional security mechanisms such as the ASEAN Defence Ministers' Meeting Plus (ADMM+), 6-party talk and Shanghai Cooperation Organisation (SCO). Last but not least, the question of redefining its role in an evolving regional architecture has become ever-more pressing. Facing such tremendous external and internal challenges, it seems that the ARF, which used to be a unique forum that observers had high expectations of, has been losing momentum since it is struggling to achieve its core mandate of preventive diplomacy (PD).

## PREVENTIVE DIPLOMACY AT A CROSSROADS?

In 2013, two decades after its formation, the ARF put forward the “Concept and Principles of Preventive Diplomacy”<sup>2</sup>. This was supposed to encapsulate a common vision and understanding of the concept of PD and the guiding principles to govern its practice. Since then, all participating countries have, to some extent, shared a willingness and common interest to push the process forward. Nevertheless, there is a huge gap among the member states in terms of approaches, concerns, and measures to translate all the commitments into reality. A series of factors have been identified to explain the shortcoming in the field of PD, including the ARF's large membership, weak institutional structure, and strict adherence to the principles of sovereignty and non-interference enshrined in the Treaty of Amity and Cooperation in Southeast Asia (TAC) and the ASEAN Charter, which contradict the objective of effective implementation of PD measures.<sup>3</sup>

Many participating countries, especially China, have stated that the ARF's large membership has constrained its capacity to maintain internal coherence and move ahead. In comparison with the EU, the ARF encompasses a considerably larger geographical space and population size as well as highly divergent cultural, economic, ideological, and strategic outlooks among its participants.

Moreover, although the ARF has made considerable contributions to providing venues for dialogue and consultation among participating countries and engaging major powers, it seems that the forum no longer remains relevant to the

<sup>2</sup> ASEAN Regional Forum, “Concept and Principles of Preventive Diplomacy”, 2013.

<sup>3</sup> Ralf Emmers and Tan See Seng, “ASEAN Regional Forum and Preventive Diplomacy: A Failure in Practice”, RSIS Working paper No. 189 (S. Rajaratnam School of International Studies, 2009), ii.

implementation of PD due to its weak institutional structure and respect for the non-interference principle. As a matter of fact, the ARF is now purely a forum of both ways of diplomacy, one of those is to promote occasional engagement among participating countries, including all major powers, in PD practice and the other is to reserve full respect for sovereignty and non-interference principles. Therefore, ARF participants can only engage in limited PD without taking any ambitious and political steps to fundamentally upgrade the forum towards attaining a more effective and practical stage of PD measures.

The progress to such a stage has also been undermined by the debate over the definition and scope of PD. Some participating countries see PD as a more threatening form of cooperative security that might, in some instances, lead to interference in the domestic affairs and sovereignty of member states, thus causing an erosion of mutual trust and confidence among member states.<sup>4</sup>

Emmers and Tan emphasised that ARF participants had shown varying degrees of willingness and preparedness with regard to the development of PD measures as well as contrasting strategic perspectives.<sup>5</sup> Western countries/participants such as the US, the EU, Japan, Canada, Australia, and New Zealand are very active advocates for developing more concrete PD measures and institutionalising the forum. Several ideas for rotating the chairmanship role to the non-ASEAN ARF members have also been raised, but never been discussed in detail. China, Russia, India, and almost all the ASEAN Member States have shown their reluctance with regard to the idea of moving the ARF towards the PD stage as well as questions regarding ARF's institutional structure. They may harbour a fear of losing ASEAN's centrality and concerns that the current vague definition of PD measures could pose threats to security problems involving national sovereignty and internal affairs.

It has also been argued that the ARF's failure to progress towards the PD stage could be due to the "ASEAN Way" approach on regional diplomacy and security. There have been arguments that the ASEAN Way, or consensus principle, has become irrelevant in regard to regional security challenges. The transition from a flexible regionalism to a rules-based regional order in Southeast Asia requires more than a consensus approach, neutral stance or non-interference principle.<sup>6</sup> Furthermore, the reluctance to institutionalise the ARF also stems from ASEAN's weak capacity in leading the agenda setting. At the moment, ASEAN only serves as the driver of a weakly-integrated ARF for PD, but sooner or later it may become a pure passenger if ASEAN Member States are not well prepared, both in terms

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<sup>4</sup> Mohd. Aminul Karim, "Should the ASEAN Regional Forum Revisit its Core Areas", *AEI Insights* Vol. 2 No. 1 (2016): 7.

<sup>5</sup> Emmers and Tan, "ASEAN Regional Forum", 10.

<sup>6</sup> *Ibid.*, 19.



of political will and capacity building, for a more institutionalised and substantive ARF.

## ARF VERSUS ADMM+

Four months before the inauguration of the ASEAN Defence Ministers' Meeting Plus (ADMM+) on 12 October 2010, the issue of possible duplication between the ARF and the ADMM+ was brought to the fore at the 43rd ASEAN Ministerial Meeting in Hanoi, Viet Nam. However, it was not until June 2011 that four potential overlapping areas between the two mechanisms, namely Humanitarian Assistance and Disaster Relief, Counter-terrorism and Transnational Crimes, Maritime Security and Peacekeeping Operation, were raised for discussion.

| Area of Cooperation                                   | ARF   | ADMM+                                      |
|---|---|--|
| Humanitarian Assistance and Disaster Relief<br>(HADR) | - ARF Inter-Sessional Meeting on Disaster Relief (ARF ISM DR)<br><br>- ARF Disaster Relief Exercise (ARF DiREx) | ADMM+ Experts' Working Group (EWG) on HADR |
| Counter-terrorism and Transnational Crimes (CTTC)     | - ARF Work Plan on CTTC (2009)<br><br>- ARF ISM on CTTC   | ADMM+ EWG on Counter-terrorism             |
| Maritime Security                                     | ARF ISM on Maritime Security  | ADMM+ EWG on Maritime Security             |
| Peacekeeping Operation (PKO)                          | ARF Peacekeeping Expert Meeting   | ADMM+ EWG on PKO                           |

Source: Concept paper by Indonesia presented at the 8th ARF Security Policy Conference (ASPC) in Surabaya, Indonesia, 8 June 2011.

However, each of the two fora has its own emphasis based on the fact that the focal point of the ARF is the Ministers of Foreign Affairs while for the ADMM+, it is the Ministers of Defence.<sup>7</sup> The ARF has been focusing on the broad strategic objectives of fostering constructive dialogue and consultation on political and security issues of common interests and concerns, and contributing to efforts of confidence building, PD, and conflict resolution. Meanwhile, the ADMM+ has set up practical and specialised purviews to promote trust and confidence, and enhance cooperation for the maintenance of peace and stability in the region.

To promote synergies between the ADMM+ and the ARF, a number of suggestions have been officially raised and discussed since the first ADMM+ meeting, in which participating countries seem to hold three common views:

<sup>7</sup> Indonesia Delegation, "Synergy between ARF and ADMM+ to avoid duplication of activities" (8th ARF Security Policy Conference, Surabaya, Indonesia, 2011), 2.

*First*, the ARF should continue to focus more on key policy issues pertaining to regional security challenges, non-proliferation and disarmament, counter-terrorism, and regional security architecture while the ADMM+ should focus more on specified and action-oriented defence issues such as defence policies, modernisation of defence forces, as well as regional trends affecting these policies.

*Second*, as the ARF has progressed in developing policy frameworks for cooperation, the ADMM+ could focus on operational aspects within these frameworks to practically respond to non-traditional security challenges.

*Third*, the ARF should continue to pursue the strategic objectives of developing PD measures and taking pragmatic approaches to achieve conflict resolution, while the ADMM+ should function as a forum to undertake further discussions on specialised issues such as defence industries and welfare of defence personnel.<sup>8</sup>

However, there still remain huge challenges to taking up the above-mentioned suggestions as the issues that the two mechanisms are mandated to cover include both broad policy discussions and practical cooperation. It is therefore legitimate for each of them to conduct a comprehensive deliberation on all aspects. For instance, besides the promotion of practical cooperation, the ADMM+ also operates as a security dialogue mechanism. Exchange of views on regional security issues has been stated as one of the main agenda items in accordance with the modalities and procedures of this mechanism. The ARF has, at the same time, undertaken practical activities through workshops and seminars on concrete issues or through other forms of cooperation initiatives such as the ARF Voluntary Demonstration of Response (ARF VDR) or the ARF Disaster Relief Exercise (ARF DiRex).

Despite those overlapping mandates, according to the assessment of the Philippines' Assistant Secretary of National Defence Raymund Jose G. Quilop at the 25th Asia-Pacific Roundtable, the ARF still has the advantage of a two-decade existence with a greater number of participants (27), including all major countries, from both the foreign affairs and defence ministries.<sup>9</sup> The ARF also possesses more avenues for cooperation through various thematic groups and the Council for Security Cooperation in the Asia-Pacific (a track-2 diplomacy tool). It is also undeniable that this mechanism has promoted dialogue and consultations on a wide range of issues that have substantively contributed to confidence building and, to some extent, PD, as well as the continued enhancement of peace, security, and stability in the region. Meanwhile, the ADMM+ consists of a smaller but more specified group of officials (18) from the ministries of defence only, which could strengthen the effectiveness and legitimacy of its cooperation.<sup>10</sup>

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<sup>8</sup> Raymund Jose G. Quilop, "The ADMM Plus: Yet Another Layer in the Region's Dense Security Architecture? A Perspective from the Philippines" (Plenary Session, 25th Asia-Pacific Roundtable, 2011), 5.

<sup>9</sup> *Ibid.*, 6, 7.

<sup>10</sup> *Ibid.*, 7.

One of the positive factors is that all 18 ADMM+ members are also participants of the ARF. In order to sustain the momentum of promoting practical cooperation, the ADMM+ has been attempting to deal with huge challenges pertaining to regional uncertainties and the erosion of trust and confidence among member countries. In this context, the ARF should continue the momentum of prioritising practical activities in further promoting confidence building among its members, with a step-by-step transition to the next stages of PD and conflict resolution. This could avoid possible overlapping and may even support the practical mandate of the ADMM+.

## BIG, DIVERSE BUT STILL RELEVANT AFTER ALL

It has to be admitted that the ARF has evolved as a big group of countries with diverse interests, concerns, levels of development, foreign policies, political systems, and even strategic competitions among major powers, especially between the US and China. The diversity poses enormous challenges to achieving and then implementing concrete agreements and practical cooperation among participating countries. The ARF's success might be further limited due to ASEAN's disunity in some security issues, especially maritime security and the territorial disputes in the South China Sea, and differences among participating countries, particularly between the Western and Asian members, concerning the idea of an institutionalised and legalistic rules-based ARF.

On the other hand, the forum has also demonstrated the significant role it can play in regional security by consistently providing a good venue for dialogue and consultation among a large group of stakeholders on broad strategic and security issues for the maintenance of peace and stability in the region. Furthermore, with the adherence to the ASEAN Way, the ARF has contributed to fostering voluntary cooperation<sup>11</sup> where all members are encouraged to establish networks of cooperation in a positive atmosphere and based on shared norms.<sup>12</sup> Consequently, the forum has steadily shaped common norms for all members on the importance of regional peace and stability for development – internally and internationally, bilaterally and multilaterally.

## FUTURE OF THE ARF

The future of the ARF depends on how well it copes with external and internal challenges. The external factors might include the complex regional and international

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<sup>11</sup> Jerry Lee Kwok Song, "The limits of the ASEAN Regional Forum" (Calhoun Institutional Archive of the Naval Postgraduate School, 2015), 11.

<sup>12</sup> *Ibid.*, 12.

landscapes and the major-power competitions. It cannot be denied that the Asia-Pacific region has been witnessing an animated strategic competition and a new correlation of forces among the major powers, especially between the US and China, that might have direct influences on the interests and strategic postures of countries in the region. Due to unpredictable foreign policies and unexpected reactions from the Trump administration and a rising China that intends to claim a larger role in international and regional affairs, the competition aspect between these two powers might increase tremendously in the next decades. Both the US and China are maintaining tough positions and are limited in their willingness to make compromises. Areas concerned include extreme nationalism and protectionism on regional flashpoints such as economic cooperation (trade deficit), strategic interests (South China Sea and Korean Peninsula issues), regional order (regional architecture), and international laws, norms, and values (democracy, human rights, freedom, and religion). Although they are also involved in and affected by the US-China competition, other emerging major powers such as India, Russia, and Japan have also staked their claims for more important roles, particularly in regard to issues of national interests.

In addition, emerging non-traditional security challenges such as terrorism, organised transnational crimes, climate change, water security, food security, and maritime security are posing enormous threats that cannot be resolved by a single country or organisation, but require collective efforts from all stakeholders, including the promotion of strategic trust and predictable foreign policies in the region. Therefore, regular engagement for dialogue and consultation through the regional fora, particularly the ASEAN-led mechanisms such as the ARF, East Asia Summit (EAS) and ADMM+, still remains relevant for the maintenance of peace, security, and stability in the Asia-Pacific region.

Regarding internal factors, the future of the ARF will depend on how participating countries respond to the following issues and whether they find a common approach: 1) ASEAN's leading role towards the objectives and legitimacy of the forum; 2) harmonisation of interests between ASEAN and other major countries, especially the US, China, India, Russia, Japan, and Australia; 3) common understanding on the definition of PD; and 4) measures to secure a balanced and successful approach that would not excessively affect the core principles of sovereignty and non-interference.

After more than two decades of existence, the ARF has, to a greater extent, proven that its modalities and principles have sustained the highest common denominator of interests and concerns among its diverse members, particularly in terms of maintaining a peaceful and stable environment for dialogue, consultation for cooperation as well as responding to emerging multi-faceted security challenges in the region. Furthermore, as said by Barry Desker, the ARF might not resolve disputes or prevent the outbreak of conflicts but it could be a useful mechanism to

minimise the impacts of different perceptions and interests among member countries as well as evolve as a process of creating predictable and stable relationship patterns among regional states with new established norms, values, and principles.<sup>13</sup>

Therefore, the ARF should still continue its current momentum with step-by-step adjustments in compliance with new security developments and the increasing strategic competition among the major countries in the region. To accommodate this, the ARF should focus on the following directions:

*First*, consolidation of the ASEAN Centrality. Given the recent regional upheaval, the role of ASEAN is questionable. In light of the ASEAN Community Vision 2025, ASEAN has reaffirmed the importance and priority of maintaining and enhancing the ASEAN Centrality in the evolving regional architecture in the Asia-Pacific, including through strengthening ASEAN-led mechanisms such as the EAS and ARF. But in reality, this centrality is in doubt due to the disunity among ASEAN Member States over several regional issues. In consideration of its existing capabilities and resources, ASEAN has a prime interest in maintaining the current modalities of the ARF that both facilitate frequent dialogues with external partners and sustain ASEAN's core principles such as consensus and centrality.

*Second*, manage the role and perception of the major countries. The existing modalities of the ARF have created the necessary flexibility to harmonise the diverse interests among the major countries. In addition, all the major countries have expressed their support for the ASEAN Centrality in the ARF to avoid the prospect that one major power and its allies could dominate the whole process, thus affecting the security situation in the region. However, there are some indications that China has increasingly imposed its influence upon the future direction of and cooperation within the ARF. Meanwhile, the new US administration has not articulated a clear regional strategy.

*Third*, the ARF should consider raising the level of defence involvement in its process. This would help to increase awareness of a changing regional and global security landscape, reduce the risk of misperception or misjudgement, and create momentum for cooperative security endeavours to prevent any outbreak of conflicts and tensions.<sup>14</sup>

*Last but not least*, facilitate a successful transition to more practical PD. The ARF still lives up to the expectations of almost all participating countries, particularly in promoting the principles of dialogue, consensus, and non-interference. However, these principles could be obstacles in its transition into a more concrete PD. The nature of PD, particularly preventive measures on the ground or responses to conflicts, requires that participating countries have to "give up", to some ex-

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<sup>13</sup> Barry Desker, *The Future of the ASEAN Regional Forum* (Singapore: Institute of Defence and Strategic Studies, Nanyang Technological University, 2011), 1, 2.

<sup>14</sup> *Ibid.*, 4.

tent, their sovereignty rights, thus going against the non-interference principle. Furthermore, the ARF includes all the major powers, but it is led by a group of small countries with limited leadership capacity and resources as well as weak regulations, which is therefore unable to promote strong PD measures to achieve the ARF's objectives. Therefore, the question is to what extent participating countries could “give up” their own rights and how ASEAN can streamline and strengthen its own principles and mechanisms to be a true driving force of the ARF.

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# The ASEAN Regional Forum in the Face of Great-Power Competition in the South China Sea: The Limits of ASEAN's Approach in Addressing 21st-Century Maritime Security Issues?

*Renato Cruz De Castro*

## INTRODUCTION

The South China Sea is a semi-enclosed sea surrounded by China and several small Southeast Asian states, such as the Philippines, Vietnam, Malaysia, and Brunei. Since the mid-1970s, these littoral states have been engaged in a chronic competition as each one seeks to extend its sovereignty and jurisdictional claims over more than a hundred islets, reefs, and rocks and their surrounding waters. In the early 1990s, these small powers, through the Association of Southeast Asian Nations (ASEAN), tried to peacefully manage the dispute by relying on the association's methods of conflict avoidance and management to de-escalate the tension without resolving the dispute. This process involves fostering a habit of constructive dialogue and consultation on security issues of common interests and concerns among the claimant states, including China, in order to make significant progress towards confidence-building and security cooperation in the Asia-Pacific.<sup>1</sup>

The dispute became dormant in the late 1990s and the early 21st century after China and ASEAN signed the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC). A non-binding political statement, the DOC sets out trust- and confidence-building measures and five voluntary cooperative activities among the claimant states. The parties reaffirmed that “the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region and agree[d] to work, on the basis of consensus, towards the eventual realisation of this

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\* This article was submitted on 23 June 2017.

<sup>1</sup> Michael Yahuda, *The International Politics of the Asia-Pacific* (London; New York: Routledge, 2011), p. 199.



objective.”<sup>2</sup> They also agreed to exercise restraint and refrain from activities that would complicate the dispute.<sup>3</sup>

Tension generated by this maritime row, however, escalated again in 2009 when China discarded its tactic of delaying the resolution of the dispute and, instead, asserted its sovereignty over the contested waters. China consolidated its jurisdictional claims in the South China Sea by expanding its military reach and pursuing coercive diplomacy against the other claimant states.<sup>4</sup> Chinese leaders have felt confident that with its political and economic clout and its strong People’s Liberation Army (PLA), China can boldly advance its “core interests” in the maritime domain. This is reflected by China’s insistence on the “Air Defense Identification Zone (ADIZ)” in the East China Sea, the conduct of live-fire exercises by the People’s Liberation Army Navy (PLAN) and the People’s Liberation Air Force (PLAAF) in the West Pacific, and the hardline response by PLAN and other maritime law enforcement agencies during several confrontations with Philippine and Vietnamese civilian ships in the South China Sea.<sup>5</sup>

This shift in Chinese diplomatic tactic is intended to deter other smaller claimant states like the Philippines and Vietnam from cementing their claims and to enable China to negotiate with these small powers from a position of strength. In 2011, the Obama administration announced the US’s strategic rebalancing to the Asia-Pacific region. The move was made to ensure that the US’s diplomatic initiative of a comprehensive “rule-based” system to resolve the East Asian states’ clashing claims in the South China Sea was backed by American military power.<sup>6</sup> Interestingly, Japan has also become interested in the dispute. As China’s geo-strategic rival and the US’s key ally in East Asia, Japan is bent on playing a balancing role in the dispute by helping other claimant states build up their respective naval capabilities.

These ASEAN states now find themselves caught in the centre of a potentially dangerous great powers’ stand-off. On the one hand, these small powers find themselves in a classic security dilemma in which the actions by China – the most powerful claimant state in the dispute – are viewed as extremely threatening by

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<sup>2</sup> Carlyle A. Thayer, “ASEAN, China and the Code of Conduct in the South China Sea,” *SAIS Review*, XXXIII, No. 2 (Summer-Fall 2013), p. 77.

<sup>3</sup> Sheldon W. Simon, “ASEAN and the New Regional Multilateralism: The Long and Bumpy Road to Community,” in *International Relations of Asia*, eds. David Shambaugh and Michael Yahuda (Lanham, Maryland: Rowman and Littlefield Publishing Group, Inc., 2008), p. 205.

<sup>4</sup> Clive Schofield and Ian Storey, *The South China Sea Dispute: Increasing Stakes and Rising Tension* (Washington Dc: The Jamestown Foundation, November 2009), p. 1.

<sup>5</sup> National Institute for Defense Studies, *NIDS China Security Report 2014* (Tokyo, Japan: National Institute for Defense Studies, 2015), p. 3.

<sup>6</sup> See Mark E. Manyin et al., “Pivot to the Pacific? The Obama Administration’s ‘Rebalancing’ toward Asia,” *Congressional Research Service* (Washington, D.C.: Congressional Research Service, 28 March 2012).

the other claimants.<sup>7</sup> On the other hand, this maritime dispute has caught the attention of the US, which is trying to maintain its naval primacy in East Asia despite China's emergence as an economic and military power. This stand-off can escalate into a major systemic conflict in the 21st century. Then Indonesian Foreign Minister Marty Natalegawa described "this situation as a 'dynamic equilibrium' among the major powers in the Asia-Pacific with its rival coalition and arms races that keeps ASEAN in the middle similar to the conductor of an orchestra. This situation is surely worthy, but the orchestra will decline into chaos should it fail to keep US-China tension in check."<sup>8</sup>

This article examines the limits of ASEAN's approach in managing security issues in general, and, in particular, in the South China Sea dispute in light of the involvement of the great powers. It addresses this main question: What is the limit of the ASEAN approach in managing territorial rows like the South China Sea dispute? It also explores the following questions: What is the nature of ASEAN's methods of managing security issues in general, and maritime security issues in particular? What are the strengths and limitations of these methods? How has China successfully exploited the limitations of the ASEAN approach in handling maritime security issues? How has the involvement of the great powers in the South China Sea dispute diminished ASEAN's role in addressing maritime disputes in East Asia? What will be the long-term implication of ASEAN's diminishing role in the management of the South China Sea dispute?

## THE LIMITS OF THE ASEAN APPROACH TO SECURITY: A FOCUS ON THE ARF

The ASEAN approach to security is reflected in the formation of the ASEAN Regional Forum (ARF) in 1995 and its subsequent foray into regional security affairs. The ARF was formed during a three-hour, low-key gathering in July 1994 immediately after the Association of Southeast Asian Nations (ASEAN) Foreign Ministers' Meeting. It was ASEAN's first and tentative venture into the field of regional security. The ARF is not an institution for collective defence, nor is it a concert for the management of regional security.<sup>9</sup> It is based on the ASEAN-derived approach of cooperative security, which involves the building of trust on a multi-

<sup>7</sup> Fravel M. Taylor, "China's Strategy in the South China Sea," *Contemporary Southeast Asia* 33, 3 (December 2011), p. 296.

<sup>8</sup> Amitav Acharya, "Crunch Time for Asia-Pacific Multilateralism," *Regional Outlook* (2012-2013), pp. 24-25.

<sup>9</sup> Michael Yahuda, *The International Politics of the Asia-Pacific* (New York; Oxon: Routledge, 2013), p. 199.

lateral basis with the goal of mitigating existing disputes, and eventually finding means of resolving them.<sup>10</sup>

The ARF was created to tame or domesticate the foreign policy behaviour of the People's Republic of China (PRC). The forum was originally envisioned as a way to entice China – then a potential rising hegemon and an extra-regional state with territorial claims in the waters surrounding Southeast Asia – into accepting ASEAN's set of regional norms. This strategy hoped to temper China's hostile stance against the other claimant states, enhance defence transparency, and promote peaceful and cooperative solutions for existing disputes. China joined the ARF to avoid being left out of the regional grouping and has since supported ASEAN's central role and its incremental approach to problem-solving. Since the later 1990s, it has extended its support for the ASEAN states' central role in the ARF in pushing forward regional security dialogues and confidence-building measures. Furthermore, Beijing has ushered the regional forum in further exploring and developing dialogues and cooperation in addressing non-traditional security challenges, such as terrorism, and in expanding the forum to include the participation of defence officials.<sup>11</sup>

The small powers in Southeast Asia, however, are realistic enough to know that an effective engagement policy with regard to China requires the involvement of other regional powers.<sup>12</sup> These small powers were more than willing to engage Beijing in several cooperative undertakings. However, at the same time, they also recognised the importance of keeping Washington and Tokyo involved in regional affairs. The presence of these two other powers is an insurance that they can constrain and balance China in the event that these small powers' engagement policy fails to transform this emerging power into a status quo power.

As a group of small powers with limited military and economic capabilities, the ASEAN states had no choice but to “exploit the tendencies of the big powers to both cooperate and compete among themselves, as well as their physical presence in the region, to make it possible and desirable for them to monitor each other's activities

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<sup>10</sup> Ibid., p. 215.

<sup>11</sup> Liu Xucheng, “Strengthening ASEAN-China Cooperation in the ASEAN Regional Forum,” in *ASEAN-China Relations: Realities and Prospects*, eds. Saw Swee-Hock, Sheng Lijun and Chin Kin Wah (Singapore: Institute of Southeast Asian Studies, 2005), p. 43.

<sup>12</sup> Small or minor powers are generally small or even medium-sized states whose territory, population, and resource base make it difficult for them to defend themselves against external military attacks or other forms of big-power intervention. To ensure their security, this type of states is generally compelled to adjust its bilateral relations with the big powers and to deal with changes in the regional balance of power. There is no general pattern of behaviour on how small powers relate with the big or major powers. Rather, each of these states maintains a specific pattern of relations with the major or big powers, each has been affected differently by changes in the latter's policies, and each has responded in various ways. See Laura Neack, *The New Foreign Policy: US and Comparative Foreign Policy in the 21st Century* (Maryland: Rowman and Littlefield Publishers, 2003), pp. 108-159.

while keeping an eye on developments in Southeast Asia.”<sup>13</sup> And in doing this, they also saw the need to form a multilateral security forum that can hopefully mitigate the post-Cold War era’s strategic uncertainties that were revolving around two major dynamics: a) the changing weights and positions of the major powers in the region; and b) the changing pattern of their relationships in light of the withdrawal and eventual disappearance of the Soviet Union from East Asia.

In the mid-1990s, the ASEAN countries were concerned about the implications of China’s growing economy and military power. They feared that China’s military assertiveness could set the stage for an intense Sino-Japanese rivalry.<sup>14</sup> Furthermore, they believed that a strong American response to Chinese belligerence could stoke nationalist and hardline sentiments in China and destabilise the region.<sup>15</sup> The realists, for their part, also acknowledged the ARF as a balance-of-power mechanism to which most member states would defer to in managing the trilateral China-US-Japan relations.<sup>16</sup>

Both the liberals and the realists merely discerned the ARF as an instrument, and ignored its primary but indirect objectives. Whether in fostering norms, inculcating values, or maintaining the balance of power, the ARF’s end goal is to create a regional order based on 1) transparency in strategic intent and threat perceptions; 2) mutual trust and confidence with regard to the member states’ military capabilities and deployment; and 3) habit of cooperation which will facilitate the peaceful resolution of existing and future conflicts.<sup>17</sup> The late Michael Leifer observed that the ARF aimed “to contribute to the promotion of a predictable and constructive pattern of relationship in the Asia-Pacific.”<sup>18</sup> As such, the ARF is similar to other forms of behaviour and mechanism that regulate relations among states. Such patterns of managing interstate relations include the Concert of Europe, alliance systems, crisis management, bipolar alliance structures, spheres of influence, and systems with features resembling the more traditional balance of power.<sup>19</sup> However, what differentiates the ARF from these examples is its objective to foster an international

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<sup>13</sup> Chien-Peng Chung, “Southeast Asia’s ‘Hedging’ Relationship with Major Powers of the Asia-Pacific,” in *Seeking Alternative Perspectives of Southeast Asia*, eds. Andrew T. H. Tan, Michael L. R. Smith and Dato Khoo Kay Kim (Ipoh, Malaysia: Perak Academy, 2004), p. 292.

<sup>14</sup> *Ibid.*, p. 203.

<sup>15</sup> *Ibid.*, p. 203.

<sup>16</sup> Sheldon Simon, “ASEAN and Multilateralism: The Long, Bumpy Road to Community,” *Contemporary Southeast Asia* (August 2008) vol. 30, No. 2, p. 278.

<sup>17</sup> *Ibid.*, p. 190.

<sup>18</sup> Michael Leifer, *The ASEAN Regional Forum: Extending ASEAN’s Model of Regional Security* (London: New York Oxford University Press, 1996), p. 45.

<sup>19</sup> Ian Clark, *The Hierarchy of States: Reform and Resistance in the International Order* (Cambridge: Cambridge University Press, 1989), p. 13.

(or regional) order that deviates from the use of force in settling interstate disputes. Like in collective security, arms control, and the development of international law, the ARF wants a certain degree of institutional or cultural constraint on the use of force in effecting change in the system.<sup>20</sup> As Amitav Acharya pointed out, “a major goal of the ARF is to discourage the use of force by its member states to settle disputes.”<sup>21</sup>

ASEAN and its offspring organisations (like the ARF), however, possess no significant centralised mechanism to enforce agreements signed by their members, monitor domestic events in member countries, or anticipate emerging problems. The bottom line of the “ASEAN Way” in foreign affairs is moral suasion.<sup>22</sup> This orientation restricts its ability to maintain the status quo or effect a gradual and peaceful change in the regional system. Many regional security problems cannot be solved through ARF’s dialogues and the ASEAN method of consensus-building because of the historical origins of and the stakes involved in these disputes. ASEAN and the ARF assume that most disputes arise because of simple misunderstanding and lack of trust and that these squabbles can be mitigated by communication and confidence-building. Actually, many historical and lingering conflicts stem from competition over scarce resources, strategic advantage, control over a certain population, tilting the balance of power, or from the desire to be the major hegemonic power. These issues can only be resolved when the states involved (usually the great powers) agree to compromise or settle them through a systemic conflict or a hegemonic war.<sup>23</sup> Communications and confidence-building, by themselves, will not redefine what vital interests are involved nor will they resolve the clash of national interests.

The small Southeast Asian powers, even acting collectively and cohesively within ASEAN and the ARF, cannot definitively manage any security challenge or any unexpected change in East Asia. The best they can do is to influence the major powers in ways that may further their interests and manage any changes in the status quo. These small powers still need to obtain the tacit support of the great powers to let them occupy the ARF’s driver’s seat. However, occupying the driver’s seat does not automatically mean that they can steer the forum’s course and agenda to where they want without the concurrence of the great powers in the ARF. Being in

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<sup>20</sup> Ibid., p. 23.

<sup>21</sup> Amitav Acharya, *Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific* (Singapore: Times Academic Press, 2002), p. 190.

<sup>22</sup> Simon, “ASEAN and Multilateralism,” p. 267.

<sup>23</sup> This type of war can be defined as large-scale severe wars among major or great powers that involve the leading states at some point in the war and most other major states in a struggle resolving the most fundamental issues on the global political agenda. See John Vasques, *The War Puzzle* (The UK: Cambridge University Press, 1993), p. 63.

the driver's seat also means seeking consultation and recognising the great powers' various positions and competing interests on regional security issues and managing their own collective affairs as small powers. The ASEAN states must be able to manage the conflicting and sometimes converging interests of the great powers and their support and participation in the ARF. As Jurgen Haacke observes: "[T]o uphold ASEAN's position in the ARF and to ensure that the Forum remains central to security cooperation in the wider East Asia, ASEAN decision-makers accept that it is necessary to steer a middle path between defending the ASEAN way and embracing new understandings of some of its norms."<sup>24</sup>

The general stability of the inter-great powers relationship is critically important to the ARF's survival and viability as a regional security forum for East Asia. Any regression to any adversarial relations among the great powers may cause this group of small powers to take sides or be paralyzed into a form of passive neutrality. Furthermore, this forum can only make substantive progress if there is cooperation among the great powers. Cooperation among the major powers requires that they all accept the status quo or at least that they all believe in the importance of a "peaceful change" in East Asia.<sup>25</sup> China, however, would test the limits of the ASEAN approach to regional security as it utilises an incremental approach in altering the status quo in the South China Sea, in the process creating fissures within this regional organisation.

## THE SOUTH CHINA SEA DISPUTE AND THE LIMITS OF THE ASEAN WAY

In the mid-1990s, confronted by China's incremental efforts to alter the status quo in the South China Sea, the ASEAN member states applied the ASEAN-derived regional diplomacy to embed this great power in a regional security consensus.<sup>26</sup> Initially, China refused to be part of the ASEAN Way of managing the dispute as it considered the South China Sea issue to be a bilateral rather than multilateral matter.<sup>27</sup> Eventually, China saw the need for its participation in the ARF as an important but nevertheless tactical means to signal its "peace rise" and to counter the percep-

<sup>24</sup> Jurgen Haacke, *ASEAN's Diplomatic and Security Culture: Origins, Development and Prospects* (London and New York: RoutledgeCurzon, 2003), pp. 221-222.

<sup>25</sup> Daljit Singh, "Evolution of the Security Dialogue Process in the Asia-Pacific Region," in *Southeast Asian Perspectives on Security*, ed. Derek da Cunha (Singapore: Institute of Southeast Asian Affairs, 2000), p. 50.

<sup>26</sup> Sheldon W. Simon, "Conflict and Diplomacy in the South China Sea: The View from Washington," *Asian Survey* (November-December 2012) 52, 6, p. 1000.

<sup>27</sup> Ralf Emmers, "ASEAN's Search for Neutrality in the South China Sea," *Asian Journal of Peacebuilding*, 2 1 (2014), p. 64.

tion of “the China threat.”<sup>28</sup> Consequently, it changed its position as it apparently adopted ASEAN’s norms and principles as its style of informal diplomacy.<sup>29</sup> In the late 1990s, China successfully used multilateral organisations like ASEAN and the ARF to signal its engagement with Southeast Asia and to dispel concerns about any China threat.<sup>30</sup> On 2 September 2002, ASEAN and China signed the “Declaration on a Code of Conduct for the South China Sea,” which was a primarily a political statement of broad principles of behaviour aimed at stabilising the situation in the South China Sea and preventing an accidental outbreak of conflict in the disputed areas. In addition, the two parties pledged to practise self-restraint in activities that could escalate the disputes, and to deepen their efforts to “build trust and confidence between and among them.”<sup>31</sup>

When it was signed in 2002, the DOC was considered as an interim accord as well as the first step toward further cooperation between China and the ASEAN member states. The two sides, therefore, were expected to continue working on the eventual adoption of a binding code of conduct in the South China Sea. ASEAN’s goal is to transform the DOC from a broad statement of principles into a legally binding Code of Conduct (COC). As an association of small and medium powers, ASEAN has prioritised the pursuit of a binding code of conduct because it represents a complex commitment to creating and fostering a rule-based system, as opposed to a power-based regional order.<sup>32</sup> The COC should serve both as a rule-based framework containing a set of norms, rules, and procedures that guide the conduct of parties in the South China Sea, and as a confidence-building mechanism in support of “a conducive environment for peaceful settlement of disputes, in accordance with international law.”<sup>33</sup>

China is an emergent regional power determined to alter the region’s geopolitical status quo. Hence, it has resisted such efforts.<sup>34</sup> In public, China agreed to discuss the South China Sea dispute with ASEAN on a multilateral basis. But in private, however, it sought to discuss the dispute bilaterally with each individual claimant state. Then Chinese Foreign Minister Yang Jieche articulated this when he declared that “territorial and jurisdictional disputes should be resolved peace-

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<sup>28</sup> Acharya, “Crunch Time for Asia-Pacific Multilateralism,” p. 20.

<sup>29</sup> Emmers, *op. cit.*, p. 64.

<sup>30</sup> Acharya, “Crunch Time for Asia-Pacific Multilateralism,” p. 22.

<sup>31</sup> *Ibid.*, p. 64.

<sup>32</sup> Alice Ba, “ASEAN’s Stakes: The South China Sea’s Challenge to Autonomy and Agency,” *Asian Policy* 21 (January 2016), p. 49.

<sup>33</sup> *Ibid.*, pp. 48-49.

<sup>34</sup> Leszek Buszynski, “The South China Sea Maritime Dispute: Legality, Power and Conflict Prevention,” *Asian Journal of Peacebuilding* 1, 1 (2013), p. 54.

fully through friendly consultations and negotiations.”<sup>35</sup> His statement was a direct portent to ASEAN that it cannot expect a deal with Beijing as a group, since not all ASEAN member states are parties to the dispute.<sup>36</sup> Furthermore, China also insists that it can manage the dispute by directly engaging ASEAN without the involvement of external powers. Consequently, little progress has been made toward the implementation of the DOC as well as the eventual negotiation of a legally binding COC.

More than ten years after China and ASEAN signed the DOC, the two parties have not even started the negotiation of the COC for the simple reason that China declared that the time was not yet ripe to do so.<sup>37</sup> This impasse stems from the fact that the ASEAN member states and China do not share the same objectives on the COC. On the one hand, the Southeast Asian states would like to conclude a COC as quickly as possible so that China will be drawn deeper into the ASEAN process of peaceful consultations and conflict-avoidance. On the other hand, as a great power, China does not want to be embedded into a diplomatic system created by small powers. Interestingly, it wants first the full implementation of a non-binding DOC before any formal negotiation of the COC begins. It supports a step-by-step approach whereby the conclusion of a legally binding COC is perceived as a long-term rather than an immediate goal.<sup>38</sup>

In light of Chinese expansion in the South China Sea in the second decade of the 21st century, ASEAN has prioritised the pursuit of a binding COC because it emphasises the principles of international law, as well as existing regional codes of conduct like the ASEAN Treaty of Amity and Cooperation. During its chairmanship of ASEAN in 2013, Brunei put maritime security at the top of the summit agenda and declared that the negotiation of the COC was the goal of its chairmanship.<sup>39</sup> In 2015, as the ASEAN chair, Malaysia made the adoption of the COC its priority. Malaysia asked Thailand, as the country coordinator for ASEAN-China relations, to increase the frequency of consultations with China so as to facilitate the swift formulation and eventual agreement of a binding COC.<sup>40</sup>

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<sup>35</sup> Quoted from Acharya, “Crunch Time for Multilateralism,” p. 22.

<sup>36</sup> *Ibid.*, p. 22.

<sup>37</sup> Emmers, *op. cit.*, p. 64.

<sup>38</sup> *Ibid.*, p. 73.

<sup>39</sup> Catherine Dalpino, “Multilateralism is the Asia-Pacific,” in *Comparative Connections: A Triannual E-Journal on East Asian Bilateral Relations* (May 2013).

<sup>40</sup> Ba, *op. cit.*, p. 49.



In the face of ASEAN's efforts to negotiate and sign a binding COC, China officials have offered nothing more than accommodating rhetoric at times.<sup>41</sup> In 2013, Foreign Minister Wang Yi declared that China was in no hurry to conclude an agreement on a COC as he insisted that cooperative activities and confidence-building measures in the DOC must first be implemented.<sup>42</sup> This process, however, could take years.<sup>43</sup> China's efforts to delay any negotiation with ASEAN for a legally binding COC stem from two reasons. First, it is part of China's delaying strategy in resolving territorial disputes – this involves maintaining a state's claim to a piece of land but neither offering concessions nor outright use of force.<sup>44</sup> This strategy is premised on keeping existing claims in a dispute. The goal is to consolidate China's claims, especially to maritime rights or jurisdiction over these waters, and to deter other states from strengthening their own claims at China's expense, including resource development projects that exclude China.<sup>45</sup> Second, since Chinese officials believe that the South China Sea is a Chinese territory, a COC with the smaller claimant states is not relevant to China's goal – maritime expansion.

Despite its relentless efforts to militarize the South China Sea, however, China has also shown diplomatic pragmatism in dealing with the Southeast Asian countries. On 18 May 2017, China and the ten member states of ASEAN announced that they had finally agreed on a framework for a code of conduct on the South China Sea. On 6 August 2017, the ASEAN and Chinese foreign ministers endorsed the framework for the negotiation of a COC. The agreement on a framework agreement is an incremental step toward the creation of a conflict-management mechanism for the South China Sea dispute. However, the agreed framework is short on details and contains many of the principles and provisions already mentioned in the 2002 DOC.<sup>46</sup> ASEAN insists that the COC must be legally binding. However, Beijing wants adherence to the COC to be voluntary, similar to the 2002 DOC.<sup>47</sup> Furthermore, although the framework includes new references to the prevention and management of incidents, the phrase “legally binding” is absent from the text along

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<sup>41</sup> Dalpino, op. cit., p. 2.

<sup>42</sup> Carl A. Thayer, “ASEAN, China and the Code of Conduct in the South China Sea,” *SAIS Review* XXXIII, 2 (Summer-Fall 2013), p. 82.

<sup>43</sup> *Ibid.*, p. 82.

<sup>44</sup> M. Taylor Fravel, “China's Strategy in the South China Sea,” *Contemporary Southeast Asia* 33, 3 (2011), p. 297.

<sup>45</sup> *Ibid.*, p. 293.

<sup>46</sup> Ian Storey, “Assessing the ASEAN-China Framework for the Code of Conduct for the South China Sea,” *Perspective* (Singapore: Institute of Southeast Asian Studies (ISEAS)-Yusof Ishak Institute, 8 August 2017), p. 1.

<sup>47</sup> Sheldon Simon, “U.S.-Southeast Asian: Regional Skepticism,” *Comparative Connections* (September 2017) 19, 2. p. 45.

with its geographical scope, and enforcement and arbitration mechanisms.<sup>48</sup> It is expected that the negotiation for a COC will be a process that is long and protracted, and most possibly frustrating since ASEAN and China are still in a quandary as to whether the future COC will be legally binding or not.

China has not only prevented ASEAN from effectively embedding it in the association's way of managing security issues by stonewalling the Southeast Asian states' efforts to negotiate a multilateral and legally binding COC, more importantly, it has also effectively neutralised the regional organisation by creating divisions within ASEAN by influencing its member states one by one. Called the salami strategy, this involves offering each claimant state a joint development venture as a means of resolving the South China Sea dispute. This is an important component of China's diplomatic initiative of "setting aside disputes and pursuing joint development" with a claimant state in the disputed maritime territories that from China's perspective actually belong to it.<sup>49</sup> China was able to apply this tactic when it convinced the Philippines and Vietnam to join a Joint Maritime Seismic Undertaking (JMSU) in the South China Sea in 2005. However, by joining the JMSU, the Philippines and Vietnam became complicit to China's salami strategy for two reasons:<sup>50</sup> a) the agreement undercuts the position of two ASEAN member states – Malaysia and Brunei – since it tacitly lends validity to China's extreme claims to islands and maritime space in the South China Sea; and b) by signing a trilateral deal, the Philippines and Vietnam derogated the united front that ASEAN had successfully formed to deal with China in the South China Sea. Accordingly, the forging of the original bilateral agreement with China bereft of any consultation with the other ASEAN members states could be seen as a violation of the spirit of the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DOC). As one Australian analyst notes: "[T]he Philippine government has broken ranks with the Association of Southeast Asian Nations, which was dealing with China as a bloc on the South China Sea issue ... Through its actions, Manila has given legitimacy to China's legally spurious 'historic claim' to most of the South China Sea."<sup>51</sup>

In 2012, China again applied the salami tactic against the Southeast Asian states during the 45th ASEAN Annual Meeting in Phnom Penh. This was the first time in ASEAN history that the ministerial meeting was not able to issue a formal com-

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<sup>48</sup> Storey, op. cit. p. 1.

<sup>49</sup> Yang Mingjie, "Sailing on a Harmonious Sea: A Chinese Perspective," *Global Sea* 4, 5 (Winter 2010), p. 25.

<sup>50</sup> Mark Valencia, "The Philippines' Spratly Bungle," *UPIA Asia Online* (28 March 2008), p. 2. [http://www.upiasia.com/Politics/2008/03/28/the-philippines/spratly\\_bungle/3227/?view=print](http://www.upiasia.com/Politics/2008/03/28/the-philippines/spratly_bungle/3227/?view=print).

<sup>51</sup> Barry Wain, "Manila's Bungle in the South China Sea," *Far Eastern Economic Review* 171, 1 (January 2008), p. 2, <http://proquest.umi.com/pqdweb?index=12&did=1423249481&Src...>

communiqué. This unfortunate incident was a result of Cambodian Foreign Minister Hor Nam Hang's objection to any mention of the 2012 stand-off between Filipino and Chinese civilian vessels near the Scarborough Shoal and the Vietnamese and Filipino proposals that the communiqué should refer to the various marine incidents involving their ships and Chinese patrol boats.<sup>52</sup> Despite efforts by Indonesia and Singapore to broker a compromise over the wording of the South China Sea section of the communiqué, Hor Nam Hong rejected the wording of several successive drafts. He insisted that bilateral disputes with an outside power were not an appropriate subject for an ASEAN communiqué, although such disputes have been discussed in various ASEAN meetings.<sup>53</sup> Acting as the ASEAN chair, Cambodia sought to appease Beijing by taking into account its concerns and minimising the internationalisation of the South China Sea dispute.<sup>54</sup> Consequently, for the first time in ASEAN's 45 years of existence, a joint AMM communiqué was not issued.

By vetoing any reference to the 2012 Scarborough Shoal stand-off, Cambodia took China's position that the South China Sea dispute should not be discussed in an international forum, especially when they involve external powers. China prefers, instead, to negotiate bilaterally with the Southeast Asian claimants states.<sup>55</sup> Consequently, the likelihood of ASEAN becoming divided over the South China Sea issue is a real possibility given the member states' divergent views over this issue, and more significantly, China's creeping influence within the association as a result of its growing economic and military capabilities. Observing the cleavage within ASEAN over the South China Sea dispute, Professor Sheldon Simon notes:

In retrospect the absence of ASEAN agreement on such a politically sensitive topic as the SCS [South China Sea] should not have been surprising – disappointing perhaps but not surprising...When it comes to dealing with China, they vary considerably, all the way from serving as a diplomatic surrogate for Beijing (Cambodia) to being willing to directly confront PRC and attempt to obtain open military support of the US (Philippines) to points in between, where keeping a low profile and adopting a hedging strategy is followed (Malaysia).<sup>56</sup>

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<sup>52</sup> Simon, *op. cit.*, p. 1016.

<sup>53</sup> *Ibid.*, p. 1016.

<sup>54</sup> Emmers, *op. cit.*, p. 67.

<sup>55</sup> *Ibid.*, p. 67.

<sup>56</sup> Simon, *op. cit.*, p. 1016.

## THE EAST ASIAN REGIONAL BALANCE OF POWER AND THE MARGINALISATION OF ASEAN

China's adroit ability to prevent the Southeast Asian states from embedding it in its system of peaceful consultations and conflict avoidance and its efforts to divide this regional association have diminished ASEAN's role in managing the South China Sea dispute and in effect, have weakened the ASEAN-centric security institutions as part of the security structure in East Asia. This trend will continue as the disparity of economic and military power between China and the ASEAN member states becomes wider and more obvious. Consequently, this has alarmed the other great powers in the region, who have warily observed ASEAN's diminishing role in the South China Sea dispute in particular, and in regional security affairs in general.

In November 2011, the Obama administration announced a strategic pivot to the Asia-Pacific region. This refocusing of American strategic attention to the Asia-Pacific was "to ensure that the US will play a larger and long-term role in reshaping the region and its future." The main gambit is backed by the diplomatic strategy of constraining China with a stick. It does not envision a Cold War-type containment of China, which is deemed simplistic and wrong, but to make China acknowledge "America's strength, determination, and strategy."<sup>57</sup> Its ultimate goal is to shape the norms and rules of the Asia-Pacific region and to ensure that "international law and norms [are] respected, that commerce and freedom of navigation are not impeded, that emerging powers build trust with their neighbours, and that disagreements are resolved peacefully without threats of coercion."<sup>58</sup>

The US's strategic rebalancing to Asia provides further impetus for Japan (China's traditional rival in East Asia) to balance China in the South China Sea. It entails strengthening the American presence in Japan and South Korea, which is the cornerstone of the strategy, even as the US also builds up its security relationship with other states in and around Southeast Asia.<sup>59</sup> Specific to the maritime issue, the US always underscores that freedom of navigation in the disputed sea can only be guaranteed if the South China Sea remains a global common, that is, it belongs to all states and is not subject to sovereign control by a single powerful regional state. With the growing involvement of the US and Japan in the dispute, the South China Sea imbroglio is now a proxy for the deeper US (and its allies)-China strategic competition in the Asia-Pacific region. Consequently, East Asian states begin

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<sup>57</sup> Mark Landler, "How Obama Switched to Tougher Line with China," *International Herald Tribune* (21 September 2012), pp. 1 and 14.

<sup>58</sup> Mark E. Manyin et al., "Pivot to the Pacific? The Obama Administration's 'Rebalancing' toward Asia," *Congressional Research Service* (Washington, D.C.: Congressional Research Service, 28 March 2012), p. 1.

<sup>59</sup> Michele Flournoy and Janine Davidson, "Obama's New Global Posture," *Foreign Affairs* 91 4 (July/August 2012), p. 59.

to weigh their interests and decisions in the context of their alliance or partnership arrangements (in most cases with the United States) and their (generally extensive) trade and economic relationships with China.<sup>60</sup> This, in turn, has greatly diminished ASEAN's role in managing the South China Sea dispute. One American academic insightfully observed:

The larger challenge for ASEAN is that the current dynamics of the South China Sea may have to do more with US-China relations than with ASEAN-China relations or the actual disputes. ASEAN and its member states, however, will bear some of the most direct costs, especially if the situation worsens. Dissatisfactions with current ASEAN-China processes could result in further internationalisation of disputes and the pursuit of non-ASEAN mechanisms...<sup>61</sup>

ASEAN's marginalisation in the South China Sea dispute is shown by the fact that from 2011 to 2016, ASEAN and China have regularly convened to formulate a draft COC but few specifics of the proposed agreement have come out in public.<sup>62</sup> In the meantime, China has consolidated its claims in the South China Sea by reclaiming islands and constructing military infrastructures on those disputed land features. The PLA has built airfields on three artificial islands and has installed anti-aircraft guns and other weapon systems on all of the seven islands it controls to defend them against cruise missiles.<sup>63</sup> During the 30th ASEAN summit in Manila, the final summit communiqué failed to mention China's land reclamation and the installation of military structures on these artificial islands.<sup>64</sup> While ASEAN remained paralyzed and divided over the South China Sea dispute, China has rapidly expanded its strategic footprint across disputed land features in the Paracel and Spratly Islands, deploying its military, coast guard, and paramilitary patrols in contested waters.<sup>65</sup>

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<sup>60</sup> Tiffany Ma and Michael Wills, "Raising the Stakes: The Interests of Non-Claimant States in the South China Sea Disputes," *Asian Policy* 21 (January 2016), p. 5.

<sup>61</sup> Alice Ba, "ASEAN's Stakes: The South China Sea's Challenge to Autonomy and Agency," *Asian Policy* 21 (January 2016), p. 52.

<sup>62</sup> Sheldon Simon, "US-Southeast Asia Relations: Mixed Messages," in *Comparative Connections: A Triannual E-Journal on East Asian Bilateral Relations* 19, 1 (May 2017), p. 46.

<sup>63</sup> Robert Sutter and Chin-Hao Huang, "China Consolidates Control and Advances Influence," in *Comparative Connections: A Triannual E-Journal on East Asian Bilateral Relations* 19, 1 (May 2017), p. 52.

<sup>64</sup> Jake Maxwell Watts, "ASEAN Backs off Confrontation over China's Island-Building at Summit," *Dow Jones Institutional News* (29 April 2017), p. 1, <http://0-earch.proquest.com.lib1000.dlsu.edu.ph/docview/1893414248/fulltext/433D30753C8C4331PQ/31?accountid=28547>.

<sup>65</sup> Simon, "Mixed Messages," p. 45.

## CONCLUSION

Since 2009, China has taken an aggressive approach in pursuing its expansive maritime claim in the South China Sea. Initially, it used a delaying tactic in the resolution of the dispute while it consolidated its claims over disputed maritime territories and deterred small claimant states from strengthening their own claims, in the process, weakening ASEAN. Eventually, the US and Japan showed their interests in the dispute and projected their naval prowess in East Asia. These two naval powers have also extended military assistance to the small claimant states in the South China Sea dispute – the Philippines and Vietnam. This, in turn, has raised the possibility of a major naval confrontation between an emergent power and two major naval powers in the South China Sea. These developments have created a potentially volatile balance of power situation in the South China Sea. So far, this balance of power has prevented an armed conflict among the claimant states. Consequently, many international relations scholars and analysts have elevated the South China Sea dispute from a simple territorial row to a high-level geopolitical concern since the disputed area is “a dangerous ground” or a “future of conflict.” As a “future of conflict,” the South China Sea becomes an arena where states with powerful navies will jockey for strategic and diplomatic positions with their warships in the high seas, pursue their conflicting claims for natural resources, and strive for supremacy in the Western Pacific.<sup>66</sup>

This dangerous and unfortunate situation is partly a result of ASEAN’s inability to influence the security developments in the South China Sea. Since the early 1990s, in the face of China’s southward expansion into the South China Sea, ASEAN has sought to establish a conflict-management mechanism through the negotiation of a legally binding code of conduct to lower the risk of conflict among the claimant states. China, however, has prevented ASEAN from establishing this mechanism by delaying the negotiation of the COC and applying a salami strategy among the member states. This weakened ASEAN and created a strategic vacuum in East Asia.

Currently the United States and Japan are filling this space by strategically balancing China in the South China Sea. Beyond an immediate heightened tension in the disputed waters, increased strategic competition between China, on the one hand, and the US and Japan, on the other, has complicated the peaceful management of the South China Sea dispute and has effectively diminished ASEAN’s role on this issue. As the great-power rivalry over the South China Sea intensifies, the smaller Southeast Asian states will ultimately make a choice between a superpower determined to maintain the status quo and an emergent regional power determined

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<sup>66</sup> See Robert Kaplan, “The South China Sea is the Future of Conflict,” *Foreign Policy* 188 (September/October 2011): 76-88, <http://search.proquest.com/docview/888030576?accountid=28547>.

to alter the current territorial arrangements in maritime East Asia. This, in turn, will erode not only ASEAN's clout in East Asian security matters but also threaten its very existence as a regional association of small powers committed to peace and stability in Southeast Asia.

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# The Impact of East Asian Security Challenges on Southeast Asia

*Hoo Chiew-Ping*

## INTRODUCTION

East Asia currently faces unprecedented security challenges projected by the shift in China's international stature and various high-level political tensions and intensification of protracted conflicts among the neighbouring states. East Asian regional stability has displayed a paradoxical condition known as the Asian Paradox, where economic prosperity and interdependence is possible despite political instability and high military tension. While most of the sources of such instability permeate from Northeast Asia, Southeast Asia is seen as the sub-regional platform where multilateralism has flourished independently, thereby ensuring stability. This paper focuses on Southeast Asia's perspective on East Asian security challenges by highlighting two case studies of Northeast Asian security issues. The first is North Korea's security and diplomatic challenges to the Southeast Asian states, and the second is the Japan-China competition in Southeast Asia. The economic-security nexus of these issues will have implications and provides lessons for Association of Southeast Asian Nations (ASEAN) member states. To what extent the existing East Asian security architecture can cope with the economic-security challenges linking Northeast and Southeast Asia will also be examined in this chapter.

## REGIONAL SECURITY ARCHITECTURE: CONNECTING NORTHEAST AND SOUTHEAST ASIA

Other book chapters have articulated the multilateral fora that constitute the East Asian security architecture, with a focus on the ASEAN-based platforms. While Northeast Asian states are members of this security architecture, it is unclear whether the impact of security threats has immediate spill-over effects from one region to another. Thus, this chapter aims to investigate whether there is a connection between Northeast and Southeast Asian security issues.

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\* This paper was submitted on 11 December 2017.



The utility of platforms like the ASEAN Regional Forum (ARF) is constantly questioned. For instance, Northeast Asian states have been using the ARF to raise issues of concern to them, such as the North Korean nuclear crises. But without providing a substantial mechanism for resolving the issues raised and given the ASEAN principle of non-intervention, these platforms are regarded as “talk shops” where the member states do not play active roles in the issues concerned. However, the ARF was instrumental in bringing the regional powers together before any Northeast Asian initiative, such as the Six-Party Talks, emerged. The first nuclear crisis of 1993-1994 was raised at the ARF. ASEAN Secretary General H.E. Surin Pitsuwan invited North Korea to be a participatory member of the ARF in 2000, paving the way for behind-closed-doors meetings alongside the ARF summit from 2000 to 2002, which also led to the culmination of Six-Party Talks in 2003.

For supporters of the ASEAN way, ASEAN’s non-intervention principle is what makes it attractive to extra-regional members. For North Korea, the ARF remains the only multilateral mechanism that it is still a participatory member of.

Yet, the security architecture itself has been unable to manage all the security issues emanating from Northeast Asia. North Korea’s behaviour is a case in point. Southeast Asia itself is a regional hub for myriads of North Korean legal and illicit activities that enable the North Korean regime to survive various kinds of international sanctions. By being an “enabler” for the North Korean regime, Southeast Asian states risk having their “neutrality” and “non-intervention” principles being abused by a rogue state that violates international norms and laws. Southeast Asia’s connections with North Korea will increasingly face scrutiny. Another notable case would be the intensifying Japan-China competition. As Japan and China are participatory members in the majority of ASEAN-based platforms, the security architecture enables the two Asian powers to engage each other bilaterally through Southeast Asian regional institutionalism. However, simultaneously both are also competing for influence and support among the ASEAN member states. While some competition is beneficial to the countries in Southeast Asia, an intensified and confrontational competition would place Southeast Asian countries in a more difficult position.

The following sections will present the two case studies of North Korea and the Japan-China competition to illustrate how Northeast Asian security challenges could have implications for Southeast Asia.

## THE CASE OF NORTH KOREA’S SECURITY CHALLENGES TO SOUTHEAST ASIA

The first case study examines the substance of North Korean security threats to Southeast Asia. North Korea has diplomatic relations with all ten ASEAN member

states. Notable special relationships include its bilateral ties with Malaysia, which enjoyed two-way free visa-waiver privilege and direct flight service to Pyongyang prior to Kim Jong-Nam's assassination; the personal friendship between Kim Il-Sung and King Sinhanouk of Cambodia; long-term cultural ties that expanded into trade ties between North Korea and Singapore and Indonesia; the party-to-party relations between the Communist Party of Vietnam and the Workers' Party of Korea; and the cultural and agricultural cooperation between Thailand and North Korea. Although in recent years more Southeast Asian countries have taken steps to limit and downgrade their relations with North Korea, these diplomatic ties have in the past enabled Southeast Asia and ASEAN to play a role in mediating the Northeast Asian conflict to a certain extent, albeit with limited success as North Korea has also ratcheted up its provocations and illegal operations by several notches, ultimately challenging friendly nations' sovereignty.

### Traditional Security Challenges

The North Korean security challenges to Southeast Asia are two-fold: traditional and non-traditional security issues. North Korea's traditional security challenges, including nuclear weapons, ballistic missile development programmes, and conventional military capabilities, will have serious implications for Southeast Asia although on the surface these challenges seem to be unrelated to the Southeast Asian region. For instance, nuclear- and missile-proliferation activities to the Middle East, which are great threats to the established powers and regional stability, will not be welcomed by Southeast Asia. In addition, such proliferation activities will pass through Southeast Asian waters, complicating the regional security challenges as it invites greater scrutiny from major powers such as the United States.

In addition, the proliferation activities may also have direct regional implications. For instance, North Korea's missile technology transfer to Myanmar has been ongoing and in the past there have been cases of shipments from North Korea to Myanmar being intercepted successfully in 2004 and 2009. The proliferation of North Korean nuclear technology to Myanmar has also been under suspicion since 2003.<sup>1</sup> Small arms trade (which is banned by UN resolutions and international sanctions) is known to be linked to Myanmar, while Thailand, Malaysia, and Singapore are known to be transit points (Berger 2015; Snyder 2014; UNSC 2015). In 2012, the alleged Kwangmyeongsung-2 test (also known as Unha-2), which was aimed in the direction of Australia, resulted in the final debris of the failed test falling within the exclusive economic zone of the Philippines (about 190 km away from the north-

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<sup>1</sup> Meanwhile, nuclear proliferation is suspected to be connected to Myanmar. See the field observation report by an Australian researcher, Desmond Ball, and a Thailand-based journalist, Phil Thornton (*Sydney Morning Herald* 2009).

eastern coast of Luzon Island).<sup>2</sup> The result of that test should have triggered alarm in the Southeast Asian region. Should the test have gone wrong at an inappropriate juncture, the debris could have fallen within Southeast Asian states' land territories, such as on the Filipino islands, Borneo island (shared by Malaysia and Indonesia), or the isles between Indonesia and Australia. This is the same type of fear and anxiety experienced by Japan, which has seen the tremendous pressure of numerous North Korean missile tests in 2017, several of which flew over the Japanese main islands of Kyushu and Hokkaido, triggering the national defence alarm. Similar fears can also be currently seen in the incident of the use of a deadly chemical weapon known as VX at Kuala Lumpur International Airport 2 (KLIA 2), which, if the handling had gone wrong, could have had a devastating impact on international visitors transiting through the busy airport.<sup>3</sup>

## Non-Traditional Security Challenges

In the non-traditional security area (which is under-examined), North Korea's licit and illicit activities continue to have a strong presence in the Southeast Asian region. The ASEAN Ministerial Meeting on Transnational Crimes (AMMTC) serves as the highest policymaking and coordinating body for ASEAN cooperation on matters of transnational crime, and it covers a wide range of meetings, institutions, and plans that deal with the subject, including the Senior Officials Meeting on Transnational Crime (SOMTC) and the ASEAN Chiefs of National Police (ASEANAPOL). Out of the traditional eight areas of transnational crimes (drug trafficking, terrorism, economic crimes, human trafficking, money laundering, piracy, weapon smuggling, and cybercrime), North Korea is known to have committed seven of them (except piracy). ASEAN should have utilised the AMMTC framework, which also includes the Plus Three framework, to curb the problem, yet North Korea's illicit activities are not mentioned explicitly in AMMTC's plans of actions.

North Korean legal and illegal entities operate together in a complex network of interlinked activities, including in the areas of cyber security (North Korean overseas Information Technology [IT] workers launch global cyber attacks from Southeast Asia), illegal international financial network (transactions of sanctioned arms sales, smuggling, trafficking, and money-laundering through international banks), and state-sponsored terrorism in overseas operation. Lax border controls

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<sup>2</sup> If successful, the final target area would have been north of Darwin, Australia.

<sup>3</sup> KLIA 2 was the location of the assassination of Kim Jong-Nam; this is often wrongly reported as KLIA, Malaysia's main international airport. KLIA 2 is a domestic and international airport for low-cost carrier airlines. The use of VX at KLIA 2 did not evoke enough serious discussion and consideration in bringing North Korea to task for its severe violation of international safety through the employment of a Weapon of Mass Destruction (WMD) in a public space.

and North Korean embassies in the region act as enablers of illicit operations, making the Southeast Asian region an unbeknownst hub for the North Korean illicit network (Ryall 2017).

North Korean cyber attack tactics have been identified through their unique footprint. The data retrieved from the Sony Pictures attack has been cross-checked with other known and suspected North Korean cyber attacks, such as the breaches at South Korean banks and broadcasters in 2013 (Riley et al. 2014; Yadron and Fritz 2014). Digital breaches at banks in Southeast Asia also match the Sony Pictures attack's footprint, such as the October 2015 attack on a Filipino bank and the December 2015 attack on Tien Phong Bank in Vietnam (Cockery 2016). Symantec revealed that this was the first case where a nation-state employed cyber attacks to effectively steal money from banks (Menn 2017). An investigation into the attack on Sony Pictures traced the IP address of the attack to Malaysia, where North Korean IT workers were found working in local companies with legal work permits. The most recent Ransomware and WannaCry attacks were also attributed to North Korea due to the unique codes, and some of the attacks were also found to have been launched from Malaysian IP addresses (Maxey 2017; Nakashima 2017).<sup>4</sup>

## IMPLICATIONS OF NORTH KOREA FOR SOUTHEAST ASIAN POLITICAL AND ECONOMIC DIMENSIONS AND SECURITY ARCHITECTURE

Due to North Korea's operation in the Southeast Asian region, these illicit activities inevitably have impacts on Southeast Asia's political and economic security. While the traditional security threat is limited, these political and economic security threats could have serious consequences if they are not controlled and constrained.

### Political Security

In terms of political security, any future missile test that is aimed in the direction of this region would put Southeast Asian states and ASEAN in a difficult position in regard to responding to external power pressure and intervention, especially if ASEAN reveals its weakness by not reaching a consensus on strengthening the regional resolve to hold North Korea accountable for its irresponsible actions endangering territorial security. The implications of such a traditional security challenge could be two-fold. One such implication is: inadvertently inducing external powers' interference in the region, which runs contrary to Southeast Asian states' wish to

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<sup>4</sup> The North Korean cyber footprints are crosschecked with the data obtained by the US from the Sony Pictures attack, and also from the cyber security breaches experienced by South Korea. See Sanger and Fackler (2015).

remain neutral amongst the regional great powers, and also challenges ASEAN's ability to maintain ASEAN cohesion in response to security challenges permeating from the neighbouring region. For instance, in 2017, the US under the Trump administration requested ASEAN to remove North Korea as a participatory member of the ARF. However, ASEAN stood its ground and maintained the participation of North Korea in the ARF, arguing that to completely isolate North Korea from any form of regional engagement would be an even worse scenario.<sup>5</sup> The other implication being uncertainty over the provocation cycles that produce cyclical stability-instability outcomes, undermining regional stability, which is required for stable economic development. This has thus exposed ASEAN's weaknesses in upholding regional order in the face of external challenges.

## Economic Security

In terms of the implications for regional economic security, the US' sanctions regime and pressure (also from the Republic of Korea [ROK]) on Southeast Asian states have not only strained bilateral relations between the respective states with North Korea, but have also had a detrimental effect on Southeast Asian states' reputation in relation to illegal economic and financial transactions, which had been vital for transmitting and wiring hard cash to the Pyongyang regime. The illegal financial network established by North Korea is not restricted to regional operation, but also links and connects financial institutions in China, South Asia, and the Middle East, all vital patrons of North Korea's illicit networks. Thus, by playing the role of an international hub for North Korean financial operations, Southeast Asia risks exacerbating the non-traditional security challenges and knowingly or unknowingly supporting the proliferation and maintenance of such an illegal structure that has inter-regional impact. The latest rounds of sanctions introduced by the US Treasury Department and the latest UN Resolution 2375 (2017) have already hurt Southeast Asia's reputation and regional/local financial institutions and economies. For instance, Thailand's silk production actually relies heavily on North Korea's raw material supplies. Thus, the latest secondary sanctions targeting the textile trade with North Korea had negative impacts on Thailand's textile industry, which is part of its vital export and local markets. This testifies to the ASEAN member states' vulnerability to the international sanctions regime on North Korea.

The illegal financial and economic network of North Korea could hamper the ASEAN Economic Community (AEC), with the consequences of illicit trade activities sabotaging the economic integrity of ASEAN as a trading bloc. In addition to the international sanctions regime, the US and South Korea could threaten

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<sup>5</sup> The ARF became the only regional multilateral engagement that North Korea is still a part of after it officially withdrew from the Six-Party Talks in 2009.

economic retaliation along with financial warfare on North Korea's illicit financial network, of which we are currently witnessing the Chinese banks that were involved in assisting North Korea to evade sanctions receive the brunt of secondary sanctions measures, reminiscent of the first successful financial warfare waged against North Korea through the Banco Delta Asia sanctions back in the latter half of the 2000s. The interconnectedness of money laundering, arms smuggling, and drug trafficking activities also means that North Korean operations in the region have undermined ASEAN's reputation as a bloc for trade and investment in East Asia, while also exploiting the ASEAN Community's connectivity and its neutrality in engaging North Korea as a non-aligned partner since the Cold War era.

Under the Trump administration, the weak introduction and implementation of sanctions against North Korea over the previous decades were replaced by the new administration's new strategy of "maximum pressure" by imposing a more stringent sanctions regime. The implementation of secondary sanctions was held back during the Obama administration for fear of China's retaliation due to a lack of consensus; this is no longer the case. Southeast Asian states are thus facing the dilemma of either severing ties and risking losing the traditional export-import market connected to North Korea or coming under scrutiny for non-compliance with the sanctions regime.

## Financial Security

North Korea's newfound cyber capability, as illustrated in the previous section, has threatened the financial security of some Southeast Asian states. Being the only known sovereign state to have stolen money from financial institutions through cyber operations, North Korea's cyber attacks and cyber breaches have not only raised concerns over global finance security, but also damaged the trust of the nations from which it wired money away illegally. The Philippines had been one of the top trade partners of North Korea since the 2000s, and yet the massive loss from a cyber breach of its local bank, conformation of which only came two years after the breach, revealed North Korea's untrustworthiness as a state.

## Cyber security

North Korea's cyber operations have disrupted ASEAN's capacity-building process, which had just begun in 2016. Mandiant's report placed the Southeast Asian region's cyber security in the "warning" category, as there are few efforts on cyber defence and readiness on the regional scale, and each member state's cyber capability differs drastically. The ASEAN Defence Ministerial Meeting Plus's Cyber Security Working Group was agreed upon in the 2016 meeting, and the activities are expected to begin in 2017. The overall regional cyber-preparedness at the ASEAN level is

still at a very low level. If the achievements of the working group on cyber security cannot match North Korea's increased cyber presence in the region, not only are financial institutions under threat, Southeast Asia will also again become another unwilling participant in the global cyber attacks network of North Korea (and potentially of other cyber terrorist groups), be it state-sponsored or non-governmental entities.

## THE CASE OF THE JAPAN-CHINA COMPETITION: IMPLICATIONS FOR SOUTHEAST ASIA

Having illustrated North Korea's security challenges and implications for Southeast Asia, one cannot ignore the legitimate struggle of the small states in the region in facing the great-power rivalry and competition between China and Japan. They are the two great powers of East Asia and have long enjoyed significant presence in Southeast Asia. While the contemporary focus in Southeast Asian international relations has been on the US-China rivalry, the challenges permeating from the Japan-China competition should not be overlooked. Japan has been a major investor in the region since then Prime Minister Fukuyama introduced chequebook diplomacy in Southeast Asia in the 1970s. While Japan's economic decline has coincided with China's rise in the 1990s, it remains an important player not only as a partner for Southeast Asian economic growth, but also as a strategic counterpart in strengthening maritime and security cooperation. From a strategic perspective, China's influence in the region has expanded significantly, but this has come with the cost of growing uneasiness over the South China Sea dispute. While the ASEAN-based agenda has continued to receive support from China, increasingly ASEAN is also becoming more fractious in facing the challenges of China's assertiveness in the South China Sea over the past few years. These scenarios are further complicated by Sino-Japanese relations, as the two powers vie for influence in Southeast Asia, which has thus become a stage for competition.

Both the contemporary leaders of China and Japan, Xi Jinping and Shinzo Abe, are strong leaders that depart in practice from their more reserved predecessors. Each has a distinct leadership style and a strong view on positioning their respective country in the shifting international and regional order. While China's newfound economic prowess has been translated into stronger political influence, Japan has long struggled with the dilemma of breaking out of the "strong economy, political pygmy" mould. Abe, however, seems determined to reverse this course and has been formulating and implementing policies that will make Japan not only more formidable but more autonomous in regional strategic affairs as well.

## China-Japan Economic Competition in Southeast Asia

As a long-time regional investor and trade partner, Japan has a wide outreach in Southeast Asia as the main exporter of technology and the biggest non-Western investor in the region despite having a sensitive past of aggression during the World War II era. In the post-Cold War era, Japan, along with China and South Korea, began the process of East Asia regionalism based on the ASEAN platform. However, this traditional realm of developmental assistance in Southeast Asia dominated by Japan has also faced challenges from China. When President Xi Jinping announced the One Belt One Road initiative (now known as the Belt and Road Initiative or BRI)<sup>6</sup> in 2013, it signalled the emergence of a new Chinese grand strategy, aimed at promoting China's status as a global economic centre and an elevated political status in accordance with its growing ability in lifting up countries in cooperative partnerships. The BRI has attracted the support of many developing countries, which are enticed by massive Chinese investments. In addition, these developing countries are also awed and inspired by China's own experience in rapid development for the past decades and wish to learn from the China model. Sceptics see the many corridors introduced through BRI as overly ambitious and fear a one-sided dependency. However, it is notable that for the majority of the countries involved, Chinese investments in infrastructure development are welcomed, although in fact many of the projects under this initiative are actually not "new". Many existing or ongoing projects between the recipient countries and China had been forged before the inception of the BRI framework.<sup>7</sup>

Sensing the ascendance of China's influence, Japan came up with its own counterpart of the BRI. It formally introduced the "Asia's Partnership for Future" initiative in 2015. According to Japan's Ministry of Foreign Affairs's Official Development Assistance (ODA) office, "Partnership for Quality Infrastructure: Investment for Asia's Future" is an institutionalised and structured design to re-frame all of Japan's ODA and investments overseas, particularly on infrastructure projects.<sup>8</sup> Similar to China's investments, many Japanese investments in developing countries' infrastructure projects are also not new to the recipients, especially in Southeast Asia where Japan has long enjoyed an enduring presence.

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<sup>6</sup> The initial naming of One Belt One Road (OBOR) refers to its full name of "Silk Road Economic Belt" and "the 21st-century Maritime Silk Road". The official bilingual website was only launched in March 2017: <https://eng.yidaiyilu.gov.cn/>.

<sup>7</sup> For instance, Malaysia's Forest City and the Malaysia-China twin industrial park projects Kuantan and Qinzhou Industrial Parks were incepted before the announcement of OBOR. China's official mouthpiece also admitted China's intention to prevail over Japan in acquiring mega-infrastructure projects in Malaysia, Thailand, and Indonesia. See Chu (2017).

<sup>8</sup> Ministry of Foreign Affairs of Japan, 21 May 2015, "Announcement of 'Partnership for Quality Infrastructure: Investment for Asia's Future'", [http://www.mofa.go.jp/policy/oda/page18\\_000076.html](http://www.mofa.go.jp/policy/oda/page18_000076.html).



Other than infrastructure projects, there are also other parallel competitive schemes in the economic and financial areas. Japan is the largest shareholder of the Asian Development Bank, which for many decades has been, together with the World Bank, the primary multilateral financial institution for the developing countries in Southeast Asia. China, however, has established the Asia Infrastructure Investment Bank (AIIB), which Japan refuses to join. A relatively young institution, AIIB has attracted the support of all ASEAN countries, including sceptics such as Vietnam. AIIB aims to address specifically the weaknesses in the infrastructure sector in many Asian developing countries, and in this sense, it provides a sensible alternative to the existing financial institutions.

Another area of competition is trade. China and ASEAN have implemented the China-ASEAN Free Trade Agreement (CAFTA), while Japan is negotiating the ASEAN-Japan Comprehensive Economic Partnership Agreement (CEPA). According to Tourk (2009), Japan was reacting to China's initiatives with ASEAN; for instance, ASEAN had long demanded that Japan sign the treaty of non-interference in ASEAN's internal affairs, but Japan did not do so until after Beijing signed it in 2003. China and ASEAN are the most enthusiastic supporters of Regional Comprehensive Economic Partnership (RCEP), in which Japan is also a member, but Japan has spent far more energy and time on the Trans-Pacific Partnership (TPP), even after the Trump administration decided to pull out. Japan is currently working hard to revive the 11-member TPP, through which Japan aims to maintain its economic sphere of influence in the region. The agreement reached on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) in 2017 and the likely signing in March 2018 show a certain success in this area. As to the ASEAN member states, several are involved in both China-led and Japan-led economic initiatives, while others are heavily siding with either China or Japan.<sup>9</sup> Southeast Asians' responses are grounded in the economy-security nexus, of which the next section will articulate the security realm that is affected and linked to the economic realm.

**Table 1: Economic leadership competition between China and Japan in Southeast Asia.**

| Economic leadership initiatives                 | China | Japan                                  |
|---|-------|--|
| Infrastructure                                  | BRI   | Partnership for Quality Infrastructure |
| Finance   | AIIB  | ADB                                    |
| Trade (bilateral between China/Japan and ASEAN) | CAFTA | CEPA                                   |
| Trade (multilateral)                            | RCEP  | TPP / CPTPP                            |

<sup>9</sup> Malaysia, Thailand, and Singapore are known to be supportive of either China- or Japan-led initiatives, whereas Laos and Cambodia are commonly regarded as falling under China's sphere of influence, while Vietnam and the Philippines (pre-Duterte era) are more Japan-friendly in response to China's assertiveness in their waters.

## China-Japan Diplomatic Competition in Southeast Asia

The competition of offering developmental assistance to Southeast Asia between China and Japan is a bid to increase their respective influence while translating economic prowess into stronger diplomatic leverage. Increased bilateral cooperation with a particular Southeast Asian country is also aimed at countering the other's presence in the country. For instance, Japan quickly entered Myanmar's market after the opening of the country, partially with the aim of countering China, which had a strong presence during the military junta period. Japan increased its ODA to Vietnam and the Philippines while fostering maritime cooperation with these countries in a bid to counter China's maritime expansion in the region.

The security realm is the area where mutual distrust and suspicion run deep between China and Japan. China has long suspected that Japan's intention to normalise itself and become a "normal state" is in particular aiming at China. The changing of its pacifist constitution, which restrains Japan from establishing an offensive military force, is viewed as the first step towards larger hegemonic and military designs. Japan's close maritime cooperation with the Philippines and Vietnam is seen by China as a strategy of hampering China's influence in Southeast Asia.<sup>10</sup>

Especially in the 2010s, when signs of growing trouble between China and its maritime neighbours became apparent, Japan's ODA to and maritime cooperation with Southeast Asian countries assumed a more political character. It has given strong diplomatic support to the Southeast Asian claimant states in the South China Sea disputes, initiated more security-level as well as track-two dialogues between the relevant officials and think tankers, and provided patrol boats to the coast guards of the littoral states. Japan thus portrays itself as a nation sympathetic to the small states in Southeast Asia, offering assistance to improve their maritime security with better equipment, in order to counter China's dominance at sea.

Japan may also serve as a case in point to warn Southeast Asian countries. The latter's growing economic relationship with China might enable China to sometimes "weaponise" economic relations. For instance, Japan-China trade has blossomed since the start of the post-Cold War era, but this has to a certain extent actually endangered Japan's economic security. While China was more dependent on Japan in the 1990s, this trend has reversed since 2004, due to China's rise as a bigger trading market and the increasing importance of the Chinese market to Japan (Wan 2016: 170). Wan highlights the suspension of China's rare earth exports to Japan as a targeted sanctions economic warfare that was adopted in the East China Sea dispute (Diaoyu/Senkaku islands) in 2010, in which Japan yielded to the pressure after the

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<sup>10</sup> Japan's sale of TC-90 surveillance aircraft to the Philippines is seen as part of its efforts to promote the transfer of defence equipment to Southeast Asian countries to help build up their maritime security capabilities amid China's growing presence in the South China Sea. See report by the Yamaguchi (2017).

Japanese business community urged their Prime Minister's Office to deescalate the dispute. Similar situations can also be seen in South Korea when China retaliated against the THAAD deployment. Japan may implicitly and explicitly remind Southeast Asian countries that being overly economically reliant on China could have dangerous implications.

In this growing competition between Japan and China, Southeast Asian countries, as small states, will have to act carefully in order not to upset either great power, as the competition may result in a situation where it turns into a zero-sum game. The intensification of the competition could lead to significant challenges to the small states' national autonomy. By and large, none of the Southeast Asian countries would like to pursue the highly dangerous game of "choosing sides"; they prefer to generate as much benefits as possible from the competition while maintaining good relationships with all the major powers. This is a classic example of hedging, rather than traditional behaviour such as balancing or bandwagoning. Hedging works, however, only when the big-power competition offers enough strategic space for the smaller countries to manoeuvre. Under conditions of high uncertainties resulting from heightened competition or confrontation, there will be increased pressure on Southeast Asian countries to abandon hedging.

To a large extent, the Japan-China competition has not intensified into the above scenario, and can still be managed and contained within ASEAN-based frameworks and other multilateral fora. Aside from the existing ASEAN-based platforms and multilateral engagements (such as the ARF and ASEAN Plus Three [APT]), other non-ASEAN platforms, such as the annual Shangri-La Dialogue held by the International Institute for Strategic Studies (IISS) in Singapore and the Xiangshan Forum organised by China's People's Liberation Army (PLA), have become part of the institutionalised security dialogue mechanisms as they provide additional avenues for high-ranking military officers and heads of governmental agencies to meet and discuss major security issues afflicting the region. China, however, is moving fast to establish an alternative regional security architecture, with initiatives such as the first China-ASEAN workshop on cyber security on the sidelines of the ARF in 2013, and the Xiangshan Forum regional security conference, the first of which was held in 2006.<sup>11</sup> These efforts complement the China-led regional institutions, namely the Shanghai Cooperation Organisation (SCO)<sup>12</sup> and the biennial Conference on Interaction and Confidence-Building Measures in Asia (CICA)<sup>13</sup>, held since 1999.

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<sup>11</sup> The Xiangshan Forum was held biennially until 2015 when it became an annual event (with the exception of 2017, when it was postponed to make way for the 19th Party Congress).

<sup>12</sup> Originally named the Shanghai Five, it was renamed to SCO in 2001 after the admission of its sixth member, Uzbekistan. See official portal at <http://eng.sectsco.org/>.

<sup>13</sup> CICA is an inter-governmental forum for enhancing cooperation towards promoting peace, security, and stability in Asia. See the official website: <http://www.s-cica.org/page.php?lang=1>.

Interestingly, ASEAN has been a guest at SCO summits since 2006, a year that also marked the start of a economic agenda in the SCO meeting (Raj Kumar Sharma 2015).

As Japan is the established power and ASEAN countries have been dealing with Japan for decades, the growing uncertainties can actually be attributed more to China's rise. As Min (2017) argues, the strategic challenge for ASEAN is to find a new common ground between China's national interest and the regional interest, with international cooperation as the primal focal point of the interactions while managing the existing disputes between China and the member states. Lam (2012) also argues that with the dualistic characteristics of cooperation and competition in Sino-Japanese relations, the APT members shall focus on joint cooperation areas like anti-piracy, environmental protection in the Malacca Straits, and global warming, instead of debating military competition. Multilateral regionalism would provide the best ground for producing a positive outcome. Southeast Asian states should continue to rely on ASEAN's institutional power rather than be constrained by individual state's limited policy choice.

## CONCLUSION

The above discussion serves to illustrate that challenges from Northeast Asia could spill over to Southeast Asia. The existing security architecture has so far been able to cope with these challenges, but looking into the future there will be more challenges and it is uncertain if the existing arrangements will be able to contain or manage these challenges if no improvements or reforms are made. For instance, the ASEAN Political-Security Community (APSC) is underdeveloped in comparison to the ASEAN Economic Community (AEC) and ASEAN Socio-Cultural Community (ASCC). In managing the challenges from North Korea, it is time to turn APSC's blueprint into action, including expanded cooperation with the extra-regional stakeholders, especially South Korea. ASEAN's lukewarm response to South Korea's peace initiative, Northeast Asia Peace and Cooperative Initiative (NAPCI), could have delayed promising concerted East Asian efforts in engaging North Korea. Therefore, ASEAN should be more supportive of future ROK initiatives, including the new Responsible Northeast Asia Plus Community proposed by the incumbent Moon Jae-in government, which has a specific area of cooperation focusing on Southeast Asia and ASEAN. The assassination of Kim Jong-Nam should not be treated as another odd case that will recede with the passing of time; it should serve as a wake-up call to the ASEAN member states to increase their capability and credibility in closing the loopholes abused by North Korea in the region.

Meanwhile, ASEAN should continue to enhance APT as the key framework to enable the major powers of Northeast Asia to cooperate with each other while working alongside ASEAN. Japan and China should be made aware of the gains from

complementing each other in fostering rapport with the Southeast Asian states rather than competing with each other. AMMTC is one of the most functional ASEAN mechanisms – it is instrumental in organising substantive intra-regional cooperation and institutionalising cooperation between ASEAN, China, Japan, and South Korea (Reeves 2016). The Plus Three mechanism has worked to bring substance to East Asian security cooperation, such as the AMMTC Plus Three (AMMTC+3). The cooperation also includes bilateral mechanisms, such as the AMMTC Plus China and AMMTC Plus Japan. The NAPCI proposed by South Korea was inspired by the implementation of non-traditional security cooperation in the APT framework, with the expectation that the consolidation of non-traditional security cooperation can be extended to traditional security cooperation in the future. However, South Korea struggles to get solid support from other actors for its bid to be in the driving seat of Northeast Asian-based East Asian regionalism.

Table 2 shows the implications from the two cases of Northeast Asia in different dimensions and the relevant existing security framework.

**Table 2: Overall Implications for Southeast Asia and East Asian Frameworks.**

|             | <i>Economic Dimension</i>   | <i>Security Dimension</i>   | <i>Political Dimension</i>   | <i>East Asian Framework</i>  |
|-------------|---|---|--|--|
| North Korea | Undermining regional financial and economic institutions<br><br>Pressure from international sanctions regime                                    | Traditional security (territorial integrity)<br><br>Non-traditional security (illicit networks and cyber attack operations) | Dynamics of dual relations with the two Koreas<br><br>Increased pressure from the great powers to act on North Korea | ASEAN Politico-Security Community (APSC)<br><br>ASEAN Regional Forum (ARF)<br><br>ADMM Plus Cyber Security Working Group<br><br>Bridging ASEAN platform with 6PT / NAPCI / Responsible Northeast Asia Plus Community |
| Japan-China | Increased vulnerability due to economic interdependence or trade imbalance<br><br>Divide rather than unite the members in enhancing cooperation | Defence cooperation<br><br>Heightened sensitivity in maritime security issues   | South China Sea<br><br>Undermining ASEAN Centrality  | ASEAN Plus Three (APT)<br><br>ASEAN Economic Community<br><br>ASEAN Ministerial Meeting on Transnational Crime (AMMTC)   |

Given the intense rivalry among the Northeast Asian countries and the low possibility of a Northeast Asia-based regional organisation being implemented anytime soon, ASEAN remains the only viable security platform to improve the East Asian security architecture. However, ASEAN would also have to address its own weaknesses. In order to be a credible institution, ASEAN first has to strengthen its cohesion. The recent examples of division within ASEAN over issues such as the South China Sea dispute and the Rohingya crisis show that the challenges of cohesion and unity remain. Second, ASEAN member states have to be well-governed societies to avoid becoming pawns in the big powers' competition. Unfortunately, issues of corruption, abuses of power, and weak governing capacities continue to plague certain ASEAN member states. Finally, the gap within ASEAN has to be narrowed. The wide gap in the different levels of economic development has made different countries pursue their own national interests, sometimes at the expense of their fellow ASEAN member states. If ASEAN is to be the foundation of a wider and much-strengthened security architecture that can handle the challenges from Northeast Asia, it will have to first strengthen itself.

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# Choosing Sides? Illiberalism and Hedging in the Philippines and Thailand

*Olli Suorsa and Mark R. Thompson*

## INTRODUCTION

Much has been written about the United States' two oldest allies in Southeast Asia – the Philippines and Thailand – taking China's side against the US after both countries abandoned liberal democracy.<sup>1</sup> After the May 2014 military coup in Thailand and the election of strongman President Rodrigo R. Duterte in the Philippines in May 2016, the governments in Thailand and the Philippines began distancing themselves from the long-standing patron-client relationship with Washington, which dates back to the beginning of the Cold War in Thailand and to the US colonial period in the Philippines. The US government's criticism about the (poor) state of democracy and growing human rights violations in both countries angered rulers in Manila and Bangkok, leading them to distance themselves strategically from Washington and turn to China to make up for lost patronage. These changes have often been viewed in zero-sum terms as a failure of the Obama administration's "pivot to Asia," on the one hand, and a strategic gain for China, on the other. This is often portrayed as "choosing sides" – changing from a pro-US to a pro-China stance. In this paper, however, we will argue that both the Philippines and Thailand have engaged in a foreign policy strategy that can be characterised as omnidirectional hedging<sup>2</sup> – the diversification of states' economic, diplomatic, and security relations with multiple regional stakeholders with the aim of achieving maximum strategic flexibility. We suggest that the current illiberal rulers of the Philippines and Thailand have diversified their countries' strategic relations with other regional

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\* This paper was submitted on 10 October 2017.

<sup>1</sup> For example, Boot, M., "Duterte's Flip-Flop into Bed with China is a Disaster for the United States," *Foreign Policy*, 20 October 2016, and Parameswaran, P., "Thailand Turns to China: With a post-coup cooling of relations with the West, Bangkok is looking to its largest trading partner," *The Diplomat*, 20 December 2014. <http://thediplomat.com/2014/12/thailand-turns-to-china/>.

<sup>2</sup> See, Suorsa, O., "Hedging Against Over-Dependence on US Security: Thailand and Philippines," *RSIS Commentary*, No. 317 - 29 December 2016. <https://www.rsis.edu.sg/wp-content/uploads/2016/12/CO16317.pdf>.



and extra-regional powers to help achieve balance in the international system and avoid the “triple dilemma” of over-dependence, abandonment, and entrapment.

In our examination of the Philippine and Thai cases we will show how regime change – from relatively liberal electoral democracy to illiberal or fully authoritarian rule<sup>3</sup> – led to short-term and seemingly dramatic changes in foreign policy. Given that these regimes’ primary concern was shoring up their domestic political legitimacy, illiberal regimes opted for a transactional, return-maximising policy towards China as they faced growing criticism from the West, and the US in particular, due to human rights concerns. Another important and related factor is the nationalist points that could be scored by distancing oneself from perceived US bullying. Duterte’s *rapprochement* with China has been read as a defensive nationalist response to the Obama administration’s criticism of the new Philippine president’s violent drug crackdown and withholding of some foreign assistance, although his anti-US nationalism had deeper roots in the legacies of US colonialism.<sup>4</sup> Thailand’s turn to China in pursuit of economic gain after the coup of 2014 came after the US also criticised the mainland Southeast Asia country’s return to military rule.<sup>5</sup> This has been motivated primarily by the domestic search for legitimation. This suggests choosing China’s side is motivated by a regime’s search for domestic legitimacy as they face isolation and even sanctions from the West.

These foreign policy changes, however, need to be put in a broader systemic context. The apparent embrace of China by the illiberal Duterte regime in the Philippines and Thailand’s military rulers was only possible given the relatively stable and benign security environment that followed the end of the Cold War in Asia, which offered strong incentives and opportunities for short-term economic gains with few imminent external military threats. Yet, upon closer examination, these two Southeast Asia countries’ move toward China has only been partial and their distancing from the US limited. Taking this longer-term perspective, it can be seen that over time these two Southeast Asian states, like others in the region, have striven to avoid being entrapped in the Sino-US rivalry. Rather, the Philippines, Thailand, and other Southeast Asian core states have attempted to enmesh relevant regional powers (particularly Japan but also Russia and India) in ASEAN-centric multilateral frameworks as well as in a dense network of bilateral security arrangements.

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<sup>3</sup> Thompson, M. R., “Bloodied Democracy: Duterte and the Death of Liberal Reformism in the Philippines,” *Journal of Current Southeast Asian Affairs*, 3 (2016), 39-68, and Baker, C., “The 2014 Thai Coup and Some Roots of Authoritarianism,” *Journal of Contemporary Asia*, 46, 3 (2016), 388-404.

<sup>4</sup> Teehankee, J. C., “Duterte’s Resurgent Nationalism in the Philippines: A Discursive Institutional Analysis,” *Journal of Current Southeast Asian Affairs*, 35, 3 (2016), 69-89.

<sup>5</sup> Kaylan, M., “Add Thailand To The Wave Of Nationalist Regimes Sweeping The World,” *Forbes*, 16 December 2016. <https://www.forbes.com/sites/melikkaylan/2016/12/16/add-thailand-to-the-wave-of-nationalist-regimes-sweeping-the-world/#ffedd0e466d6>.

The strategy of omnidirectional hedging thus conforms to the regional mantra of refusing to choose sides between contesting powers. Viewed in this light, the “sudden” and “dramatic” changes that have occurred as the Philippines has become illiberal and Thailand subject to military rule have involved a recalibration of this “balancing act” through a diversification of their strategic relations, *refusing* to choose sides rather than choosing one great power over the other in the ensuing Sino-US confrontation.

We address the cases of the Philippines and Thailand in detail in order to examine both domestic illiberal realignment and the mid-term systemic omnidirectional perspectives. We argue that in both of these Southeast Asian countries, short-term changes to foreign policy after the emergence of illiberal/fully authoritarian rule has involved recalibrations within a familiar spectrum of foreign policy choices rather than radical changes in foreign policy behaviour, even if exaggerated political rhetoric (most evident in Duterte’s leadership) suggests otherwise. Duterte’s opening towards China was taken with the prospect of large investments in infrastructure and other quick economic gains in mind at a time when the Obama administration was criticising the new Philippine president’s violent drug crackdown and withholding some development assistance. In undertaking this illiberal realignment, Duterte invoked a nationalist discourse based both on long-standing resentments against the US as well as its utility as a defence against US/Western criticisms of his government’s human rights violations. Under Duterte’s predecessor, Benigno “Noynoy” S. Aquino III, Philippine foreign policy had become more assertive as the Philippines aggressively (and successfully) pursued its legal claims in the South China Sea (dubbed the “West Philippine Sea” by the administration), culminating in a successful court case before the Permanent Court of Arbitration in the Hague. Seen from the perspective of omnidirectional hedging, Duterte, by downplaying the arbitration court’s decision and adopting a more friendly tone toward China, managed to lower tensions between Manila and Beijing, which gave him more flexibility to denounce US/Western criticisms. Improved relations with China led to a rapid rise in pledged Chinese investments to levels not seen since the presidency of Gloria Macapagal Arroyo, Aquino’s predecessor, who was known for her friendly ties and large deals with China while downplaying disputes in the South China Sea. Subsequent events, particularly after the election of US president Trump, who has dropped human rights criticisms and offered Duterte closer ties,<sup>6</sup> suggest that there are limits even to this only partial “realignment” as Duterte has also sought closer ties with other regional partners (particularly other ASEAN states as well as Japan and Russia) and continued to rely on the Philippines’ close ties to the US military (evident during

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<sup>6</sup> Thompson, M. R., “Donald Trump and Rodrigo Duterte: a not-so-surprising political friendship,” *The Conversation*, 5 May 2017. <http://theconversation.com/donald-trump-and-rodrigo-duterte-a-not-so-surprising-political-friendship-77008>.

the government's siege of Marawi city after it was captured by Islamist militants). It also indicates that Duterte's use of an anti-US nationalist discourse is constrained by strategic considerations, long-standing ties to the US, and suspicions of China.

Similarly, Thailand turned to China in pursuit of economic gain following the coup of 2014 after the US also criticised Bangkok over its return to military rule. This also represented a deviation from Thailand's foreign policy during the Yingluck Shinawatra administration, which enjoyed amicable relations with both Washington and Beijing. While the Thai military junta turned to China to help shore up lagging economic growth, and thus its legitimacy, through massive infrastructure deals and increased tourism in particular, it only distanced itself from the US/the West partially in order to fend off criticism that Bangkok perceives to be violation of its internal affairs. Although the Thai junta also invoked nationalism, it was directed less against the West than against domestic enemies at a time of royal succession with the death of King Bhumibol in October 2016. Yet, as in the Philippines, Thailand's "realignment" proved limited with the country still maintaining close security links with the US, particularly through the Cobra Gold joint exercise, the most important military arrangement between the countries, and official level contacts, which are also based on strategic considerations and historical ties. Tellingly, while Thailand, like the Philippines, has kept the US at arm's length while its dependence on China is growing it has, again similar to the Philippine case, attempted to hedge omnidirectionally. It has diversified its strategic relations, not only with Japan but also with Russia and India, refusing to choose sides in order to avoid being entrapped in the Sino-US confrontation.

## THAILAND: SEEKING STRATEGIC AUTONOMY

Thailand's foreign policy elite has a long tradition of hedging between great powers, attempting to enhance its own foreign policy autonomy. This tradition, which is sometimes called the "bamboo bending with the wind", can be traced back to the early 19th century with Siam (Thailand) managing its strategic space between the British and French colonial aspirations over mainland Southeast Asia by courting the US and Russia in order to balance against the influence of these European great powers. At the beginning of the Cold War in Asia, Thailand became a staunch supporter of the US-led front against communism in Asia and backed the American war in Indochina. As one of the US's oldest allies, Thailand's defence relationship with Washington dates back to the 1954 Manila Pact, the establishment of the Southeast Asian Treaty Organisation (SEATO), and the 1962 Thanat-Rusk Communiqué.

The dramatic changes in Thailand's security environment during the latter half of the 1970s – the US's rapid withdrawal from Indochina and its forward bases in Thailand by 1976, and Vietnam's subsequent invasion of Cambodia in December

1978 – made it seem prudent to Bangkok to normalise its relations with China in 1975 in order to form an informal alliance to deter a mutual adversary, Vietnam, throughout the 1980s. Despite the US disengagement from the region, Washington perceived Thailand as the one “domino” it could not allow to fall and continued to provide the Thai armed forces with military aid and training as offshore balancing against the communist threat. The Paris peace treaty in 1991 finally brought the conflict in Cambodia and, subsequently, the Cold War in Southeast Asia to a close. The disappearance of the common threat, which had sustained Bangkok’s close bilateral security relationships with both Washington and Beijing, allowed Thailand to return to its traditional flexible foreign policy and to de-emphasise the security side of these relationships.

The pursuit of a flexible foreign policy – accommodating great powers’ interests – is, thus, by no means a new diplomatic strategy for Thailand. Following the end of the Cold War in Asia, Thailand’s foreign policy pragmatism sought, first, to enmesh rising China in the region through ASEAN institutions; second, to keep the US engaged in the region; third, to socialise the former adversary, Vietnam, as well as Cambodia and Laos, in the regional norms – transforming “battlefields into marketplaces”; and, fourth, to accommodate both the US and China in the newly established ASEAN Regional Forum (ARF) as constructive stakeholders in an attempt to shape the evolving regional order.

For Thailand, the rise of China has led to few threats but created many opportunities. The Sino-Thai relationship has generated mutual trust, building on Beijing’s significant military help in deterring Vietnam throughout the 1980s, its solidarity during the Asian financial crisis, and Beijing’s unwavering political support during the country’s continuing political crises. The popular perception in Thailand of China as a benign power, posing no near-term threat,<sup>7</sup> has allowed Bangkok to seize structural opportunities offered by China’s economic expansion, courting significant investment and trade opportunities. Prime Minister Thaksin Shinawatra signed a Free Trade Agreement (FTA) with Beijing in 2003 while trying to negotiate another one with Washington. While carefully avoiding aggravating China, Thaksin reaped significant benefits from a bargain with the Bush administration by allowing American military access to U-Tapao naval air base in Thailand during the US-led “Global War on Terror” (GWT) in the early 2000s. Bangkok had initially been hesitant to join the GWT because it feared unnecessarily aggravating China and due to worries it might intensify the conflict against Muslim insurgency in Thailand’s deep south but in the end, however, the Thaksin government found it more prudent to ally with the US which had emphasised Southeast Asia as a “second front” against

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<sup>7</sup> Instead, Thai policymakers perceived China as a valuable status-quo actor in the evolving post-Cold War security dynamics. See, Chinwanno, C., “Thai-Chinese Relations: Security and Strategic Partnership”, *RSIS Working Paper Series*, No. 155 (March 2008), 19.

terror. For its support in the GWT, the US rewarded Thailand with FTA talks and MNNA (Major Non-NATO Ally) status, providing the Royal Thai Army access to enhanced American military support. This highlights how much Thailand valued its relationship with the US as it was willing to bear the domestic political costs as well as make concessions over sovereignty to gain substantial rewards. Simultaneously, Thaksin's courting of Chinese investments carried little cost but relatively substantial rewards.

China's less interventionist engagement policy with the Thai leadership contrasts with the more conditional approach to the bilateral alliance relationship practised by the US, in particular following the repeated challenges to democratisation during the 1990s and the subsequent polarisation of Thai domestic politics since 2005. Following military interventions in politics in Thailand (1992, 2006, and 2014), Washington reduced its military aid and assistance to the Royal Thai Army, downgraded its military engagements, including officers intake to the IMET (International Military Education and Training), and imposed cutbacks to the Cobra Gold exercise, the bedrock of the bilateral military relationship.

Bangkok's traditional elite has often perceived the US as meddling in its domestic affairs, especially Washington's attempt to reach out to the emerging political forces in the country in the early 2000s. This angered the elite, who began to see their country's relationship with Washington as "too close for comfort". Together with America's insistence on making its military assistance and training conditional on improvements in the democratic and human rights situation, this has led Thailand's military junta (officially known as the NCPO, National Council for Peace and Order) to seek regime legitimacy from elsewhere, particularly China and Russia. Regardless of domestic political fluctuations, however, Thailand has attempted to manage its relations with the US and China so as to achieve a degree of equilibrium between them to maximise its flexibility in foreign affairs.<sup>8</sup> Facing no immediate military threats in its regional security environment, Bangkok has seen little reason to maintain intimate defence relations with Washington; hence, it is willing to strike a balance between reaping the benefits from China's growing regional influence and maintaining the mutually important treaty alliance relationship with the United States.

Against this background, Thailand's hedging between the two great powers is becoming increasingly difficult to maintain as tensions in the overarching Sino-US relationship grow. To that end, Bangkok does not want to anger China by condemning Beijing's assertive actions in the South China Sea, to which it is not a party, and carefully balances between facilitating American military presence in the region while avoiding getting too close to Washington, which would complicate its

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<sup>8</sup> Murphy, A., M., "Beyond Balancing and Bandwagoning: Thailand's Response to China's Rise", *Asian Security*, Vol. 6, No. 1 (2010), 23-24.

economic and political interests with China. Thailand's hedge between the two regional behemoths is thus an attempt to create a win-win situation whereby Bangkok does not need to choose sides and lose the external military, economic or diplomatic support of one or the other great power. As Pongphisoot Busbarat observes, "Thailand's general posture between America and China is simply to keep a balance between the two so long as neither becomes an immediate security threat".<sup>9</sup>

Thailand's embrace of China's generous so-called "no-strings-attached" investments has generated serious trade imbalances and growing dependency. As a remedy, Thailand has tried to diversify its economic, diplomatic, and security relations with other regional powers like Japan, with strong economic and security interests in Southeast Asia, and South Korea and India, as emerging regional investors, to balance against the growing asymmetric relation with China. This strategy, one of omnidirectional hedging, calls for states to maximise their relative strategic flexibility by engaging multiple partners in win-win relationships, diversifying the sources of security, economic, and diplomatic support so as to delay or deny the arduous choice between the two behemoths.<sup>10</sup>

Similarly, in military-to-military cooperation, Thailand has seen it crucial to diversify its sources of military hardware and training, especially against the background of the US reducing its military assistance to the country and downgrading joint exercises following repeated military takeovers. Combined with prolonged military rule and a sluggish economy, Bangkok's access to Western hardware has remained complicated. Therefore, the Thai military has increasingly sought to diversify its procurement sources, including to China, Russia, Eastern Europe, Sweden, South Korea, and Israel, to mention just a few, preferring less costly equipment that comes with technology transfer. Importantly, while Thailand's recent procurements have seen the introduction of a number of Chinese, Russian, and Eastern European weapons, particularly small arms, Armoured Personnel Carriers (APCs), tanks, and helicopters, major weapon systems, however, like fighter aircraft, command and control (C2) systems, air surveillance radars, and system upgrades for the navy and air force continue to be sourced from a handful of Western countries, particularly the United States, France, Britain, Sweden, and Israel. However, recently, the Trump administration has approved the sale of MH-60 Blackhawk helicopters and RGM-84L Harpoon anti-ship missiles to the Kingdom as a sign of re-engagement with the Thai junta.

Given the high level of mutual trust, Thailand has also sought to enhance its military engagement with the region's rising power, China. In fact, Thailand became the first Southeast Asian country to start joint military exercises with China

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<sup>9</sup> Busbarat, P., "Bamboo Swirling in the Wind": Thailand's Foreign Policy Imbalance between China and the US", *Contemporary Southeast Asia*, Vol. 38, No. 2 (August 2016), 238.

<sup>10</sup> Suorsa, O., "Hedging Against Over-Dependence on US Security," op. cit.

in 2005. Despite deepening military cooperation, the Sino-Thai defence engagement remains rudimentary in comparison to the US-Thailand military collaboration both in depth and scope. For instance, Thailand and China engage in a dozen military exchanges annually, whereas the more institutionalised US-Thailand alliance relationship involves more than 40 annual exercises, with only a slight decline in that number following the May 2014 coup.<sup>11</sup> Furthermore, the US-Thai annual Cobra Gold military exercise, the largest multinational drill in Asia, brings together Thailand, the US, Japan, South Korea, Malaysia, Singapore, and Indonesia while the Sino-Thai joint drills have focused on non-traditional security challenges.

The US's alleged interventions in the highly polarised Thai domestic political environment, especially following the military takeovers against democratically elected governments in 2006 and, again, in 2014, have become a growing irritant in the bilateral relationship, which has suffered from serious "trust-deficit". Such incidents have reinforced nationalist feelings within Thailand's elite that the bilateral alliance was "too close for comfort". The rise of China provided Thailand with a hedge against over-dependence on Washington. In addition, more than a decade of political polarisation and repeated military coups has underlined the importance of alternative sources for diplomatic, political, and economic legitimisation, which Bangkok has found in closer ties to Beijing. Against the background of Sino-US regional competition, China has made significant gains in its influence in Thailand. However, despite the challenges in the bilateral alliance relationship with Washington, Bangkok recognises the importance of maintaining a certain level in the relations with Washington as the alternative of getting "too close" to Beijing is also not in Bangkok's strategic interest. While still in the midst of a double transition – with Crown Prince Maha Vajiralongkorn ascending to the throne following the death of King Phumibol Adulyadej in October 2016 and the military junta preparing for the country's return to a democracy through elections – Bangkok's sub-regional leadership aspirations in Southeast Asia have been constrained. By distancing itself somewhat from the US and embracing the immense economic opportunities and political support provided by Beijing, Thailand has also sought to hedge against having to choose sides between the two by engaging, especially, Japan for economic balance while seeking every chance to normalise its relations with Washington. However, the longer Thailand's prolonged double transition continues to complicate Bangkok's relations with the US, the more Thailand will feel the need to look for alternative sources to diversify its international relations to maintain its strategic autonomy.

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<sup>11</sup> "US Relations with Thailand", *Bureau of East Asian and Pacific Affairs, US Department of State*, 24 January 2017. <https://www.state.gov/r/pa/ei/bgn/2814.htm>.

## THE PHILIPPINES: TOWARDS ENDING DEPENDENCY

Philippine president Rodrigo R. Duterte's harsh comments about US leaders (including former president Barack Obama and former ambassador to the Philippines Philip Goldberg) while making conciliatory gestures towards China has led some commentators to suggest the Philippines is moving away from close ties with the US toward warmer relations with China. But this has to be seen against the backdrop of the complicated nature of US-Philippine ties as well as the longer-term pattern of Philippine hedging between the US, China, and other powers in the region.

The Philippines' relationship with the US is often described as unusually close, with a recent Pew global attitudes opinion survey showing Filipinos have the most positive view of the US, higher than any other country, including the US itself.<sup>12</sup> After the Philippines became a US colony in 1898, when Spain ceded the islands to the Americans for \$20 million and following a bloody war of conquest, the US undertook what then US President McKinley dubbed "benevolent assimilation" and began setting up democratic self-governance, which became known as "colonial democracy." Thus it is not surprising that Filipino attitudes toward the US have always been ambiguous. While being seen as having given the country democratic governance as well as advanced education and public health care systems, the US war to colonise the Philippines was brutal. In what is often described as the "first Vietnam war", the US sent 126,000 US soldiers to the archipelago to fight a war that soon became a prolonged anti-insurgency campaign, with numerous atrocities, in which 4,234 of them died, as did up to 22,000 soldiers of the fledgling Philippine Republic, as well as up to 500,000 Filipino civilians, mostly as an indirect result of famine and an uncontrolled cholera epidemic during the hostilities.<sup>13</sup> Despite the close ties between the Philippines and the US after independence in 1946 and during the Cold War, in which the Philippines was seen as one of the, if not *the*, closest US ally in Southeast Asia, relations were overshadowed by US pressure on the Philippines to sign the Bell Trade Act. This legislation gave US businesses one-sided "parity" rights to do business and own land or natural resources in the Philippines as well as control over the country's monetary and exchange policies, representing an "obnoxious infringement on Philippine sovereignty."<sup>14</sup> In reaction to such US impositions,

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<sup>12</sup> Rappler, "Filipinos like the US even more than Americans do – Pew Research," *Rappler*, 22 April 2014. <http://www.rappler.com/nation/56085-philippines-usa-pew-research>.

<sup>13</sup> Abinales, P. N. and Amoroso, D., *State and Society in the Philippines* (Manila: Anvil, 2005) p. 117, and Shaw, A. V. and Francia, L., eds., *Vestiges of War: the Philippine American War and the Aftermath of an Imperial Dream* (New York: New York University Press, 2002), pp. 3-21 and 134-162.

<sup>14</sup> Golay, F., *Underdevelopment and Economic Nationalism in Southeast Asia* (Ithaca: Cornell University Press, 1969, p. 49), quoted in Abinales and Amoroso, op cit., p. 171.



the 1950s also saw the Philippines adopt strong economic nationalist policies with import and exchange controls.<sup>15</sup>

As a student at Lyceum University in Manila in the late 1960s at the height of student activism, one of Duterte's professors was Jose Maria Sison, the founder of the Maoist Communist Party of the Philippines. Sison saw US imperialism propping up feudalism in the Philippines and criticised the two huge US bases in the country as well as the Philippine government's support for the US war effort in Vietnam. Like millions of Filipinos, Duterte had been denied a visa to visit the US even though he was by then mayor of the large southern city of Davao. A self-proclaimed nationalist, in a speech during a trip to Beijing in September 2016, Duterte promised a "separation" from the US and a tilt toward China. While this was driven in part by Duterte's anger at US criticism of his violent "war on drugs" (that saw thousands dead), he also developed a strong nationalist narrative striving for an "independent foreign policy", early in his presidency.

There was a brief "honeymoon period" in US-Philippine relations during the administration of President Noynoy Aquino.<sup>16</sup> The most notable aspect of these warm ties was the 2014 signing of the EDCA (Enhanced Defence Cooperation Agreement), giving the US greater access to several Philippine air and naval military bases. The background to this increased cooperation with the US was China's growing assertiveness in the South China Sea (recently dubbed the "West Philippine Sea" in the Philippines), particularly in the Scarborough Shoal area, where the Philippines suffered a humiliating setback when the Chinese Coast Guard seized control over it in 2012. These territorial disputes with China led the Philippines to file a case with the United Nations' Convention of the Law of the Sea Permanent Court of Arbitration. China angrily rejected the court's jurisdiction in arbitrating competing claims in the South China Seas and issued a White Paper of its own underlining its "nine-dash-line" claim over the disputed area. In July 2016 the court ruled in favour of the Philippines, but by then Aquino was no longer president, replaced by Duterte, who had been inaugurated just days before the ruling was announced. The Duterte administration's reaction was notably subdued, indicating it had little intention to push for the enforcement of the decision in order to avoid further antagonising Beijing.

In his first half year as president, Duterte threatened to throw the American Special Forces out from the insurgent-ridden Mindanao in the country's south, cancel or relocate contentious bilateral military exercises, and cease the joint

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<sup>15</sup> Takagi, Y., *Central Banking as State Building: Policymakers and their Nationalism in the Philippines, 1933-1964* (Singapore: National University of Singapore Press; Kyoto: Kyoto UP, 2006).

<sup>16</sup> Cruz De Castro, R., "The Duterte Administration's Foreign Policy: Unravelling the Aquino Administration's Balancing Agenda on an Emergent China," *Journal of Current Southeast Asian Affairs*, 35, 3 (2016), 139-159.

patrols with the US in the South China Sea. Duterte's then foreign minister Yasay Perfecto Jr. said that the Philippines would cease to be just America's "little brown brothers" and, to demonstrate this independence, would open new trade and investment alliances with both China and Russia, also with the motivation of procuring weapons from both countries. Duterte also ordered the country's military establishment to turn its attention back to the more imminent internal security challenges – a departure from Aquino's re-emphasis on external security matters and military modernisation to meet these threats.

Yet arguably it was not Duterte's anti-US rhetoric that was the exception to the informal rules of recent Philippine foreign policy, but the one-sided reliance on the US of the Aquino administration. Since the collapse of Ferdinand E. Marcos's dictatorship and the end of the Cold War, and with the subsequent rise of China, Philippine foreign policy has generally been oriented toward hedging between its old ally, the US, and the region's new power, China. Leases for the two major US bases the Americans held in the country were not renewed after a Senate vote rejecting a new treaty in 1991. The vote represented both an upsurge in anti-US nationalism in the country in the aftermath of a long dictatorship that had American backing as well as recognition that with the end of the Cold War, the bases' major function as part of an anti-communist alliance had been lost. Although friendly toward the US, the Ramos administration (1992-1998) took no major initiatives to draw closer to the US after the closure of the US bases. His successor, Joseph E. Estrada, was known for his anti-US nationalism (as a senator he had been a leading member of the Philippine senate's anti-bases force) and undertook cautious confidence building measures with China concerning the South China Sea issue. Estrada was ousted from office in 2001 by elite-supported demonstrations, for which he blamed US machinations.<sup>17</sup>

Estrada's successor, Gloria Macapagal-Arroyo, initially moved closer to the US after the 9/11 terrorist incident, but ultimately endeavoured to improve ties with China, particularly in the economic realm. Expressing strong backing for the US after the September 11, 2001 attacks, the Philippines supported the US invasion of Iraq with a small troop contingent focused on humanitarian goals. But the Philippines withdrew from the US-led coalition after the kidnapping of a Filipino truck driver in Iraq; a pull-out which drew condemnation from the Americans and other allies involved in Iraq, such as Australia and the UK. The cooling of ties with the US after its Iraq withdrawal was accompanied by a warming of ties with China. A turning point was the Joint Marine Seismic Undertaking (JMSU) agreement, signed during a visit by Arroyo to China in 2004, which allowed China (as well as Vietnam) to conduct joint explorations of the contested South China Sea although 80% of the

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<sup>17</sup> Interview of former president Joseph E. Estrada by Mark R. Thompson and Marivic Raquiza, Manila City Hall, 1 October 2014.

JMSU site is within the Philippines' 200-nautical-mile exclusive economic zone. The Arroyo government also signed a record 65 bilateral agreements with China as well as received major pledges of development assistance and foreign investment. It also allegedly encouraged a bid by a Chinese firm, ZTE, for a controversial broadband project that led to the filing of graft charges against her administration. As the International Crisis Group reported: "Critics of President Arroyo alleged she had agreed to trade Philippine territory for Chinese development assistance and filed a case in the Supreme Court challenging the constitutionality of the JMSU."<sup>18</sup>

Hedging toward China and away from the US during earlier administrations indicates that it was less Duterte who is the outlier with his critical remarks toward the US and friendly gestures toward China than Noynoy Aquino with unremitting hostility toward China and growing dependence on the US. As the International Crisis Group notes, in regard to the South China Sea dispute, China viewed "the Aquino government's stronger stance as provocative, and has responded by increasing its presence in disputed areas."<sup>19</sup>

Further evidence supporting the argument that Duterte, despite his reaction to US/Western criticisms of his drug crackdown and strong nationalist convictions, was returning to a policy of hedging in the region was his visit to Japan shortly after his trip to China as well as inviting Japanese Prime Minister Shinzo Abe to his Davao home in January 2017. His goal was continued Japanese investment packages and reinforcing long-term security relations. Duterte has even made a nod toward Russia, which has recently shown greater interest in Southeast Asia, allowing them to conduct a goodwill port visit in Manila, with discussions of joint maritime drills in the near future.

These diplomatic initiatives concerning Japan and Russia not only underline the Duterte administration's desire for greater independence from the US in its foreign policy but also its move toward the regional norm of omnidirectional hedging – balancing between the overpowering influences of the US and China and engaging multiple regional actors as stakeholders in regional security as a means of regional dominance denial. In the security field, for instance, the Philippines is in negotiations with Japan for a visiting forces agreement (VFA) and official basing rights for naval vessels and maritime patrol aircraft in the Philippines on a rotational basis. The level of access envisioned by this proposed VFA goes beyond the more ad hoc port calls. Japan would be the third country to gain such access, following the US and Australia, signalling a new level of strategic trust between Manila and Tokyo. Furthermore, Japan's growing defence diplomacy with Philippines is part

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<sup>18</sup> International Crisis Group, "Stirring up the South China Sea (II): Regional Responses," *Asia Report* N°229, 24 July 2012, pp. 6-7. <https://d2071andvip0wj.cloudfront.net/229-stirring-up-the-south-china-sea-ii-regional-responses.pdf>.

<sup>19</sup> *Ibid.*, p. 6.

of a trilateral US-Japan-Philippines security interaction. Duterte's administration has thus signalled interest in continuing to diversify security arrangements in the region. Although still at a nascent stage, the Philippines' strategic dialogues and security cooperation, from unit training to technological collaboration, with India, Russia, and South Korea, within the region, and most recently its signing of a defence pact with France in May 2016 and a similar one with the UK later in that year, indicate that Manila is continuing to increase its strategic flexibility.

## CONCLUSION

In Thailand and the Philippines, seemingly dramatic changes in foreign policy have been triggered by domestic political upheavals – the May 2014 coup d'état in Thailand and the election of a strongman president, Rodrigo R. Duterte, in May 2016 in the Philippines. As both regimes began practising increasingly illiberal politics at home, they seemed to be choosing China's side against their traditional ally, the US, which was critical of these domestic changes. US and Western demands for improvements in the human rights situation and criticisms of back-tracking on democratic development made this old alliance appear “too close for comfort” for both regimes. In turn they could both use this seeming break with the US as an instrument for nationalist appeals to their citizens to rally behind illiberal rule.

However, we have shown that seen from a longer-term perspective the Philippines and Thailand have maintained their treaty obligations with the US even if in the current permissive security environment there have been fluctuations in the closeness of the alliance. Viewed historically, these changes within certain limits are evident. Thailand went from being a staunch US ally against communism during the Cold War era, with cosy relations again enjoyed under the Shinawatras, to a more distant relationship following a military coup in 2006 and, again, in 2014, when relations worsened. In the Philippines, over the past twenty years, Filipino presidents have varied in their attitudes, alternating between distancing themselves and getting closer to the US: for example, President Fidel V. Ramos engaged China for economic leverage, while signing the VFA (Visiting Forces Agreement) with Washington, which came into effect after Philippine Senate approval in 1999; President Arroyo's closer embrace of China backfired after a series of scandals involving Chinese investors; and the successor Aquino administration, also started with closer ties with Beijing, but ended its time in office with a confrontational attitude toward China and closer security relations with Washington. Now, under the Duterte administration, the Philippines is again distancing itself from Washington politically, embracing Beijing for short-term gain. A more careful look into the Philippine case, however, shows that the uncertainty about the long-term nature of China's rise in the region has meant that, despite repeated efforts by different administrations to embrace

Beijing for enhanced aid and investment opportunities, Beijing's assertive moves in its maritime space (in the Kalayaan Island group, known internationally as the Spratlys, the Scarborough Shoal, and, most recently, Benham Rise) has led Manila to maintain its pragmatic treaty alliance with Washington.

Despite political fluctuations, however, both the US-Philippines and the US-Thailand relationships have maintained their interest in cultivating the treaty alliance as an important fallback strategy against long-term uncertainty. While moving closer to China under illiberal rule, these two Southeast Asian countries have nonetheless striven to maintain diversified ties with multiple powers in the region. Not only have they kept up important ties with the US despite some distancing, they have also reached out to other powers, particularly Japan, but also India and Russia.

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# The Emergence of a 2nd Order Security Architecture in the Asia-Pacific

*Howard Loewen*

## INTRODUCTION

The traditional Asia-Pacific<sup>1</sup> security architecture comprises bilateral and predominantly formal defence alliances between the United States (US) and its allies in the region. Barack Obama's Pivot to Asia has brought about a strengthening of already existing bilateral military alliances, the establishment of defence cooperation with new partners, and the deepening of relations between the US and East Asia's security institutions such as the Association of Southeast Asian Nations (ASEAN), the ASEAN Regional Forum (ARF), ASEAN Defence Ministers' Meeting Plus (ADMM Plus)<sup>2</sup>, and the East Asia Summit (EAS).<sup>3</sup> One component of the Pivot that is frequently overlooked is the stimulation of security linkages between US allies, such as Japan, the Philippines, Australia, Thailand, and Taiwan, and the quasi-ally Singapore. In fact, an array of intra-Asian defence agreements has been established in recent years. It turns out that a vast number of these agreements encompass linkages between formal US allies (spoke-to-spoke cooperation) such as Japan's defence cooperation with the Philippines, Australia, South Korea, Thailand, and Singapore. Equally relevant in this regard are Australia's defence partnerships with Japan, South Korea (Republic of Korea), and the Philippines but also linkages of US allies

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\* This paper was submitted on September 26th, 2017.

\*\* This article draws heavily on my article titled "Intra-Asia Pacific Cooperation and the Emergence of a 2nd Order Security Architecture" in a book edited by Stefan Fröhlich and Howard Loewen (*The Changing East Asian Security Landscape*, Springer 2018).

<sup>1</sup> Due to the fact that Australia is an ally of the US and India a possible strategic partner, it makes sense to use the geographically wide concept "Asia-Pacific", which encompasses South Asia, East Asia (Northeast Asia and Southeast Asia) and Oceania in order to account for the variety of security linkages in the region.

<sup>2</sup> The ADMM-Plus includes the ten ASEAN Member States and eight Plus countries. These are Australia, China, India, Japan, New Zealand, Republic of Korea, Russian Federation, and the United States.

<sup>3</sup> The current president of the US supports the bilateral security relationships while weakening his support for multilateral economic cooperation with East Asia. Thus the security side of the US Pivot to Asia remains largely intact.

with possible new partner countries or strategic partners in the Asia-Pacific, like Vietnam, Malaysia, Indonesia, and India with which most of the US allies have defence relationships.

How can we account for the establishment, design, and effects of these intra-Asia-Pacific defence linkages? The main argument of this chapter is that intra-Asian defence agreements can be seen as the “2nd order” of the Asia-Pacific security architecture. While the “1st order security architecture” consists of bilateral and multilateral security linkages between the US and Asia-Pacific states as well as regional defence institutions in East Asia, the 2nd order security architecture contains recent intra-Asia-Pacific defence agreements. It is specifically argued that in contrast to the 1st order alliances which have been established due to the suspected expansion of communist regimes in Cold War Asia and have been maintained owing to the economic rise of China, the 2nd order architecture is causally linked to apprehensions of East Asian allies and other possible strategic partners of the US in the region over China’s growing assertiveness and a possible strategic retreat of the US from the region. The current US administration and its foreign policy could result in an increased importance of this 2nd order architecture. All the security actors involved in the 1st and 2nd security architecture of the Asia-Pacific have formal or at least informal security linkages to the United States.

The design of the intra-Asian defence arrangements takes mainly bilateral shapes; some assume trilateral formats and only a few are multilateral. They differ significantly from the formal 1st order institutions as they are mostly informal defence institutions. The main security actors in the 2nd order architecture are the US’ closest allies in the Asia-Pacific, namely Japan and Australia<sup>4</sup>. They are the emerging nodes in the current intra-Asian defence network since they have the political will and the capabilities to meet other states’ security demands in the architecture and project power onto the region. Regarding the effect on the overall Asia-Pacific security architecture it is argued that the intra-Asian defence agreements have initiated a turn away from mainly regional economic cooperation to significant regional security cooperation that is beginning to outweigh the former. Beyond a higher degree of defence diplomacy, spoke-to-spoke arms sales and the number of joint exercises and military trainings have risen significantly. Consequently, without having to rely on US capabilities, hard power exchanges among US allies and strategic partners have increased within the 2nd order security architecture of the Asia-Pacific.

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<sup>4</sup> South Korea might become a defence hub in the future. Although it has the capabilities to assume the status of a node, it lacks the political will to act accordingly.

## EMPIRICAL AND ANALYTICAL SETTING

A security architecture can be conceived of as “an overarching, coherent and comprehensive security structure for a geographically-defined area, which facilitates the resolution of that region’s policy concerns and achieves its security objectives” (Tow and Taylor 2010). Based on this definition this chapter will firstly describe two relevant manifestations of this architecture in the Asia-Pacific region, namely the 1st and 2nd order security architecture. In a second step a simple model is derived that allows for the analysis of causes, forms, and effects of the 2nd order security architecture.

### 1st order security architecture: Traditional security alliances and multilateral cooperation

The traditional Asia-Pacific security architecture or 1st order security architecture consists of a number of mainly bilateral and formal security alliances between the United States of America and specific states in the region. Security alliances such as those between the US and Japan, South Korea, Taiwan, Thailand, the Philippines, and Australia were all established during the Cold War as a means to contain the alleged spread of communism in the Asia-Pacific. This strategy went along the logic of the Truman doctrine, a US foreign policy strategy during the Cold War. As systemic bipolarity waned with the collapse of the Soviet Union in 1989, so did the danger of Asia becoming communist. Yet, the bilateral alliances still persisted. They did not become obsolete simply because their main purpose was customised to changes in the international system, similar to the reorganisation of the North Atlantic Treaty Organisation (NATO) after the demise of the Warsaw Pact. The new function of the security architecture was to make sure that China’s rise would be controlled by the US by means of projecting military power onto the region. This enabled small and middle-sized Asian countries to pursue a mixed foreign policy strategy, namely hedging: bandwagoning with China economically and balancing against China with the help of the US if the need to do so arises.

The strategic Pivot to Asia had been initiated by the Obama Administration. It is basically a foreign policy strategy aimed at pivoting or rebalancing away from Southwest Asia to the Asia-Pacific region. The main goals are the strengthening of existing bilateral alliances, putting an extended focus on emerging partners, fostering multilateral relations with the region, and advancing economic and military cooperation. With regard to the first goal, which is key to the Pivot strategy, the US tries to deepen and adapt its already existing alliances with Japan, South Korea, Taiwan, Thailand, the Philippines, and its strategic partner Singapore to new security realities such as the rise of China and the challenge of non-traditional security issues like human trafficking, or illegal migration. Another focus of the rebalance



is to foster cooperation with emerging partners like Vietnam, Indonesia, Myanmar, and Malaysia, thus enlarging the network of possible security partner countries in the region. The third part of the strategy aims at strengthening the US' presence and diplomatic activities in East Asian multilateral institutions such as the ASEAN Regional Forum and the ASEAN Defence Ministers' Meeting Plus, obtaining membership to the East Asia Summit – which eventually happened in 2011 – and intensifying US-ASEAN relations. These three targets form the basis for the fourth aim of advancing military and economic relationships with Asia-Pacific countries (Campbell and Andrews 2013).

## 2nd order security architecture: Intra-Asian defence cooperation

An essential part of the Pivot, which often tends to be ignored, is the promotion of security and defence cooperation between the “spokes” of the US-dominated security architecture. As it happens, a large number of intra-Asian defence institutions have been initiated in recent years. Most of these agreements entail links between formal US allies in the Asia-Pacific region. The respective spoke-to-spoke cooperation involves for instance Japan's defence cooperation with the Philippines, Thailand, Australia, and Singapore. Another US ally that has established considerable defence links to other allies or strategic US partners is Australia. This Pacific state keeps defence partnerships with Japan, South Korea, Singapore, and the Philippines. It is also noteworthy that the “new” security nodes in the Asia-Pacific security architecture, Japan and Australia, have also established defence partnerships with possible strategic partners of the US, like Vietnam, Malaysia, Indonesia, and India. Beyond the bilateral cooperation layer, trilateral cooperation between the United States, Australia, and Japan has proven to be vital for strengthening the defence and security capabilities of ASEAN countries. In addition, it is possible that the so-called quadrilateral initiative, an unsuccessful security framework initiated by Japanese Prime Minister Abe in 2006 comprising Australia, Japan, India and the US, could be revived. Finally, another example of trilateral cooperation in the 2nd order is the Japan-Singapore-India maritime partnership.

## Cause, design, and effects of the 2nd order security architecture

What are the reasons for the establishment of these intra-Asia-Pacific defence agreements? How are they designed? What are their possible effects on the general security architecture in the Asia-Pacific? As stated above, both 1st and 2nd order can be seen as two different, yet complementing layers of the Asia-Pacific security architecture. While the first order security architecture dates back to the Cold War era, the second order security architecture contains relatively new intra-Asian defence institutions.

The *causes* for the rise of defence cooperation in the 1st and 2nd order security architecture differ. The first order had been initiated as a means to balance the feared spread of communist states in the Asia-Pacific during Cold War times. In contrast, the US' allies and their strategic partners in the 2nd order architecture basically worry about the growing Chinese assertiveness, especially in the South and East China Sea. Equally important in this respect are concerns over the US' defence budget cuts and US domestic politics that could have a negative impact on the US' willingness and capability to project power onto the region. The rather diffuse Asia policy of the Trump administration does not really help to mitigate these misgivings.

With regard to the *design* of the intra-Asia-Pacific defence arrangements it is obvious that most of them feature formal or at least informal relations with the United States. There is also a clear tendency of these intra-Asian defence regimes towards bilateralism. Only a few are of trilateral nature or have multilateral characteristics. These second order institutions are mostly informal and thus rank below the formal alliance level. They are mainly established by the new Asian security actors and providers beyond the United States – Japan, Australia, and South Korea. They are the closest US allies in the region, and have the political will as well as capabilities to project power and function as nodes or hub-states in this 2nd order security architecture.

As to the *effects* of the intra-Asia-Pacific defence arrangements on the overall architecture it is argued that we firstly see a significant shift away from economic cooperation to security cooperation. There is however not a zero-sum game relationship between economic and security cooperation in the region: The management of economic interdependence is still a very important factor in the foreign policies of the states in the region, but security has become such a concern to all states, that they are willing to fill a possible vacuum left by the US with their own intra-regional defence cooperation agreements. Three specific aspects of 2nd order security cooperation are of importance here: a high degree of defence diplomacy or respective institution building, spoke-to-spoke arms sales, and a significant increase in joint military exercises as well as military training in the region.

## THE 2ND ORDER SECURITY ARCHITECTURE

This chapter first focuses on Japan's and Australia's recent defence arrangements in the Asia-Pacific. In the following section, we will take a look at trilateral security cooperation between the US and regional partners. These two developments constitute the main elements of the 2nd order and largely determine the current dynamics of the overall security architecture in the region.

## Japan's defence linkages in the Asia-Pacific

In the recent Japanese Defence White Paper concerns about the security situation in the Asia-Pacific are stated and possible respective defence cooperation proposed. With regard to security issues relevant to Japan's security environment, factors like the proliferation of weapons of mass destruction, the threat of international terrorism, and risks relating to global commons such as the oceans and cyberspace are mentioned. Japan seems to be specifically worried about unilateral actions in the South China Sea aimed at changing the status quo by coercive means. As these are being executed without respect for the United Nations Law of the Sea, freedom of navigation, and freedom of flight over the high seas, Japan sees its basic normative goals violated, especially by China's behaviour (Japanese Defence White Paper 2016: 311).

Since the mentioned issues have an impact on regional stability, Japan tries to ensure the latter by promoting bilateral and multilateral security cooperation. Since trust-building between relevant countries and partners in the region is of particular relevance in this strategy, bilateralism looms large in Japan's current foreign defence policy. In recent years Japan has intensified its security cooperation with US allies and (strategic) partners in the Asia-Pacific region who share its strategic interests, like Australia, India, South Korea, and selected ASEAN countries.

### *Japan-Australia*

With Australia, Japan has established one of its closest defence relationships. What binds these two countries are their status as US allies and shared values including democracy, respect for human rights, and the rule of law. With regard to defence Japan and Australia have based their security cooperation on several agreements like the Japan-Australia Joint Declaration on Security Cooperation (2007), the Japan-Australia Acquisition and Cross-Servicing Agreement (2010), Japan-Australia Information Security Agreement (2013), as well as several Japan-Australia "2+2" meetings to foster defence cooperation. Recently, at the occasion of the Japan-Australia Summit Meeting in 2014, Japanese Prime Minister Abe labelled the Japan-Australia partnership as a "special strategic" linkage for the 21st century (Prime Minister Abbott and Prime Minister Abe Joint Statement "Special Strategic Partnership for the 21st Century" 2014). Moreover both sides signed an agreement concerning the transfer of defence equipment and technology. In May 2015 both countries agreed to deepen their defence cooperation through joint exercises and other programmes. In June 2015, at the Defence Ministerial talks in Tokyo, both sides reiterated their consensus by strongly opposing unilateral strategies to alter the status quo in the South China Sea. Instead solutions should be found in accordance with international law. The close partnership between Japan and Australia was further strengthened when in December 2015 both countries confirmed their

“Special Strategic Relationship” with regard to military cooperation by conducting joint exercises which took place in Japanese coastal waters in 2015 and in Australian coastal waters in 2016. Additionally, the two countries have engaged in activities involving humanitarian assistance and disaster relief (Japanese Defence White Paper 2016: 323-324).

### *Japan-South Korea*

Beyond some dissonances relating to Japan’s militaristic past and how it deals with it, South Korea (ROK) and Japan share very important strategic interests as neighbouring countries but also as US allies in the Asia-Pacific region. Both countries hold similar views on the North Korean nuclear and missile programme, counter-terrorism, peacekeeping, anti-piracy measures, as well as maritime security. These shared strategic preferences manifest themselves in defence cooperation initiatives that, as in the case of Japan-Australia cooperation, have also significantly intensified in recent years. Cases in point are the Japan-ROK security dialogue at the foreign and defence working level that was held in April 2015, on the occasion of which the two countries’ defence policy overlaps were discussed. In May 2015 Japanese Defence Minister Nakatani organised the first Japan-ROK defence dialogue in four years. At the defence ministers’ meeting in Seoul in October 2015 both sides underlined the importance of bilateral defence cooperation as well as trilateral cooperation between the United States, South Korea, and Japan. In January 2016, at the sidelines of the 15th Shangri-La Dialogue, a Ministerial Dialogue between the two sides took place at which the ministers affirmed the further deepening of bilateral defence cooperation. Practical exercises were already held in October 2015 when the Japan Self-Defence Forces and the Republic of Korea Armed Forces conducted search and rescue exercises. Since then visits and military-based exchanges have increased significantly (Japanese Defence White Paper 2016: 324-325).

### *Japan-India*

Japan views India not only as a future economic power but also as an important strategic partner as it is located near sea lanes that are vital for Japan’s economy. Similar to Australia and South Korea, Japan shares important values and norms with India like democracy and freedom of the seas. Both moreover share an interest in Asia’s peace, stability, and prosperity. The two countries increased their defence diplomacy and have established a Special Strategic and Global Partnership which is inter alia based on a number of important defence agreements. One of these is the Joint Declaration on Security Cooperation that was signed in October 2008. India is only the third country besides the United States and Australia with which Japan has established such an agreement. One year later the prime ministers of both countries finalised an Action Plan to foster security cooperation. Against this background

numerous defence interactions like service-to-service exchanges, including bilateral and multilateral exercises, were initiated and primarily located in the areas of maritime security and anti-piracy operations. In September 2014 the Memorandum of Japan-India Defence Cooperation and Exchanges was signed. It aims at deepening the partnership on the regional and global level of the international system (Japanese Defence White Paper 2016: 326).

Recent developments in the defence partnership between Japan and India hint at its further consolidation. In September 2014 steps were taken to upgrade the Japan-India partnership to a “special strategic global partnership”. This partnership treaty included inter alia the participation of Japan Maritime Self-Defence Forces (MSDF) in the long-standing India-US naval Malabar exercises. At the occasion of the India-Japan Ministerial Meeting in March 2015 discussions with respect to defence equipment exchanges were initiated. It was further agreed to continue bilateral maritime training and cooperation of ground and air forces. Defence cooperation was further deepened at the bilateral summit meeting in December 2015, on the occasion of which the prime ministers agreed to elevate Japan-India cooperation to an “action-oriented” partnership. In this respect agreements on the Transfer of Defence Equipment and Technology and the General Security of Military Information were signed. Based on these agreements Japan and India were able to consolidate their defence equipment cooperation and information exchange measures (Japanese Defence White Paper 2016: 327).

### *Japan-ASEAN countries*

Japan has sound diplomatic relations with most of the ten members of the Association of Southeast Asian Nations as well as with ASEAN itself. Yet, defence relations are pronounced with US allies like the Philippines, Thailand, and Singapore and US-friendly states and possible defence partners Indonesia and Vietnam. What unite these countries are concerns over China’s growing assertiveness especially in the South China Sea. This connects to Japan’s strategic interest in the region which revolves around the Malacca Straits and the South China Sea, both of which are important sea lanes for maritime traffic heading for and emanating from Japanese harbours.

As US allies, the *Philippines* and Japan share fundamental interests and also specific preferences regarding China and its growing assertiveness in the South China Sea issue. This is why the strategic partnership agreement between the two countries, initially established as an economic pact in 2011, was complemented with defence elements in 2013 which have a specific focus on maritime affairs. Other defence agreements, which followed, were the Memorandum on Defence Cooperation and Exchanges in 2015 that underlined the goal of the two countries to cooperate in maritime security particularly through training and exercises. Moreover, Japan

and the Philippines agreed upon the Defence Equipment and Technology Transfer Agreement in February 2016 (Japanese Defence White Paper 2016: 331-332). The latter was of utmost importance for the Philippines as it suited the strategy of Philippine President Aquino III to modernise the country's military. Important elements of this strategy are the diversification of defence equipment sources and the establishment of defence relationships with Asia-Pacific actors such as Japan and Australia. It is no wonder then that in addition to American vessels, Japanese destroyers and submarines have recently been allowed to dock in the Philippine harbour Subic Bay.

*Thailand* and Japan have good diplomatic relations due to long-standing development and economic relationships which also include defence elements. These were already considerably strengthened in 2005 when the Thai and Japanese armed forces for the first time participated in the Cobra Gold exercise conducted by Thailand and the United States. Beyond defence capacity-building assistance both countries decided to strengthen bilateral defence cooperation and exchanges in June 2016 (Japanese Defence White Paper 2016: 332).

Since 2009, *Singapore* and Japan have been cooperating in defence issues. In the same year both countries issued a memorandum on defence cooperation and exchange. There is a long history of defence discussions and high-level exchanges on regional security issues. Port calls are legion and both countries work together in United Nations peacekeeping operations, anti-piracy programmes, and service-to-service exchanges (Japanese Defence White Paper 2016: 331).

Due to the fact that *Vietnam* is a riparian state of the South China Sea and faces similar issues with regard to China, Japan has been able to develop defence cooperation with the Southeast Asian state. Against this background both countries established an Extensive Strategic Partnership in 2014. One year later, in the course of a Defence Ministerial Meeting, the two ministers agreed to deepen defence cooperation. This process resulted in port calls by the MSDF at the Cam Ranh Bay port in Vietnam. Furthermore high-level talks regarding defence equipment and technology cooperation have been initiated. In 2015 both countries agreed to foster service-to-service exchanges. These defence exchanges increased significantly in 2016 through multiple activities such as search and rescue operations involving MSDF patrol aircraft and Vietnamese People's Navy and Air force (Japanese Defence White Paper 2016: 330-331).

As *Indonesia* is the largest nation in Southeast Asia with considerable economic and increasingly military weight, Japan has established close defence relations with it. Due to a normative consensus that is based on the fact that both states are democracies and sea powers, Indonesia and Japan agreed in 2015 to strengthen their strategic partnership. At the respective Japan-Indonesia Foreign and Defence Ministerial Consultation both sides agreed upon the transfer of defence equipment

and technologies, to participate in the maritime exercise Komodo, as well as to conduct security and rescue exercises (Japanese Defence White Paper 2016: 330).

## Australia's defence linkages in the Asia-Pacific

Australia is, next to Japan, the strategically most important US ally in the Asia-Pacific. Similar to Japan, Australia assumes the role of a regional security provider or hub without questioning the role of the US as the supreme security guarantor. Australia has established important intra-regional defence relationships with Japan, India, Indonesia, Singapore, Malaysia, Thailand, Vietnam, South Korea and the Philippines.

### *Australia-India*

Australia regards India as a rising regional power and it supports its growing strategic visibility in the Asia-Pacific. Both countries share values such as democracy, freedom of the seas and respect for international law, preferences regarding maritime security in the Indian Ocean, regional stability, and counter-terrorism measures. India is also a security partner of the United States. Against this background both countries agreed on a bilateral defence cooperation framework in 2014. In this institutional context Australia and India engage in a regular strategic dialogue, bilateral training, and exercises. Specific fields of defence cooperation include maritime security, counter-terrorism, capacity enhancement, as well as defence science and technology (Australia Defence Paper 2016 134).

### *Australia-Southeast Asia*

With regard to Southeast Asia, Australia has distinct security and economic interests. There are two reasons for this: Firstly, geographic proximity renders Southeast Asian security issues such as overlapping and competing territorial claims, growth in military capabilities, and terrorism as relevant for Australia's regional threat perception. Secondly, almost two thirds of Australian trade exports pass through the South China Sea. This implies that possible regional instabilities in Southeast Asia would have a significant effect on Australia's security situation. As a result, Australia has established important defence agreements with states from Southeast Asia like Indonesia, Singapore, Malaysia, Thailand, and the Philippines.

Besides Japan, *Indonesia* is the most important security partner in the region owing to shared maritime borders and respective interests. These are stability of shared maritime domains, free movement of trade and investment, as well as combating terrorism and human trafficking. The main focus of both countries' defence policies lies in the field of maritime affairs. Against this background a number of bilateral defence agreements have been established. The institutional foundation of the defence relations consists of the 2006 Lombok Treaty, the 2012

Defence Cooperation Agreement, and the 2014 Joint Understanding on Intelligence Cooperation. In addition, the Indonesia-Australia Defence Strategic Dialogue has been launched, in which defence and foreign affairs ministers as well as navy and armed forces personnel interact and exchange views. The main areas for cooperation encompass counter-terrorism, maritime security, humanitarian assistance and disaster relief, peacekeeping, and intelligence. A military education partnership covers areas like staff college exchanges, mobile training teams, and English language courses. Finally, Australia will help Indonesia to modernise its military forces (Australian Defence White Paper 2016: 59).

Australia values *Singapore* as an important security partner because of its shared interest in a secure maritime trading environment and its advanced military equipment. Institutionally the bilateral cooperation rests on the Comprehensive Strategic Partnership signed in June 2015. According to this agreement both countries will cooperate in five areas: exchanges of military and civilian personnel, greater cooperation on combating terrorism and cybercrime, enhanced intelligence and information sharing, science and technology cooperation, as well as co-development of training areas and new training initiatives (Australian Defence White Paper 2016: 129-130).

*Malaysia* and Australia are both members of the Five Power Defence Arrangement (FDPA)<sup>5</sup> and share the same strategic interests. As an FDPA-member Malaysia accommodates the Integrated Area Defence System which operates as a coordinating node for FDPA activities. Furthermore, Malaysia facilitates Australia's military presence at the Royal Malaysian Air Force base Butterworth as part of its FDPA commitment. In November 2015 both countries signed the Australia-Malaysia Joint Declaration of Strategic Partnership in which the continuation and deepening of the Malaysia-Australia Joint Defence Programme and their contribution to the FDPA is affirmed (Australian Defence White Paper 2016: 130-131).

Australia and *Thailand* have shared a long history of defence cooperation since 1945. In 1972 a formal "Defence Cooperation Programme" was initiated. Today bilateral defence cooperation comprises inter alia counter-terrorism, peacekeeping, maritime security, logistics, capability development, and aviation safety. Yet, Australia links its continuous defence support for Thailand's military to progress being made in Thailand's fragile democratisation process (Australian Defence White Paper 2016: 130-131).

### Trilateral cooperation involving the US

Regarding the design of intra-Asia-Pacific defence arrangements in the 2nd order security architecture we have so far taken a closer look at the obvious dominant

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<sup>5</sup> Singapore is also a member of the FDPA.



pattern of defence bilateralism between the regional hubs Japan and Australia and their defence partners. There are only a few trilateral or minilateral cooperation schemes in the 2nd order security architecture, albeit relevant since they involve the dominant security provider of the 1st order security architecture, the US, and its closest and most capable allies and partners. The respective defence triads are firstly, Japan, the US, and South Korea; secondly, Japan, the US, and Australia; and thirdly, Japan, the US, and India.

#### *Japan, the US, and South Korea*

As US allies, Japan and the Republic of Korea share fundamental strategic interests with each other and with the United States of America. Against this background policy dialogues between the defence ministries of the three countries have taken place since 1994. This agreement was strengthened with the signing of the Information Sharing Arrangement between the defence authorities from Japan, the US, and the ROK in December 2014. This specific defence arrangement resulted actually from the continued exchange of information on North Korea's nuclear and missile programme. Another trilateral meeting was held in March 2016. It resulted in the further consolidation of this defence cooperation scheme. The Japan-US-ROK Defence Trilateral Talks (DTT) fostered a continuous defence dialogue at the working and director generals' level. Important trilateral meetings were held in 2016 with regard to the North Korean nuclear weapons tests and ballistic missile launches. At the level of service-to-service cooperation, the American, Japanese, and South Korean chiefs of staff held their first meeting in July 2014. Among the topics discussed were again North Korea and the issue of how to deepen the trilateral defence cooperation between the three countries. While political tensions between Japan and South Korea regarding Japan's militaristic past and how it deals with it poses an obstacle to significant security cooperation between the two US allies and thus for the triad, this is clearly not the case for the trilateral defence relationship between Japan, the US, and Australia (Japanese Defence White Paper 2016: 325-326).

#### *Japan, the US, and Australia*

Probably the trilateral defence arrangement with the highest diplomatic density is the one between the US, Japan, and Australia. As US allies both Australia and Japan share the same norms, values, and interests with regard to democracy, freedom of the seas, and the willingness to apply international norms such as the United Nations Law of the Sea to regional maritime issues. These common denominators gave rise to the "Trilateral Security Dialogue" (TSD), which has been conducted since 2006, and the establishment of the "Security and Defence Cooperation Forum" (SDCF) in 2007. These regular and institutionalised defence dialogues between Australia, Japan, and the United States intensified in recent years. They also fostered training

exercises like Talisman Sabre, which is a significant Australia and United States military training exercise aimed at planning and conducting defence operations. The Japan Self-Defence Forces took part in this exercise for the first time in July 2015. The main reason for the intensification of this cooperation is the perceived growing assertiveness of China in the South and the East China Sea (Schoff 2015).

### *Japan, the US, and India*

The US, Japan, and India conduct military exercises on a regular basis. The Malabar exercise which initially had been an exclusive bilateral exercise between the US and India became more inclusive and thus allowed for the participation of Australia and Japan in recent years, thus allowing for the potential reactivation of the quadrilateral initiative. Apart from these trilateral exercises all three countries have been engaging in defence dialogues since 2011 at the director generals' level. In 2015 it was decided to elevate the trilateral dialogue to the foreign ministers level. This diplomatic upgrade was done in order to further consolidate the strategic partnership between the three states. At the inaugural meeting all three foreign ministers stated their common support for democracy, peace, and a rules-based international order. With regard to the South China Sea the three ministers emphasised the need to maintain maritime security through peacefully settling conflicts on the basis of international law and to ensure freedom of navigation and overflight (Rajagopalan and Sylvia Mishra 2015).

## CONCLUSION

Intra-Asia-Pacific defence cooperation matters in the current security architecture. The respective agreements have increased due to insecurities linked to the growing assertiveness of China and a possible downsizing of American strategic influence in the region. The numerous intra-Asia-Pacific institutions are mainly bilateral, informal, and emanate from the willingness and capabilities of (new) security hubs such as Japan, Australia, and possibly India in the future to share defence expertise and hard power with likeminded partners in the region. All these intra-Asia-Pacific defence agreements form what can be called the 2nd order security architecture. While the 1st order consists of the formal bilateral US-led alliances with specific states in the Asia-Pacific as well as multilateral relations, the US is not out of the strategic game in the 2nd order. This is obvious when considering the fact that the most important trilateral or minilateral defence agreements are steered by the United States. Moreover, all of the 2nd order agreements are concluded between spoke-countries of the 1st order and partner countries of the US. Yet, with uncertainties in US home politics and insecurity rising in the Asia-Pacific the demand for intra-regional security cooperation is likely to rise even further. The 2nd order

satisfies this need and remains open to new demands due to the open and informal design of the respective defence agreements. The high degree of defence diplomacy, the significant increase in joint military exercises and training, as well as increasing spoke-to-spoke arms sales are all features and consequences of the rise of 2nd order defence cooperation or institutions. These have already challenged the dominance of economic cooperation over defence cooperation in the region. Most probably high politics will become more important than low politics in a region that needs more security or defence cooperation than ever before to ensure stability.

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# The New US Foreign and Security Policy vis-à-vis Northeast Asia

*Stefan Fröhlich*

After the end of the Second World War the US became the chief guarantor of peace and security in the Asia-Pacific by preserving a continental balance of power. The “San Francisco System” signed in San Francisco on 8 September 1951 not only restored independence to Japan but also established the bilateral US-Japan Security Treaty, which granted the United States the right to maintain armed forces in and about Japan, and at the same time encouraged Japanese rearmament. Viewed from the perspective of a separate peace, which neither invited Communist China nor the Chinese Nationalist regime, the San Francisco system thus laid the groundwork for an exclusionary, asymmetric system that not only detached Japan from its closest neighbours and had long-term consequences for the Chinese-Japanese relationship, but also introduced what became the classical hub-and-spokes system consisting of additional bilateral security alliances between the US and Australia, New Zealand (ANZUS, 1951), the Republic of the Philippines (1951), the Republic of Korea (1951), and finally Thailand (after the dissolution of the Southeast Asia Treaty Organisation (SEATO) in 1967). By the end of the 1960s the US had gradually established outposts from Hawaii to Manila. And ostensibly the system propelled Japan, and partly the other partners, into a posture of looking east across the Pacific to America for security and, indeed, for its very identity as a nation.

## THE EVOLVING US-CHINA STRATEGIC RELATIONSHIP

As a result, what was created and had to be accepted by China’s leaders for almost five decades was American geostrategic dominance in the Pacific. Even when the country had become more prosperous after the introduction of capitalist market principles in 1978 and its military transformation had started at the beginning of the 21st century, Beijing’s goal was still not to achieve strategic parity with the United

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States. Rather it was to catch up with the West economically. With annual growth rates averaging around ten percent, China surpassed Japan as the biggest foreign holder of US Treasury securities in 2008 and became the largest creditor nation in the world. Today the country is the second largest economy in the world after the United States, the world's biggest recipient of direct foreign investment, as well as the US' and EU's most important trading partner – as a matter of fact, as the Atlantic powers consider how to pivot together to Asia, Asia, that is particularly China, is pivoting to the Atlantic as well.<sup>1</sup>

As a result, within the past decade the world has witnessed an increasing interdependence between the Chinese and American markets, requiring comprehensive and strategic US economic statecraft to maximise the opportunities and manage the risks of a rising China. The problem, however, is that China is different from Japan, which was the main US strategic concern in the 1980s. Unlike Japan, Chinese politics over nearly four decades now has retained a pervasive role in the economy, seeking to keep control over private businesses and become the world's major sciences and technology power by massively acquiring strategic technology assets abroad. These plans are backed with huge financial power and policies that distort markets and disadvantage US and European firms. In other words, US hopes that China's integration into the global economy signalled converging interests between China and the West soon turned out to be an illusion. With the economic relationship becoming ever bigger, political tensions between Beijing and Washington arose simultaneously especially when it comes to bilateral investment ties. While seeking supply-chain efficiencies by moving production to the US and at the same time building protectionist walls, China has become the No. 1 economic challenge to the US.<sup>2</sup>

At the same time China's assertiveness as a great power is challenging the military status quo in the Asia-Pacific, heating up old territorial disputes and contested historical issues and provoking US responses to maintain the so far unchallenged US dominance in the Pacific. Signs have become even more explicit that China's rise is turning into a real game changer in Asia and worldwide. Beijing views the US as a major threat because it is a global power and as a regional power with global power aspirations, China will do everything possible to neutralise threats from the US.

All this has happened at a time when there was a growing concern in Washington about the potential medium or long-time decline in America's military pre-eminence and Pentagon officials worried about the US armed forces' capability to operate globally in forward defence of allies and partners. After two cost-intensive

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<sup>1</sup> Daniel Hamilton, *Asia's pivot to the Atlantic: Implications for the United States and Europe*, pp. 125-172.

<sup>2</sup> Matthew Goodman, "Global Economic Monthly: The China Challenge and CFIUS Reform", Center for Strategic and International Studies (CSIS), Washington, 31 March 2017.

wars in the Middle East and Southwest Asia the US wanted to minimise stabilisation operations in favour of enhancing its political and economic engagement in the Asia-Pacific. But as China's primary objective is to create armed forces capable of deterring America's projection of power into China's offshore waters ("anti-access/area denial" (A2/AD) capabilities), US military and geostrategic interests in the region were (and are) also directly affected.<sup>3</sup> That is why the Obama administration's pivot to the region in the end was a comprehensive one, requiring growing trade and economic engagement, active but effective diplomacy, but at the same time military investment and presence. Officially, this "rebalancing" to the region was not meant to contain China, because of the realities of globalisation and interdependencies in US/EU-China relations, but today it is no longer just an American effort to integrate China into the liberal international order. Rather Washington under the second Obama administration had been following an alternative, multi-faceted balancing strategy between these two poles that incorporates elements that undermine China's capacity to misuse its power ("hedging strategy"), but at the same time continues to interact with China politically and economically ("engagement strategy"). This strategy was driven by the conviction that Washington has to avoid a major strategic rivalry – or even clash – with Beijing, but at the same time must uphold the regional balance of power by creating new preferential trading agreements with US allies in the region (which consciously bypass China), preventing China from acquiring military and strategic capabilities that would enable Beijing to inflict major harm on the US and its partners, and improving US military force projection capabilities along the Asian rimlands.

## HOW CHINA IS CHALLENGING THE US

There is no doubt that currently the main challenge and threat for the US is coming from China's new assertiveness in its foreign and security policy. China's particular strategic concern lies within its immediate neighbourhood, that is, the "first island chain" or "inner island chain," which includes the Yellow Sea, the East China Sea, and the South China Sea. Beijing's almost aggressive approach to traditional maritime disputes with Japan, Vietnam, and the Philippines in this region is driven by the ambition to accumulate "comprehensive national power", including the preservation of internal order and high levels of economic growth necessary to preserve social order<sup>4</sup>, while at the same time developing "asymmetric capabilities" that will

<sup>3</sup> Council on Foreign Relations, *Council Special Report No. 72*, March 2015.

<sup>4</sup> Ashley Tellis, "China's Grand Strategy: The Quest for Comprehensive National Power and its Consequences", in Gary Schmitt (ed.), *The Rise of China*, New York: Encounter Books 2009.

enable its forces to offset America's ability to intervene militarily should, primarily, a conflict over Taiwan arise.

This strategic goal of enhancing its status as a central actor in the global system (particularly as part of the most relevant international institutions or by setting up new institutions) contrasts with China's only slowly evolving role as a "responsible stakeholder" or "normal great power" (very much welcomed by the US and the rest of the world<sup>5</sup>). In the recent past, Beijing rather pursued a global strategy that tried to avoid damage to its relations with other major powers, assuming a defensive role on issues such as the conflict in Iraq/Syria, the Iranian nuclear programme, or, most recently, the Russian-Ukraine crisis – if at all it presented an obstacle, it has been in concert with Russia or other non-permanent members of the United Nations Security Council (UNSC).

Meanwhile, however, China from Washington's perspective has increased its involvement in Central Asia (Afghanistan), in peace-keeping and counter-piracy missions in general, or in Africa (as in the cases of Mali and Sudan) and the Middle East (Libya) in particular<sup>6</sup> and thus is challenging the US global power status as well. Strategic planners in Beijing have realised the country's eventual exposure to conflicts in the Greater Middle East, and how important the development of forward-deployment assets and access to port facilities in countries along the Indian Ocean (such as Pakistan, Bangladesh and Myanmar), the Mediterranean (Egypt, Greece and Israel) or on the Horn of Africa (Djibouti) are. This will enable the country to respond more effectively to such crises and to consolidate its extended geographic periphery in the Indo-Pacific and beyond. China today is surrounded by major power competitors, among them not only Russia, Japan, and India, but also smaller states, such as South Korea or Vietnam, which have started to distance themselves from China. Above that, these concerns have been heightened not least by worries about a diminished US role in the Greater Middle East which Beijing has exploited to accelerate its soft power in its western periphery by rigorously implementing its plans for a Silk Road Economic Belt (also known as China's Belt and Road Initiative – OBOR) and Maritime Silk Road. Both projects will connect the country with its key markets and resource supply routes from Central Asia to the Middle East and Europe via the sea as well as on land.<sup>7</sup> Parallel to these efforts China is trying to build new alliances to counterbalance the US alliance system and promote a new security concept that is managed by Asians alone. In other words,

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<sup>5</sup> Adam Quinn, *Obama's National Security Strategy: Predicting US Policy in the Context of Changing World Views*, Chatham House, January 2015.

<sup>6</sup> Kerry Brown, "Mixed Signals: China in the Middle East", *FRIDE Policy Brief*, No. 190, December 2014.

<sup>7</sup> Matthew Goodman and Jonathan Hillman, *Asia's next act: Infrastructure reshapes the region*, Center for Strategic and International Studies (CSIS), 24 October 2016.

China's ambition seems to be to dominate Asia and recreate a new bipolar system globally.<sup>8</sup>

Accordingly, the accelerated militarisation on China's part in Washington's view reflects more than rising economic clout and assertive nationalism. China's heightened assertiveness on maritime disputes since 2008 also includes the use of trade and economic instruments (such as oil-drilling in disputed territories or restrictive import and export measures) to serve its strategic goals, but is primarily driven by an increased military presence of Chinese vessels and aircraft in their waters and airspace demonstrating that the takeoff of digital technology and the revolutionary transformation of precision-guided warfare have reached the People's Republic. China's asymmetric capabilities today include a wide range of weaponry, among them: nuclear warheads; short-range and medium-range ballistic missiles; long-range cruise missiles; a "fourth generation" jet aircraft as well as a "fifth generation" stealth fighter (Chengdu J-20); missile-carrying submarines, warships, and aircraft; an envisioned though still distant fleet of aircraft carriers; advanced command and control centres; laser and radar systems; new satellite surveillance systems; and anti-satellite and cyberwar capabilities.<sup>9</sup> US strategic planners are convinced that these capabilities increase the potential costs (including missile attacks on US bases in Guam and Okinawa) if a conflict with China should arise.

It is for this reason that the international community in general and the US in particular do worry about China's bullying actions in Southeast Asia, including its increasingly aggressive actions in the South China Sea. Though Beijing claims that it is seeking a peaceful resolution to the maritime disputes with five other nations (Vietnam, Malaysia, the Philippines, Brunei, and Taiwan), China has repeatedly referred to its "nine-dash-line" as a legitimate entitlement to its territory and maritime zones, rejecting any claims of those countries to have similar rights. Although Beijing was willing to negotiate a binding "code of conduct" with other claimants, it has never taken such talks seriously. Instead it started to develop a land reclamation strategy of island-building to create "facts on the sea", including air bases and port facilities as well as the detachment of armed coast guard vessels. It has enforced its own interpretation of rights and obligations within the 200 nm exclusive economic zones (EEZs) by denying other countries, including the US, access to what it perceives as its own exclusive zone – contrary to the terms of, and its obligations under the UN Convention on the Law of the Sea (UNCLOS).

Even though there still is no clear definition of the rights and obligations of states regarding military activities within the maritime zones of other states, the

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<sup>8</sup> Liselotte Odgaard, "How to defuse Sino-US tensions in the SCS", in *ISS Reports, No. 28, Sense and sensibility: Addressing the South China Sea disputes*, Paris, May 2016, pp. 17-24.

<sup>9</sup> Patrick M. Cronin et al., *Tailored Coercion: Competition and Risk in Maritime Asia*, Washington DC: Center for New American Security, March 2014.



Permanent Court of Arbitration in the Hague has ruled in June 2016 in favour of the Philippines on most counts, including the most sensitive issue, by declaring that China's nine-dash line lacks any legal basis.<sup>10</sup> Beijing, however, has neither accepted nor complied with the Court's ruling and instead took even more aggressive actions to assert its sovereignty claims, not least by declaring an air defence identification zone (ADIZ) over the entire area contained within the nine-dash line. By doing so, Beijing has challenged the other claimants as well as the US for a united, hard line vis-à-vis China, putting the former more than ever before at the mercy of the two global powers. While they had learned to "balance, hedge, and bandwagon" between two distinct orders in the past, they now are rethinking their economic as well as security ties with both powers.

The problem with this is that the US itself in the past has sent mixed signals regarding this maritime muscle-flexing. When Washington sent the guided-missile destroyer *USS Lassen* within 12 nm of features that have been subject to Chinese land reclamation efforts in October 2015, it clearly followed the idea that any country can exploit the resources in its own EEZ, but that the EEZ waters are still open for passage by other countries – an idea that China openly rejects. By not accepting the nine-dash line, the contested islands at the same time are de facto not part of China's EEZ in the view of the US and thus, any country can exploit the resources in this high sea and the US can defend its own alleged right to conduct military activities in contested zones.

If the US' first interest however is freedom of navigation (FON), meaning access by the US Navy to areas outside any legally established territorial waters surrounding islands or other features, including the so-called Exclusive Economic Zone that extends for 200 nautical miles beyond such waters, it cannot blame China for potentially obstructing commercial shipping or flights across the South China Sea as long as Beijing has never done anything like that. Similarly, Washington must stop its vague opposition to undefined "coercion" by Beijing or others in the South China Sea.

## US STRATEGIC PLANNING TO COUNTER THE CHINESE CHALLENGE

It is hard to tell whether China would respond militarily at any point once its alleged rights to territorial sovereignty and maritime zones are threatened. Anyway, its military modernisation agenda is provoking those who take America's overwhelming military superiority in the Pacific for granted, especially in the United

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<sup>10</sup> Stewart Patrick, "Surface Tension: Chinese Aggression Roils Southeast Asian Waters", in Council on Foreign Relations, *The Internationalist*, 12 April 2016.

States and Japan. That is why the American response is also calling to mind the early years of the Cold War, when American and Chinese values and interests were rather adversarial than convergent. To many strategic planners in the US, preserving American primacy for the future thus requires replacing the concept of integrating China into the global system with one that is balancing its rise and reinvigorating US core principles for national security, that is: prevent any threat of conventional and unconventional attacks on the US; maintain the regional balance of power in the Asia-Pacific through American leadership (that is, manage the geostrategic challenge of a more assertive China and escalating tensions and competing claims in East and South China Seas); prevent the use and proliferation of nuclear weapons and other weapons of mass destruction (WMD) (North Korea); and promote global prosperity.

In US strategic planning circles, the most widely publicised concept to implement such a strategy is aimed at countering “emerging anti-access/area denial challenges” (called Air-Sea Battle (ASB)). First mentioned publicly by the secretary of defence in 2009, it calls for integrated air, sea, space, and cyberspace forces capable of overcoming the “asymmetric capabilities” of adversaries by “disrupting, destroying and defeating” their A2/AD threats.<sup>11</sup> Though US officials emphasise that the concept does not specifically target China and is still a rudimentary projection, it, in fact, dates from the early 2000s when China (and Iran) was identified as the major adversary and operations such as destroying surveillance systems and missile defences, followed by air and naval assault were part of the Pentagon’s Grand Strategy. The same is true for alternative strategic concepts such as the Pentagon’s overarching JOAC (Joint Operational Access Concept), Army and Marine Corps projections such as the GMAC (Gain and Maintain Access Concept) and JCEO (Joint Concept for Entry Operations), and the Navy’s MDBS (Mutually Denied Battlespace Strategy).<sup>12</sup> All of these strategies focus on amphibious, airborne, and air assault operations to gain and maintain inland access to the adversary’s territory, while the Navy’s plan relies on US maritime superiority to deny access to Chinese warships in their own and surrounding waters. At the same time, the United States announced plans to shift long-range B-1 and B-52 bombers as well as a fleet of surveillance drones from the Middle East to the Pacific to intensify its consistent air presence in the South and East China Seas.

There are, however, two reservations about Washington’s military “pivot to Asia” or “rebalance toward the Asia-Pacific region”. First of all, as mentioned above, it was/is part of a grand strategy, which former Secretary of State Hillary Clinton

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<sup>11</sup> Department of Defense, Air-Sea Battle, Washington, 12 May 2013, [www.defense.gov/portals/1/documents/pubs/ASB-Concept](http://www.defense.gov/portals/1/documents/pubs/ASB-Concept).

<sup>12</sup> Charles Flynn and Joshau Richardson, “US Army, Joint Operational Access and Global Readiness”, *Military Review*, July/August 2013, pp. 38-44.

presented in an article on “America’s Pacific Century” that could be interpreted as a clear signal by the Obama administration that the hegemonic Pax Americana should be maintained by a multi-dimensional, less confrontational and, above all, more balanced multinational power sharing.<sup>13</sup> While according to this view it was necessary to develop high-level diplomacy with China and at the same time deliver on the Trans-Pacific Partnership (TPP), it was also important that any US Grand Strategy includes interoperability with allies and the support of regional partners to develop their own AD capabilities against China. Second, due to sequestration caps in the recent past, and because Washington wanted to avoid a major confrontation with China, the US’ military pivot so far has been nevertheless small. That is why the US’ security role vis-à-vis the region is based on deterrence and offshore balancing. At the same time, the US is trying to “enable” partners to build and strengthen a regional security network together with the US, including a ballistic missile defence (BMD) posture – a strategy that is likely to be pursued by the Trump administration as well, which indeed has announced a significant increase in defence spending (by 10 percent), but seems to be less concerned about military and security affairs, particularly superiority over rivals.

## A NEW WEB OF PARTNERSHIPS

Such a network would consist of three elements: One that focuses on joint US military operations that optimise cutting-edge weaponry and technologies for intelligence, surveillance and reconnaissance (ISR), robotic and unmanned systems, and cyberspace. The second aspect involves greater strategic bilateral and intra-regional cooperation (with direct or indirect US support) with traditional Asian allies like Japan and South Korea and, beyond that, other powers in Southeast and South Asia. The third and rather new element would be another pivot (or rebalancing) by the US within Asia, away from the almost exclusive traditional concentration on Northeast Asia toward closer contacts with the Association of Southeast Asian Nations (ASEAN) members; this would also imply moving from mostly bilateral relations to more multilateralism.<sup>14</sup>

Taken together, all these elements imply that – despite all aspirations for cooperation and interdependence with China – current developments in Asia are

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<sup>13</sup> Hillary Clinton, “America’s Pacific Century”, *Foreign Policy*, 11 October 2011, <http://foreignpolicy.com/2011/10/11/americas-pacific-century/>. See also Patrick Cronin, *America’s China Paradigm is Back on Track, War on the Rocks*, 21 February 2014, <http://warontherocks.com/2014/02/Americas-china-paradigm>.

<sup>14</sup> Patrick Cronin, “The Pivot and underlying US interest in Asia”, in Hans Binnendijk, *A Transatlantic Pivot to Asia: Towards New Trilateral Partnership*, Center for Transatlantic Relations, Washington DC, June 2014, pp. 51-74.

again shaped by the inherently confrontational and hierarchical aspects of the San Francisco System with the US' military role remaining one of offshore balancing.

The main element of this system, based on bilateral security alliances, had been the containment of the communist expansion in the region. Today, the US as a Pacific power again retains an element of being the distant security guarantor that provides shelter for and promotes incremental militarisation of its closest allies such as Japan, Korea, and Australia – all of them being concerned about North Korea's development of nuclear weapons and mounting tensions with China. The new element in the current evolving security architecture in the region, however, is the increasing significance of multilateral institutions (East Asia Summit; ASEAN-US summit) reflecting the common interest of smaller and middle-sized Asian states and the US as an external actor to accommodate and incorporate China into the security architecture.

At the heart of the reinforced bilateral partnerships still is the relationship with Japan whose test of the first Patriot Advanced Capability-3 interceptors deployed in March 1998 at Iruma Air Base in Saitama, north of Tokyo, as part of a shield introduced in response to missile tests by North Korea, triggered a series of policy decisions that prioritised establishing a multi-layered missile defence system in close collaboration with the United States. Ever since, Japan has expressed concerns over China's military modernisation and incrementally lifted earlier restrictions on arms exports (anticipating the selling of submarines to countries like the Philippines and perhaps Vietnam) and a ban on the military use of space. In 2010, the revised defence guidelines for the first time took note of a “global shift in the balance of power”, worrying about the relative change of influence of the United States in the region and new “grey zone areas” such as the Korean Peninsula, the Taiwan Strait, and the seas and islands (in the case of Japan the Senkaku islands) to the South threatened by China.<sup>15</sup> At the same time, they also reflect Japan's willingness to develop technologies capable of a more proactive defence posture and thus deepen the security alliance with the United States in areas such as contingency planning, joint training and operations, and technology cooperation, with a particular focus on ballistic missile defence.

The result of Japan's continuous efforts to set new parameters for the cooperation with the US is the new Guidelines for US-Japan Defence Cooperation, released in April 2015. These guidelines allow greater flexibility for the defence planners in both countries pursuing “seamless, robust, flexible, and effective” bilateral responses and providing “general framework and policy direction” for the cooperation

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<sup>15</sup> Adam Liff, “Japan's 2010 National Defense Program Guidelines – Reading the Tea Leaves”, *Asia Pacific Bulletin*, 89, Washington, 22 December 2010, [www.eastwestcenter.org](http://www.eastwestcenter.org).

necessary for such responses.<sup>16</sup> They focus on how both countries will respond to the security concerns that directly affect Japan's security by singling out space and cyber as the two domains that hold the greatest potential for expanding cooperation. For the first time, the guidelines mention cooperation in defence equipment, encouraging Japan to come up with a coherent policy on how it wants to nurture its defence industrial base.

Apart from Japan, the strategic relationship with South Korea remains essential to maintain the balance of power in Northeast Asia. Parallel to the agreement with Japan, Washington and South Korea have embarked on the idea of shared command structures at the tactical level in June 2015. By establishing a combined division comprising units of the US 2nd Infantry Division and the Republic of Korea (ROK) Army 8th Mechanised Infantry Division, both sides want to strengthen their capacity of making swift and coordinated tactical responses to crises in an expeditious manner. The presence of the combined division north of Seoul is to help deter conventional North Korean threats by displaying a robust alliance at the operational, but also tactical level. Above that it is to make North Korea more cautious in planning any military aggression against that area.<sup>17</sup> The agreement has been accompanied by a clear signal by Washington to extend its security guarantee to South Korea by increasing support for the ROK's BMD capabilities as well.

Along with the reassurance of staunch allies in Northeast Asia, Washington has launched several initiatives to rebalance itself within the Asia-Pacific by growing partnerships with many Southeast Asian states, which primarily pursue soft balancing of China. As evidenced by recent Chinese activities in the South China Sea, the stakes are growing fastest in South and Southeast Asia. Though Australia and the Philippines have always been the Southern anchors of US partnerships in the Pacific – with Australia being the essential link in the US' Indo-Pacific strategy – countries such as Singapore, Vietnam, Indonesia or Malaysia are meanwhile reaching out to Washington for stronger military (as well as economic and political) cooperation – and, vice versa, the US is pivoting to them. In October 2014, Washington lifted its restrictions on some military sales to assist Vietnam in resisting Chinese territorial encroachments in the South China Sea. Since 2011, the US has participated in several joint military exercises with all of these countries, and spent over \$100 million on involving joint military forces, interagency activities, and several partner nations. It has further increased its efforts to support and prepare the countries for shared regional challenges according to their specific relevance by, e.g., pushing the

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<sup>16</sup> *Guidelines for US-Japan Defence Cooperation*, United States Department of Defence, [https://www.defense.gov/Portals/1/Documents/pubs/20150427 - GUIDELINES\\_FOR\\_US-JAPAN\\_DEFENSE\\_COOPERATION.pdf](https://www.defense.gov/Portals/1/Documents/pubs/20150427 - GUIDELINES_FOR_US-JAPAN_DEFENSE_COOPERATION.pdf), 27 April 2015.

<sup>17</sup> David Eunpyoung Jee, "America and South Korea strengthen military Alliance", *The National Interest*, 10 June 2015, [www.cnas.org/publications/commentary/america-and-south](http://www.cnas.org/publications/commentary/america-and-south).

Philippines to develop a full range of defence capabilities; improving Indonesia's air-sea capabilities; upgrading Singapore's air force capabilities; expanding the scope of activities during the annual US-Vietnam naval exercises; and advocating substantial international military and education training (IMET) expansion throughout Southeast Asia. All these efforts are meant to guarantee US deterrence and the regional balance of power by sustaining not only a forward military presence in the Asia-Pacific, but also enabling its network of allies and strategic partners to deter other states, primarily China, from challenging American core values and interests such as the freedom of navigation.

## THE IMPACT OF TRUMP'S ELECTION

With the election of Trump, America's traditional role as the offshore balancer is likely to erode if the president follows his campaign rhetoric. Particularly his view on trade can have implications for security in the region as well. Trump's withdrawal from TPP (and other multilateral trade agreements such as the Transatlantic Trade and Investment Partnership) while at the same time scaling up protectionist measures and squeezing economic concessions from China on trade and alleged currency manipulations will probably – at least temporarily – increase output growth, possibly reaching 4%, by driving up the price of import-competing goods and triggering higher inflation (with the Fed's independence coming under attack). This will have positive impacts for the world economy, including Europe. It will, however, also have serious implications for the US' economic and strategic interests in the region in the medium run by giving Beijing leeway for its own geopolitical interests. Although the other 11 members came to an agreement in the form of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), it is likely that China will try to make use of the situation and shape the rules in the region to become favourable to its interests. As with Russia, Beijing will be eager to fill the power vacuum left by the US' geopolitical withdrawal. The consequences could be a double backlash to US interests: Economically, more countries could start giving up their traditionally rather neutral position between China and the US and rebalance toward Beijing, while countries relying on the US' security umbrella (like Japan) might think of other strategic options. At the same time the idea of disrupting commerce with China would not only negatively affect US manufacturing supply chains with Chinese facilities (which cannot simply be disrupted by huge new tariffs anyway) but also have a huge impact on the US budget deficit being primarily financed by Chinese currency reserves. Against this background the crucial challenge for Washington will be to accept that China is becoming a maritime power that operates in maritime zones traditionally controlled by the US and its allies on the one hand, and further support the principles of sovereignty and

maritime zone rights without compromising globally recognised principles of international law on the other hand. Although Trump has so far increased the number of “Freedom of Navigation Operations” (FONOPs), Washington could potentially agree to scale down its own FONOPs and overflight exercises – which it recognises as customary international law – without giving up on its status as offshore balancer for the other ASEAN claimant nations, thereby probably avoiding any escalation of major encounters at sea.

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# The Japanese Security Environment and Its Relationship with NATO

*Yoko Nitta*

## INTRODUCTION

The Northeast Asia region is never a pleasant paradise. It is a region where neighbouring countries threaten with nuclear weapons and remnants of the power structure from the US-Soviet Cold War era are still present.

At the same time, Northeast Asian countries are currently situated in an uncertain and unstable environment that is witnessing new security-related tensions. Japan has also been exposed to quite a rare and complex strategic environment and must realise that it is in a tactical and uncertain situation. Under such circumstances, a certain resolution is demanded from Japan as it is in the middle of a historical turning point.

In addition, we cannot discuss the 21st century in the Asia-Pacific region without making any projections concerning the future of China. A security theory of the Asia-Pacific region that does not take into consideration the Chinese military strategy would have no real meaning. It is also necessary to take into account that Japan is caught in the middle of the strategic competition between the United States and China in the Asia-Pacific region. Now that China is actually strengthening its military power and starting to close the military as well as economic gap vis-à-vis the United States, there is a growing political competition between them. Within this context, Japan needs to be prepared to take a leadership role in securing peace and stability in the region, and to address the current strategic situation. Japan, however, has not made the necessary adjustments to this security environment yet, while China at the same time has and will continue to strengthen its influence and power in the region.

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\* This paper was submitted on 15 September 2017.



## SECURITY IN JAPAN'S NEIGHBOURHOOD

The security issues and instability in the Asia-Pacific region, including around Japan, have become more serious and complex. This is mainly because of the modernisation and strengthening of military power by neighbouring countries and the activation of more military activities.

According to the new Defence White Paper released by the Japanese Ministry of Defence in August 2017<sup>1</sup>, Japan is facing a new phase in its threat perception due to the recent developments in both China and North Korea. The threat level of North Korea, resulting from its nuclear weapon and missile programme, was raised in 2016. The operationalisation of long-range missiles, including intercontinental ballistic missiles (ICBM), which were launched in July 2017, has also highlighted concerns over North Korea's massively increasing development of nuclear weapons. The country's progress in terms of vessels, ballistic missiles and general operating capacity has raised the threat to a new level. In conjunction with the repeated provocative behaviour of North Korea, the lack of stability, predictability and trust in the region has become an imminent threat to the international community, including Japan. In light of North Korea's ignorance of international norms, not fully functioning UN sanctions and currently missing non-military intervention mechanisms, any further expansion of North Korea's nuclear and missile capability can have a great impact on the global security order.

In addition, the region has also seen the expansion of China's military force and the possibility of more maritime operations in the South China Sea as well as the East China Sea. The limited transparency of the Chinese activities in the East and South China Sea, attempting to change the status quo in the maritime security of the region by creating precedents, leads to uncertainty and has increased the potential for misunderstanding in the regional security order. These activities have raised concerns not only for Japan but also for the international community. In particular, the territorial issue of the Northern Territories and Takeshima continues to be of high relevance to Japan.

The United States has a long tradition of military partnerships in Asia and established alliances with a series of countries to enhance military cooperation. This approach has not been changed by the complex factors and territorial disputes with the region. One of the earliest and most advanced arrangements of the US in this region has been the Pacific Security Treaty (ANZUS), which in addition to the United States, involves Australia and New Zealand. The US also has close security ties to Japan and South Korea. Through its freedom-of-navigation manoeuvres, the United States has more recently also been active in issues such as the territorial disputes between China and the Philippines and China and Vietnam. The military

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<sup>1</sup> <http://www.mod.go.jp/j/publication/wp/wp2017/pdf/index.html>.

presence of the United States in the Asia-Pacific region has been expanding over the past years and more than 60% of the US Navy will be stationed in the region by 2020. Currently, the US military is based in Korea, Japan, Australia, Indonesia, Singapore, Thailand, Malaysia, the Philippines, and Guam.<sup>2</sup> This has, however, also added another level of complexity to the region since some countries believe that conflict resolution should be shaped strictly according to the national interests of the large countries in the region and no outside major power should be involved.

The regional security order may even evolve further. The region has seen a growth in Russia's involvement with its deployment of military personnel and facilities to the Northern Territories (Etorofu Island and Kunashiri Island). Russia has also announced the deployment of anti-ship missiles. The unresolved question of Taiwan may also further complicate the situation given the election of the Beijing-critical Tsai Ing-wen in 2016 and the subsequent phone call between her and US President-elect Donald Trump.

At the same time, security threats located outside of the Northeast Asian region continue to have implications on countries like Japan. If unaddressed, these risks can contribute to the instability of the entire international community. Such threats include international terrorism, dramatic shifts in the global power balance, unilateral actions by states to change the current status quo and cyber-attacks. In recent years, cyber-attacks have become more sophisticated. In many of the cases, government agencies have been suspected of involvement and this has led to discussions about the risks in the stable use of cyber space. As military forces' reliance on information and communication networks grows, cyber-attacks are positioned as an asymmetric strategy and many foreign militaries are increasing their capability to attack in cyber space.

## JAPAN'S ROLE AS ONE OF NATO'S "PARTNERS ACROSS THE GLOBE"

In recent years, the North Atlantic Treaty Organisation (NATO) has developed relations with a range of countries beyond the Euro-Atlantic area, while maintaining its focus on activities in the European region and challenges affecting countries of the Alliance. Referred to as "Partners Across the Globe,"<sup>3</sup> these countries and NATO share similar strategic concerns and key alliance values. Although this arrangement is not part of the formal partnership structure, countries can work with NATO on issues of mutual interests and benefits. Under this framework, NATO has established cooperation with the following seven Asian countries: Afghanistan,

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<sup>2</sup> <http://index.heritage.org/military/2017/assessments/operating-environment/asia/>.

<sup>3</sup> <http://www.nato.int/cps/en/natohq/51288.htm>.

Australia, Japan, Mongolia, New Zealand, Pakistan, and South Korea. The adoption of a more efficient and flexible Partnership Policy in April 2011 paved the way for the enhancement of practical cooperation and political dialogue with these “Partners Across the Globe”. The idea to enhance security through dialogue and cooperation is part of the partnership policy, which is rapidly advancing in recent years with those countries burdened by unstable factors and uncertain challenges.<sup>4</sup>

NATO has recognised that Asian countries play an important role in global security. Asian and NATO countries realised that they will both be affected by instabilities in areas such as Afghanistan or piracy off the East coast of Africa. Furthermore, both sides acknowledge that instability in the respective other region has a direct impact on the security in their own region. This is mainly also due to the economic factors. With globalisation, modern security has become complex and closely related to political, military, and economic factors. In particular, economic challenges can lead to critical security issues due to the existing interdependencies. Currently, the Asian region includes the country with the world’s second-largest gross domestic product (GDP), China, and the third-largest, Japan, and considering the presence of the United States in the Pacific area, the world’s three largest economies are concentrated in the Asia-Pacific region. Just as the turmoil in the American economic market following the “Lehman Brothers bankruptcy” in 2008 affected the world, a crisis of the Asian economies might directly impact the economies of NATO member states. In addition, it is not only the Asia-Pacific region but also NATO member states that are faced with the potential threat of continuous missile and nuclear weapon launches by North Korea. Although unrealistic, North Korea’s claims to seek military parity with the United States<sup>5</sup> and any involvement of the US in a conflict with North Korea might potentially also impact NATO due to the collective defence mechanism.

In the meantime, the cooperation has improved. All four Pacific partners – namely, Australia, Japan, New Zealand and South Korea – have taken part in NATO operations to fight piracy off the coast of Somalia. Over the years, all four have signed formal partnership agreements with NATO, deepened their political dialogue and extended their practical cooperation to new areas like disaster relief and cyber defence. While Australia and New Zealand have deployed many troops under the NATO banner in Afghanistan, Japan and South Korea have made big contributions to the reconstruction and development efforts there.<sup>6</sup>

Japan is NATO’s longest-standing global partner and the importance of the Japan-NATO relationship can be seen from several milestones. During his visit in

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<sup>4</sup> [http://www.nato.int/cps/en/natohq/topics\\_84336.htm](http://www.nato.int/cps/en/natohq/topics_84336.htm).

<sup>5</sup> <http://www.atimes.com/article/north-korea-says-seeking-military-equilibrium-us/>.

<sup>6</sup> [https://www.uskoreainstitute.org/wp-content/uploads/pdf/USKI-CFTNI\\_Report\\_NEA-AFG\\_032911.pdf](https://www.uskoreainstitute.org/wp-content/uploads/pdf/USKI-CFTNI_Report_NEA-AFG_032911.pdf).

Europe in 2007, Prime Minister Shinzo Abe was the first Japanese prime minister to visit the North Atlantic Council<sup>7</sup>. Prime Minister Abe highlighted in his speech:

Japan and NATO are partners. We have in common such fundamental values as freedom, democracy, human rights and the rule of law. It is only natural that we cooperate in protecting and promoting those values. My government is committed to reinforcing the stability and prosperity of the world based on the fundamental values I have just mentioned. For its part, NATO is widening the circle of freedom through an expansion of membership and partnerships.

Japan and NATO share a common sense of responsibility towards global challenges. We now need to work together more than ever in sharing our capabilities, as we work to consolidate peace in the face of conflict.

Over the past decade, Japan has undertaken peace cooperation activities in diverse places including Cambodia, Mozambique, East Timor, the Indian Ocean and Iraq. We have also conducted disaster relief efforts in Pakistan, working side by side with NATO forces.

Since becoming Prime Minister, I have made clear to the Japanese people that my government will develop and carry out a proactive foreign policy, and that Japan should play a meaningful role on the global stage. In this approach, Japan is eager to collaborate with NATO, building on a common sense of trust.

The second milestone took place in April 2013, when NATO Secretary General Anders Fogh Rasmussen and Prime Minister Abe signed the “Japan and North Atlantic Treaty”, a joint political declaration.<sup>8</sup> In May 2014, the Prime Minister once again visited NATO headquarters. The Individual Partnership and Cooperation programme between Japan and NATO (IPCP) was signed in Brussels on 6 May 2014 by Prime Minister Shinzo Abe and the Secretary General to the North Atlantic Treaty Organisation.<sup>9</sup> In this programme, some priority areas for cooperation were clarified: cooperation and sharing lessons learned on cyber defence; humanitarian assistance and disaster relief; counterterrorism and disarmament, particularly in relation to small arms and light weapons; arms control; non-proliferation of weapons of mass destruction and their means of delivery; maritime security, especially counter-piracy; comprehensive approach to conflict management; defence science and technology; and public diplomacy initiatives.

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<sup>7</sup> <http://www.mofa.go.jp/region/europe/pmv0701/nato.html>.

<sup>8</sup> [http://www.nato.int/cps/en/natohq/news\\_109508.htm](http://www.nato.int/cps/en/natohq/news_109508.htm).

<sup>9</sup> <http://www.mofa.go.jp/files/000037774.pdf>.

In July 2017, two additional high-level meetings took place when Prime Minister Abe held bilateral talks with NATO Secretary-General Jens Stoltenberg in July and Stoltenberg returned the visit to Japan in October.

## FUTURE AREAS OF COOPERATION

One of the aims of Japan in engaging in a political dialogue with NATO is to share Japan's perspective about the security environment in East Asia with NATO. It will be useful for Japan if NATO shares the same perspective as Japan on the security situation and especially on countries that are disrupting the stability of the Asia-Pacific region through unilateral interpretation of international law. Furthermore, Japan believes that the global security environment should be based on cooperation with the international community. In the current strategic environment, no nation can maintain its own peace and security alone. Japan, including its Self-Defence Forces, has contributed significantly to efforts aiming to maintain and restore international peace and security, such as UN peacekeeping operations. These efforts are made based on the belief that Japan, as a "Proactive Contributor to Peace", needs to contribute more actively to the peace and stability of the region and the international community, while coordinating with other countries. If Japan intends to cooperate further with NATO, it needs to be familiar with the circumstances of NATO's structure and have a clear overview of how both can evolve together in order to achieve a mutually beneficial partnership.

NATO's range of activities used to be limited to the North Atlantic region (Euro-Atlantic area), but this has changed with the end of the Cold War and especially the war in Afghanistan. Instead, NATO has continued to respond to new challenges. The new strategic concept<sup>10</sup> is significantly affected by the lessons learned from the NATO operations in Afghanistan. Therefore, the Alliance has expanded its cooperation with partners to include "stabilisation" and "reconstruction tasks" in order to strengthen various areas of crisis management and to get partner countries involved in making decisions. The new strategic concept highlights the significance of specific security challenges (proliferation of weapons of mass destruction, unrest in neighbouring countries, etc.). In contrast to the old concept, there is a new emphasis on dealing with non-traditional threats (cyber-attacks, terrorism, energy supply). Thus, NATO's new strategic concept embodies a collective defence that is based on the purpose, nature, and fundamental security tasks of the Alliance. In addition to the concept of conventional security, the framework of the partnership has been strengthened for the promotion of cooperation, and the relationship between Japan and NATO has been actively promoted as part of this. Exchange and dialogue

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<sup>10</sup> [http://www.nato.int/cps/en/natohq/topics\\_56626.htm](http://www.nato.int/cps/en/natohq/topics_56626.htm).

between the two on issues relating to international politics and security, especially in the context of the Asia-Pacific region, are of common benefit to both Japan and NATO.

Stability and peace in the Asia-Pacific region are of common interest to Japan and NATO. For example, France's defence minister was wary of the North Korean development of a ballistic missile that could reach Europe earlier than expected. In a speech to the military, she said, "There is no denying the scenario of escalating into a massive conflict. Europe risks being within range of (North Korean President) Kim Jong Un's missiles sooner than expected".<sup>11</sup>

Japan and NATO are looking to expand cooperation in the field of marine security as well as cyber defence. There is significant potential for the Asia-Pacific region to work with NATO on this since there is an expert institute, NATO CCDCOE (NATO Cooperative Cyber Defence Centre of Excellence)<sup>12</sup>, dedicated to cyber issues. Furthermore, the Strategic Communication Center (Stratcom)<sup>13</sup>, which was founded in Riga in Latvia, works on hybrid warfare issues and on achieving the Alliance's political and military objectives. For the Asia-Pacific region, countries can share the historical background of hybrid warfare in their community. Reliable free-speech space on the internet, fake news patterns and diffusion mechanisms, liability of media platforms like Facebook, measures against fake news, etc. are urgent matters that need to be addressed on a global scale. The potential for cooperation on this issue is large. Cybercrime has been a source of funding for North Korea's missile development.<sup>14</sup> In this regard, information sharing and working jointly to address this challenge by NATO member states and countries in the Asia-Pacific region are essential. In addition, it is necessary to work closely together to deal with information exploitation by national actors, including Russia's attempt to meddle in the US presidential election.<sup>15</sup>

## LIMITATIONS OF THE "PARTNERS ACROSS THE GLOBE"

On the other hand, many ask what the significance of NATO's cooperation with Japan is. NATO exists to ensure the collective defence of territory and to ensure the safety of the people of its member states. Despite the above-mentioned efforts,

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<sup>11</sup> <https://www.usnews.com/news/world/articles/2017-09-05/europe-could-soon-be-within-range-of-north-korean-missiles-france>.

<sup>12</sup> <https://ccdcoe.org>.

<sup>13</sup> <http://www.stratcomcoe.org>.

<sup>14</sup> <https://www.reuters.com/article/us-northkorea-cybercrime/north-korea-hacking-increasingly-focused-on-making-money-more-than-espionage-south-korea-study-idUSKBN1AD0BO>.

<sup>15</sup> [https://www.washingtonpost.com/opinions/global-opinions/russias-election-meddling-backfired--big-time/2017/08/17/e7ee4b74-837f-11e7-ab27-1a21a8e006ab\\_story.html?utm\\_term=.76735404a672](https://www.washingtonpost.com/opinions/global-opinions/russias-election-meddling-backfired--big-time/2017/08/17/e7ee4b74-837f-11e7-ab27-1a21a8e006ab_story.html?utm_term=.76735404a672).

NATO's role in Asia will remain limited. Neither does NATO strive nor do the circumstances allow for NATO to become an active security player in Asia. For instance, when NATO Secretary General Rasmussen visited Japan in 2013, NATO's intention was not to show its presence in the Asia-Pacific but to work with Asian countries in finding common solutions to global security challenges.<sup>16</sup> Yet, there are certain aspects limiting even this potential. The economic downturn in 2008 had a significant impact on the Alliance's European countries, forcing countries to cut military spending. Although absolute military budgets have increased since and each country signed an agreement to allocate 2% of its GDP to defence spending,<sup>17</sup> only a few countries achieved this target in 2015. Despite a nominal increase in the military spending, the GDP share continued to drop in most of the countries due to the economic recovery. Furthermore, 20% of defence costs should have been earmarked for the acquisition of new equipment, but only six countries have achieved this goal. Although the bottom of the economic slump has passed, NATO and its members lack the financial resources to commit directly to the outside, such as the Asia-Pacific region, which is geographically far away from Europe. Secondly, NATO is concerned about creating new tensions by being directly involved in Asia and prefers to avoid this. Then-NATO Secretary General Rasmussen clarified that NATO is not targeting China. China is a permanent member of the Security Council of the United Nations and will necessarily be involved in terms of a coordinated security aspect, since it is an important actor as a political, economic, and security-related country. In fact, NATO has made attempts to strengthen relations with China at the political level, such as the high-level dialogue with China and the mutual visits of dignitaries. Chinese vessels have also been involved in a NATO-led anti-piracy operation (Operation Ocean Shield). NATO and China have worked together at the military level through joint exercises. Lastly, NATO faces a number of challenges in its immediate neighbourhood which require its full attention, including Russia's policies in Ukraine, the response to terrorism in Iraq and Syria as well as the recent developments in Afghanistan.

## IMPLICATIONS FOR THE FUTURE

Given the current tensions and challenges, cooperation with partners is essential for maintaining and stabilising the global security environment. By fostering exchange with partners, countries in the Asia-Pacific and beyond can strengthen mutual trust and cooperation.

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<sup>16</sup> [http://www.nato.int/cps/en/natohq/opinions\\_99634.htm](http://www.nato.int/cps/en/natohq/opinions_99634.htm).

<sup>17</sup> <https://www.economist.com/blogs/graphicdetail/2017/02/daily-chart-11>.

This is even more the case since President Donald Trump fulfilled one of his campaign pledges by signing an executive order to withdraw from the Trans-Pacific Partnership (TPP).<sup>18</sup> This twelve-nation trade deal was a linchpin of former President Barack Obama's Asia policy. TPP was of great significance for the United States, Japan, and the other countries, not only in terms of trade and investment, but also in terms of geopolitical benefits, which were believed to be tremendously large. Its success was also supposed to make the presence of the United States in the Asia-Pacific region even stronger. In NATO, Europe and America have a mechanism to address security challenges together. A similar mechanism is crucial in the Asia-Pacific region. It should not specialise solely in security like NATO though, but could also be a place where economic issues and a wide range of cooperation are discussed.

In the meantime, NATO and Asian countries should continue their cooperation. NATO has been promoting a clearer partnership policy under the new strategic concept. The Pacific "Partners Across the Globe" share certain values with NATO and are willing to work with the Alliance. They also face similar security challenges like terrorism, piracy, non-traditional threats, and cyber defence. All these require partnerships and common solutions. The importance of relationships with NATO could thus potentially increase and partnership policies might progress. However, Japan and NATO are still only at the starting line in terms of cooperation and it is imperative to examine the framework for more practical cooperation in the future.

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<sup>18</sup> [https://www.washingtonpost.com/news/wonk/wp/2017/01/23/president-trump-signs-order-to-withdraw-from-transpacific-partnership/?utm\\_term=.edefa43eb9c2](https://www.washingtonpost.com/news/wonk/wp/2017/01/23/president-trump-signs-order-to-withdraw-from-transpacific-partnership/?utm_term=.edefa43eb9c2).





# Adaptation Under Pressure: NATO and the EU in the Shifting European Security Landscape

*Patrick Keller*

The European security order is undergoing significant change. The North Atlantic Treaty Organisation (NATO) and the European Union (EU) are adapting to new threats and developments from inside and outside the continent. They thus fulfil their role as the key institutions for a stable Europe. They guarantee security and a strong political framework – providing, among other basic advantages, economic freedom, individual liberty, and the rule of law. In doing so, both institutions contribute not only to regional but also to global peace and prosperity.

As the nature and intensity of the challenges to European stability change, however, both NATO and the EU feel increasing pressure to become more flexible and adjust properly. It is thus useful to take a closer look at the current dynamics of the European security landscape and to examine what measures NATO and the EU have undertaken so far.

## EUROPEAN SECURITY LANDSCAPE

The continent's security landscape is shaped by many factors, most of which will only change in the very long term, if at all. Such factors are geography and the European nation-states and their cultural identities, including demography and ethnicity. They also include the standing of the European states, individually and collectively, in the hierarchy of relative international power.

To be sure, none of these factors is static, and all of them deserve the attention of strategists and policy-makers. In the current situation, however, there are more immediate developments affecting the European security landscape. In fact, four major factors can be traced back to single events within the last three to four years which critically altered most Europeans' perceptions of their security situation. These four events were the annexation of Crimea by Russia in 2014; the wave of migrants hitting the EU in 2015; the British referendum in 2016 voting for the UK to leave the EU; and the 2016 election of Donald Trump to the presidency of the United

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\* This paper was submitted on 29 August 2017.

States. By dissecting each of these distinct events in turn, one can demonstrate that they not only put pressure on European security but that they will continue to do so. That is because they are not singular or isolated accidents but flashpoints highlighting broader trends that should be worrisome to Europe and the wider liberal international order.

## Russia's Aggression

The first key event changing the European security order, and arguably the most important one, was Russia's illegal annexation of Crimea in March 2014. It was the first time since World War II that one European state conquered and incorporated another's territory by force. This was a most severe breach of the principles underlying the European security order, violating the United Nations (UN) Charter, the Budapest Memorandum, and the NATO-Russia Founding Act – to name just a few of the relevant international treaties and compacts signed by Russia. The aggressive annexation was a throwback to an age most Europeans had thought overcome.

Russia's aggression against Ukraine happened in the context of political upheaval in Kiev at the end of 2013 and early 2014. When President Viktor Yanukovich refused to sign an association agreement with the European Union, mass protests ("Euromaidan" movement) ultimately toppled his government. Yanukovich fled the country and subsequent elections brought an EU-friendly reformist government to power. Elections were overshadowed, however, by deep rifts across the country, with the Eastern provinces of Donetsk and Luhansk in particular opposing the process. Russia built on close historic, economic, and cultural ties to that region, the Donbass, and fomented unrest and separatist violence. It did so through indirect support as well as through the presence of fighters without insignia which were later acknowledged to be Russian soldiers carrying out orders from the Kremlin. The conflict between Russian-supported separatists and the forces of the legitimate Ukrainian government continues to this day.

In the course of its undeclared invasion of Ukraine, Russia seized the opportunity to take Crimea, a peninsula in the Black Sea of about 25,000 square kilometres and with more than 2.3 million residents. Historically part of Russia, Crimea had been declared part of the Ukrainian Soviet Republic by the General Secretary of the USSR, Nikita Khrushchev, in 1954. After the independence of Ukraine and the dissolution of the Soviet Union in 1991, Crimea was recognised as part of Ukraine by Russia and international laws. Following the Russian invasion in 2014, Crimeans voted in a tightly controlled referendum for accession to Russia.

Russia's aggression seems to be driven by four central, interrelated motivations. First is the fear of revolutions. The popular movements in former Soviet Republics such as Estonia, Latvia, Lithuania, and Georgia have led to democratic, liberal, market-oriented, pro-EU, and pro-NATO governments. That has been to the

demonstrable advantage of these countries in terms of individual liberty and economic development – to say nothing of the success stories of former Warsaw Pact members such as Poland and the Czech Republic. To Moscow’s authoritarian power structure and President Vladimir Putin’s crony system, however, these examples close to Russia’s borders are downright threatening. For fear of Russian citizens following the example of their neighbours, Putin is interested in stopping the tide of liberalising reform movements – to make them stall and fail whenever possible. His stranglehold on Ukraine’s East gives him the perfect tool to undermine and sabotage the government in Kiev and its legitimacy and effectiveness.

The second motivation is Russian nationalism, which is an important expicent of Putin’s system of authority. It is thus problematic for Putin that all of the four pillars on which his country’s claim to great power status rests are in varying states of decay. They are the sheer size of Russia’s territory and population; the might of its armed forces, especially its nuclear weapons; the strength of its economy; and its status as one of only five permanent members of the UN Security Council. Given the sharp decline in Russia’s population, exacerbated by rather low life expectancy due to widespread alcoholism and a feeble health care system, its one-trick pony of a shrinking fossil energy economy, and its lamentable role as a spoiler rather than an agent of positive change at the UN, Russia’s standing in world affairs is diminishing.

Because changing Russia’s policy at the UN or investing in a more diverse and less corrupt economy and a more liberal, energetic society would put his authoritarian system at risk, the only pillar Putin is modernising is the military. As a consequence, a policy of conquest and aggressive “solutions” to border disputes creates showcases for Russian strength. By extending military “protection” to Russian-speaking minorities or even mere sympathisers abroad, Putin can portray himself as the strongman needed to keep the expansive and diverse Russian state together. Accordingly, with the support of state-controlled Russian media, the annexation of Crimea provided at least a short-term reprieve from domestic troubles and basically unified public opinion behind Putin’s nationalist leadership.

The third motivation pertains to the Crimean city Sevastopol and its harbour. Since the 18th century, it has been of key strategic importance for Russia’s Black Sea Fleet. Under the Yanukovych government Russian forces could use the harbour as an essential point of departure for operations in the Black Sea and, more importantly, the Mediterranean and its access routes to other regions. With the Syrian war endangering the continued use of the Mediterranean harbour of Tartus for the Russian navy, Sevastopol gained additional importance. The annexation of Crimea ensured Russian control over it.

The fourth motivation is the culmination of the previous ones: Russia’s desire to display strength and demonstrate that it is no mere “regional power” (Barack Obama) but of at least equal standing to the West. To Putin, who in 2005 described

the downfall of the Soviet Union as “the greatest geopolitical catastrophe of the century”, two closely interconnected goals are of premier importance: The survival of his own regime and the re-establishment of Russia as a global power with a distinct and far-ranging sphere of influence where it is the undisputed hegemon. In achieving this goal, it is essential for Putin to paint himself as an ideological alternative to the West, especially the US, and to prove that at least in certain geopolitical situations, his hard power cannot or will not be matched by the West.

At least in the short run, Putin did accomplish this goal with the ongoing aggression against Ukraine and the annexation of Crimea – just as he managed to halt or at least complicate the democratic revolution, to stir Russian nationalism and merge it with his rule, and to secure Sevastopol harbour. In the long run, however, these actions will backfire on Putin, mainly because of the consolidated reaction by the West to be discussed below.

This reaction was made possible by the understanding in the West that Russia’s aggression towards Ukraine was not an isolated, one-off event. It was seen as (so far) the high point – or rather low point – in a series of actions by Putin’s government going back at least to the war against Georgia in August 2008. Putin has increasingly defined his Russia in opposition to the West, politically, culturally, and geostrategically. It is no coincidence that the struggle for Ukraine’s future and integrity was sparked by the controversial association agreement between Ukraine and the EU. Ultimately, Europe is experiencing a conflict between liberty and authoritarianism. While the European Union had to learn that fact the hard way, Putin knew this all along – and as long as he and his government see liberal democracy, rule of law, and plurality as a threat to their system of power, this conflict will continue to vex the European security order.

## Mass Migration

The influx of migrants and refugees in the second half of 2015 was a stress test for the cohesion of the European Union and individual member states’ societies. More than one million people, mostly from Africa and the Middle East, sought asylum and a better future for themselves in the EU. Coming mainly across the Mediterranean Sea or the Balkans, often at the mercy of ruthless organised traffickers, they overwhelmed the border security and bureaucratic capacities of the EU countries of first entry such as Italy or Greece.

It is a complex problem with many nuances, especially in the interplay between EU member states, national and international law, and the moral and humanitarian challenges – not to mention the daunting task of integrating vast numbers of people of fundamentally different cultures and, often, minimal education. Focusing on the narrow perspective of the European security landscape, however, three aspects stand out.

First is the startling effect the migration crisis had on political discourse in European societies. For many citizens, especially in Western Europe – and in particular in well-to-do Germany – the wave of migrants was a stark reminder that they did not live on an island of bliss, far removed from the existential crises of other parts of the world. The migration crisis provided tangible and, at times, shocking proof of the interconnectedness of today’s globalised world. War and squalor on other continents can have a direct impact on the average European’s everyday life. This new and more realistic understanding of the fragility of the European order and the need for a more international mindset broadened and changed political discourse.

Second, this change in mindset strengthened the argument for a more engaged and pro-active foreign and security policy. Addressing the causes of mass migration suddenly seemed preferable to dealing with the effects of it on domestic soil. As a consequence, the political stability of Northern Africa and the Middle East became a key concern for European strategists and policy-makers. Development and economic policy became increasingly tied to issues of good governance. Ideas on how to limit the war in Syria gained currency. And new ways to cooperate with countries of origin in stemming migration and fighting organised crime and human trafficking were explored. Especially for the European Union’s foreign policy, stabilising its periphery in the Mediterranean became the most urgent concern.

Third, for European publics, the issue of mass migration was closely related to the fear of Islamist terrorism. In fact, such a connection is tenuous as most terrorist attacks in Europe since 2015 were not committed by refugees or migrants but by homegrown terrorists. Still, radicalisation of minorities in Europe and the long reach of the so-called Islamic State (ISIS) are a major security concern in France, Belgium, Germany, Spain, the United Kingdom, and many other EU countries. The sheer number of often undocumented young Muslim men gaining entry into these countries fostered unease among many Europeans.

Terrorism and migration became related in another sense as well. The horrors of terrorist attacks, like the one in Paris in November 2015, make abundantly clear that EU nations need to cooperate much closer in sharing intelligence, strengthening their external border security, and tracking possible attackers. Given the diverse legal systems and political cultures, this is difficult enough to accomplish. But the migration crisis makes it even more complicated as the political disagreement about how to handle the problem exacerbates differences between the member states.

The consequence is a paradox: The migration crisis increases pressure on EU member states to act in unified solidarity while it undermines that exact solidarity by accentuating individual national capabilities, attitudes, and interests. As a security concern, the migration crisis therefore reaches beyond the question of whether possibly dangerous people receive entry into the EU or whether the number of arrivals is an economic, cultural, and political strain on Europe. More than that, it

pertains to the most basic questions of European identity and the role of Europe in international affairs.

## Brexit

When the British people decided in a referendum on 23 June 2016 that the United Kingdom was to leave the EU, they dealt a severe blow to the project of European integration. There is no precedence for a member leaving the Union, and the intricate negotiations about how to disentangle the UK from the EU by March 2019 have since bound much energy on both sides. Britain's exit ("Brexit") was a stunning vote of no-confidence in an institution that many – such as the Nobel Peace Prize Committee in 2012 – credit with bringing lasting stability, freedom, and prosperity to a continent historically ravaged by competing nationalisms. Because it spreads doubt about the pacifying and stabilising effect of the European Union and its institutions, laws, and regulations, Brexit poses a challenge to the European security order.

In a larger sense, Brexit calls into question the stabilising effects of international institutions in general. This is particularly lamentable at a time when authoritarian regimes and religious fanatics are working hard to undermine the legitimacy and effectiveness of the liberal international order. This exercise of Britain's national, democratic prerogative therefore perversely threatens to strengthen all actors opposed to liberal democracy.

The United Kingdom is the strongest military power in the European Union and the state with the keenest sense of international responsibility, the broadest strategic horizon. A European Union without it will certainly be weaker – not only economically and politically, but also militarily and strategically. So when the EU will be needed perhaps more than ever as an anchor of stability and as a purveyor of an idea of a better future for many people on the continent and at its periphery, it will also be less able to fulfil that role than before.

Some European integrationists can find reason for optimism in the UK's decision to leave. They see a chance now to move forward with a truly integrated EU Common Security and Defence Policy (CSDP). With its strong preference for NATO and national sovereignty, the UK has indeed blocked several CSDP initiatives, such as the creation of a EU Operational Military Headquarters. Maybe with the UK veto gone, the EU will finally get serious and operational as a strategic actor in defence and security affairs. But maybe not; maybe the national caveats of other members will substitute for the UK veto, and maybe the British pragmatism and preference for output over structures will be painfully missed.

The European Union's recent CSDP initiatives will be discussed below, but what is clear already is that Brexit injected a tremendous dose of uncertainty into European affairs. In security terms, uncertainty and self-doubt are never good.

They drain energy and (political) capital, and they encourage opponents to probe for weakness. So no matter how the Brexit negotiations will develop, and no matter how convincing the protests of British leaders that they will remain deeply invested in European security through NATO are, the damage has already been done: The European Union's boat is leaking.

## Trump

The election of Donald Trump to the presidency of the United States of America in November 2016 was in many respects a watershed moment. Trump is the first US president with no prior experience in holding political office or serving in the military. He campaigned on the strength of his TV personality and personal wealth. His platform of "America First" rhetoric targeted immigrants and other minorities, blamed the moneyed and political elites for selling out the American Dream, railed against international trade agreements and international institutions, and pledged to restore American power by shunning at least some of her global responsibilities. In short, Trump's election amplified all the worries associated with Brexit – the fear that the West itself was losing faith in the liberal model.

The election of Donald Trump is of highest significance for the European security order. After all, Europe remains dependent on the United States for its security. Without the American security guarantee – enshrined in Article 5 of the NATO Treaty – European states would be incapable of withstanding the conquering force of a nuclear-armed great power such as Russia. The alliance with the US therefore protects European nations not only from attack but also from political blackmail and thus ensures the freedom of Europe's liberal societies.

Moreover, the NATO alliance makes the US a constant actor in the European balance of power. As a benevolent hegemon, the US alleviates the security dilemmas and power competitions between European nations that have spawned fears and wars for centuries. This holds especially true for the role of Germany as the strongest country in Europe that is yet not strong enough to control or stabilise the continent on its own. It is the US security guarantee that keeps the lid on the German Question.

Trump's "America First" agenda, however, calls this guarantee into question. In fact, he is the first president since the creation of the liberal international order after World War II who is not a reliable supporter of that order. Many of his remarks during the campaign, and even upon assuming office, display an instinctive opposition to the ideas and arrangements constituting this order. His decisions to break with the Paris Climate Accords and to drop out of the Trans-Pacific free-trade agreement (TPP) are cases in point.

Most unnerving, from a security perspective, were Trump's campaign musings about whether the US should keep its defence commitments to NATO allies who did



not invest sufficiently in their own military capabilities and his statement in March 2016 that NATO was “obsolete”. Coupled with Trump’s stated readiness to “strike a deal” with Russia’s Vladimir Putin, such comments created profound insecurity in Europe, especially among Central and Eastern European states who had joined NATO not so long ago to finally achieve safety from Russian expansionism. It took Trump several months into his presidency to declare NATO “no longer obsolete” and to unequivocally confirm his commitment to NATO’s Article 5, the mutual support clause.

Still, his seeming reluctance to do so and his blustering insistence on fair burden-sharing are diminishing whatever calming effects he might have wanted to achieve. So despite the fact that many of the Trump administration’s key officials – such as Secretary of Defence Mattis and the former National Security Adviser McMaster – are highly respected and implementing a NATO policy that is very much in continuity with the promises and commitments made by Trump’s predecessor, most NATO leaders and their publics remain deeply sceptical of US reliability under Trump. Given the president’s fickleness and irascibility as well as his view of international (security) relations as a zero-sum game of national competition unfettered by shared values or historical bonds, this is all too understandable.

This world view and, in consequence, Trump’s loose talk about the validity of the mutual defence treaty, have already undermined NATO’s most important asset: the credibility of its deterrence strategy. To keep potential foes from waging war against the alliance, allies must exude readiness and willingness to fight and win such a war. It will take significant work to repair the trust Trump’s rhetoric has damaged among allies and adversaries alike.

As with Brexit, this is a problem that is not confined to the European security order. Because US security guarantees are global in scope, US allies in other world regions, mainly in Asia, feel a similar pinch as Europeans do. What is at stake is America’s larger role as the caretaker of the liberal international order – and with it, that order itself.

## REACTIONS BY NATO

As the premier security organisation in Europe, NATO had to react to the changes in the European security order. By design and historical experience, the transatlantic alliance focuses on issues of defence against great-power adversaries. This is what it was built for, and this is what NATO is best at. Accordingly, NATO’s development since 2014 is mostly geared toward hedging against the renewed Russian assertiveness and aggression. There is a certain irony in the fact that Putin’s actions have provided NATO with a sense of purpose and unified energy that often seemed lacking during the alliance’s strategic struggles in the post-Cold War, post-9/11 age.

The major decisions for NATO's strategic adaptation were taken at the 2014 summit in Newport (Wales, UK) and the 2016 summit in Warsaw (Poland). In hindsight, both summits can be seen as a continuous arch, starting with reassurance of those Eastern NATO allies most unsettled by the war in Ukraine and then leading to an improved deterrence posture against possible Russian aggression.

First and foremost, allies put a renewed emphasis on collective defence. They recommitted to Article 5, stating that an attack against one would be treated as an attack against all. NATO's 2010 strategic concept identifies collective defence as one of three NATO core tasks, besides crisis management and cooperative security with partners outside the alliance. In the course of better relations with Russia and especially the NATO mission in Afghanistan, collective defence seemed to lose some of its standing as the first and most crucial among the three tasks. After 2014, that was corrected in rhetoric and policy.

The centrepiece of NATO's new policy was the Readiness Action Plan (RAP). Begun at the Wales summit, it is the most significant reinforcement of NATO's collective defence since the end of the Cold War. It includes the expansion of the NATO Response Force from 13,000 to around 40,000 personnel and the creation of the Very High Readiness Joint Task Force (VJTF) of around 20,000 personnel, of which about 5,000 are ground troops, to act as a "spearhead" for the Response Force. In addition, the alliance has established eight NATO Force Integration Units (NFIU) in Central and Eastern Europe – small headquarters to facilitate readiness and the rapid deployment of forces. They are accompanied by expanded headquarters for the Multinational Command Northeast in Szczecin, Poland and the Multinational Division Southeast in Bucharest, Romania.

Building on the implementation of the RAP, NATO decided on a rotational enhanced forward presence. One multinational battalion was stationed in each of the Baltic Republics (Estonia, Latvia, Lithuania) and Poland. Led, respectively, by the United Kingdom, Canada, Germany, and the United States, this trip wire is central to NATO's revamped deterrence posture.

Three aspects are particularly noteworthy about this reinforcement. First, it is a tangible reversal of US policy under the Obama administration. After years of reduced US military presence in Europe, the US is now recommitting with significant increases underwritten by broad congressional support for the so-called European Deterrence Initiative amounting to 3.4 billion USD by 2017. The Trump administration has continued that policy and even proposed an additional funding of 1.4 billion USD. NATO therefore displays not only its effectiveness and vitality when needed as a defence organisation, it also serves its purpose as a strong political link between transatlantic partners in trying times.

Second, such a revitalisation of the NATO defence and deterrence posture requires proper capabilities and resources. After years of shrinking defence

expenditures in many European countries, allies therefore agreed in Wales to the defence investment pledge. It calls for halting further decline and requires all NATO member states to aim for spending at least 2% of their GDP on defence by 2024. In addition, at least 20% of each member state's defence spending should be invested in procuring or researching and developing military capabilities.

In 2016, only five NATO members met the 2% guideline (US, Greece, Estonia, UK, Poland); ten met the 20% guideline (Lithuania, Luxembourg, Poland, Norway, US, France, UK, Turkey, Romania, Italy). Some countries that fail to meet the guideline, such as Germany, have increased their defence budgets but maintain that the arbitrary guideline does not appropriately reflect actual output and responsibilities within NATO. Spending and fair burden-sharing therefore remain politically contentious issues, both in intra-alliance relations and domestic politics.

Third, it is important to note that all these measures are in line with the provisions of the 1997 NATO-Russia Founding Act. Although Russia has violated this act by breaking the territorial integrity of Ukraine, NATO allies have continued to stick by it as a sign of their willingness to return to less hostile relations with Russia. In the same spirit, the NATO-Russia Council has not been abandoned and has met five times since 2016. NATO remains open to dialogue with Russia, but a precondition for meaningful partnership is that Russia fulfils its legal obligation and end the occupation of Crimea and stops fomenting hostilities along and across the Ukrainian border.

NATO has adapted successfully and responsibly to a changed security situation at its Eastern border. While items on the alliance's to-do list remain, i.e., adjusting its nuclear posture and strategy to Russia's nuclear modernisation, investing in the substance and the logistics of the follow-on forces that join the forward presence in case of attack, and updating the 2010 Strategic Concept, overall the Eastern flank is secure.

And yet, the Eastern flank is not all there is; NATO cannot and will not return to the strategy of the Cold War. International terrorism, instability in the Middle East and Northern Africa, as well as crisis management on a global scale also remain high on NATO's agenda – and in addressing these challenges, the alliance also contributes to countering the tendencies of dissolution and nationalistic populism in the West.

One could give a long list of bullet points demonstrating NATO activities on these issues since 2014. It would range from naval support in the Mediterranean to secure European borders to joining the global coalition to fight ISIS to accepting Montenegro as NATO's 29th member and thereby continuing the alliance's proud tradition of stabilising Europe through enlargement. However, these activities cannot obscure the fact that NATO is never as sure of itself and its effectiveness as when dealing with great-power antagonists. Fighting terrorism, supporting fragile

governments, building defence capacities, providing a forum for political and strategic debate – all of this NATO can do and is doing. But by design and the intent of its members, its contribution to, say, stabilising Northern Africa must necessarily remain small.

That is why NATO's cooperation with other institutions, especially the European Union, is of such crucial importance. At the Warsaw Summit 2016, both institutions issued a joint declaration outlining specific areas of more strategic partnership. As the first progress report in June 2017 concluded, this intention has been backed up by substantial improvements. This is the right way to go as both organisations will have to complement each other in order to master the challenges brought on by the changing European security situation.

## REACTIONS BY THE EU

The European Union is not Europe's key institution on security, and certainly not on defence. But it is the continent's key political and economic institution, and as such it was deeply affected by all four of the shifts in the European security landscape described here. To its credit, the EU reacted to all of them and did so by employing the vast spectrum of its political tools. For the purposes of this essay, the focus will be on the most important measures pertaining to security policy in a narrow sense of the term.

Most important was the European Union's reaction to the Russian breach of the European security order. Starting immediately after the annexation of Crimea, the EU implemented a series of sanctions against Russia. They range from travel bans and asset freezes against leading perpetrators to targeted sanctions against Russian banks, energy companies, and defence contractors. Most of the far-reaching sanctions are in direct relation to the Minsk II agreement of February 2015, when Ukraine, Russia, France, and Germany agreed to a package designed to alleviate the war in Ukraine. As Russia has not yet complied with all of the provisions – such as respecting the integrity of Ukraine's border and supporting the ceasefire – the sanctions remain in place.

While it was not the EU negotiating the Minsk agreement, it is still significant that it mustered the unity and conviction to follow through with the sanctions, which are unpopular in quite a few European states and business sectors. What is more, the EU came to recognise its geopolitical responsibility over the Ukraine war. Some leaders in Brussels and national capitals had clung to the notion that the EU was nothing but a friendly club of political and economic progress. While that is not quite wrong, it is also not quite right: As the Ukraine situation has clarified, the EU is a major player in the geostrategic struggle between democratic and authoritarian systems. Russia and the non-EU countries in Europe's East have always understood

this; after 2014, it was abundantly clear to the EU as well. Accordingly, the EU has re-emphasised its support of democratic reforms and liberal rule of law in Ukraine and elsewhere.

The understanding of its geopolitical role triggered several beneficial developments. Most significantly, the EU agreed on a new Global Strategy on Foreign and Security Policy. The first such document since 2003, it is a thoughtful reflection on the EU's role in the world and serves as a starting point for the implementation of further, more specific reforms. One example is a renewed push for closer NATO-EU cooperation, especially in areas such as fighting hybrid threats and threats in and from cyberspace.

A key EU strategy in countering such threats is strengthening resilience, meaning its ability to absorb shocks and even learn from them and come out stronger after a crisis. This increase of European resilience might in fact be seen as the EU's greatest contribution to security as it affects such a broad range of policy areas. EU initiatives on asylum and refugee policy, financial and economic stability, as well as terrorism prevention through intelligence sharing and establishing a data system on EU entry and exit all amount to a stronger institution benefiting its member states' security.

Last but not least, the EU has also revitalised its dormant Common Security and Defence Policy (CSDP). In response to external threats and the prospective withdrawal of the United Kingdom, the EU initiated a few reforms to increase its capacity to act, especially in military crisis management. For example, the EU established a Military Planning and Conduct Capability (MPCC). While not quite the Operational Military Headquarters blocked by the UK in the past, the MPCC is an important step towards an EU military command.

Another significant reform on CSDP is the European Commission's creation of a European Defence Fund, providing up to 5.5 billion Euros annually for common defence research and procurement. This will help remedy problems of efficiency and duplication; it is also the first time that the EU Commission – the EU body with the power of the purse – has engaged in defence policy.

Finally, the EU is also activating Permanent Structured Cooperation (PESCO), a provision from the 2009 Lisbon Treaty, allowing individual member states to move ahead as an *avant-garde* on CSDP, as long as their projects remain open for other member states to join later. On 6 March 2018, EU ministers of defence adopted 17 initial projects for PESCO and laid out plans for further implementation. The projects range from common training and exercises to bridging operational gaps. Although tangible results have not yet been produced, this promises a new dynamism in force generation and crisis management cooperation.

All these structural reforms are designed to enable the EU to deal more effectively with the challenges at its Eastern and Southern borders and to become

a more attractive partner for other security institutions, especially NATO. In step with its political and economic efforts to stabilise the states in Northern Africa and the Middle East, these measures should all tangibly demonstrate the effectiveness and benefits of the EU and its institutions to the individual citizen. Thereby, as a side-effect, the EU should (re-)gain much-needed legitimacy in the fight against the corrosive effects of populist nationalism as well.

In sum, both NATO and the EU have proven themselves to be up to the task of adapting to a changed European security landscape. Adaptation, however, is a continuous process, as risks and threats will further evolve and challenge freedom and prosperity on the European continent. By keeping the threats in check, both NATO and the EU will also in future contribute to stability in Europe and beyond.

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# The European Security Order At Risk

*Gustav C. Gressel*

When the former Conference for Security and Cooperation in Europe was expanded to become the Organisation for Security and Cooperation in Europe (OSCE) by the Paris Charter, some in Europe hoped – or dreamed – that the new organisation would bridge the gaps between the former camps of the Cold War: the Western (European) nations on the one side, and the Soviet Union (USSR) and the former Communist countries on the other side. Since then a lot has been written about whose fault it was that this dream never became reality. The truth is that the OSCE is unlikely to become a framework for a common European security architecture, as the consensus on how to interpret the new order fell apart over the disintegration of Yugoslavia in 1991, possibly never to be reached again. Since then, Europe is divided into a functioning economic and security system provided by the European Union (EU) and the North Atlantic Treaty Organisation (NATO) and the more or less dysfunctional and impractical hegemonic projects designed in Moscow.

It is important to stress that these differences emerged before the big international crises over Ukraine (2014), Georgia (2008), and Kosovo (1999) brought them to the surface. They are not just the making of the Putin regime and its attempts to improve its legitimacy by spinning reality in ethno-chauvinist and militarist terms (although it was of great use in stabilising the regime). The Russian interpretation of the Paris Charter is supported by large segments of the Soviet elite (which became the post-Soviet Russian elites) and the Russian Orthodox Church (the only new societal faction that rose to elite status after 1991). Hence these differences will most likely outlive Putin, and persist until the Russian elites are fundamentally renewed. Only revolutionary change, a traumatic defeat, or another failure may force them to adopt fundamentally different intellectual and ideological patterns in the future. But this is almost impossible to predict. Rather than elaborate on the legal provisions of the Paris Charter, I will try to highlight the most fundamental contradictions between the Russian and Western views on that Charter and elaborate why they are irreconcilable.

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## WHAT THE CHARTER OF PARIS WAS ABOUT

To Western European statesmen signing the Charter of Paris on 21 November 1990, the signature not only meant the end of the Cold War, but the ideological victory of democracy, market economy, and open society. The latter was crucial. The Cold War could only end if the “evil empire” became less evil, and ultimately “one of us”. Only a successful democratic transition could render the bloc confrontation meaningless; however, this transition needed to be accomplished first. To facilitate and assist in this transition, the Office for Democratic Institutions and Human Rights (ODHIR) in Warsaw was founded amongst other sub-organisations under the umbrella of the OSCE. As the West believed that the transformation into democracies, market economies, and open societies were in the genuine interest of all states in Europe (including Russia), the predominant importance of human rights and their priority over the state’s sovereignty was seen as a logical consequence. States – particularly transformative states – were regarded as imperfect. Legitimacy was not the result of statehood, but the result of voluntary subjection of the state’s citizens. While legitimacy was understood as a bottom-up process, the prime aim of the OSCE as an organisation was to help the transitional states meet their citizens’ expectations.

To the West, the end of the bloc confrontation would also make competition between different security and trade organisations meaningless. No Western government called for disbanding the Warsaw Pact or the Council of Mutual Economic Assistance. Both organisations were disbanded at the behest of their member states in February and June of the same year, not due to Western interference. In the logic of democratic transition, maintaining them would add little value, so the West thought this would be a natural process. As the Soviet Union had subscribed to the right of each sovereign state to freely choose its alliance (both in the Helsinki Charter 1975 and the declaration of the 22 in 1990), the logic commanded that those states demanding that the Warsaw pact be disbanded had the right to choose another alliance if the need and wish arose. Hence the West never saw any contradiction between the Paris Charter and the enlargement of the EU (then the European Economic Community) and NATO. However, it did not actively promote it – rather, it passively hedged against it. Both organisations’ “enlargement policies” actually included a bundle of criteria any tentative member would have to fulfil before accession. Most established European Economic Community (EEC) and NATO members then feared that new members with unfinished or failed transition processes could overburden these institutions or insert their own territorial and domestic disputes into these organisations, as Greece and Turkey had done before.

Except for the few reform-minded people around Mikhail Gorbachev and Boris Yeltsin, Soviet cadres saw a very different purpose in the exercise. The bulk of the Soviet cadres – and especially the Komitet Gosudarstvennoy Bezopasnosti (KGB)

– paid little attention to the human rights- and democracy-promoting clauses already signed in the Helsinki Charter.<sup>1</sup> This rests on a long Soviet tradition. From its very foundation the Soviet Union had anchored very progressive human and labour rights in its legal system, which were all ignored and violated by the real existing (*real existierenden*) Socialism and governmental practices.<sup>2</sup> The Soviet Union signed the Helsinki Charter knowing that it would never allow human rights to be fulfilled or the Warsaw Pact’s members to freely choose their alliance (the question was academic anyway as a “people’s republic” would never raise the idea of leaving the bloc). In the Soviet Union, where almost all governmental communication was an outright lie and cynical obstruction of the truth,<sup>3</sup> the true normative power rested with informal understandings and back-door agreements among the power elites. Hence, for them, most of the Paris Charter was an intentional lie, something to pay lip-service to in order to extract other concessions from the West.<sup>4</sup> There never was much hesitation to break outright the very same rules and norms one had signed before. And more than that, most cadres in Moscow thought the West would act in the same way and that breaking norms was the true right of sovereign great powers – as opposed to meaningless small states which had to stick to rules.

So then what were the Soviet objectives that were carried over into the new Russia? If for Moscow the Paris declaration was only a tactical manoeuvre, what was the real purpose? For the reformists, getting on good terms with the West to support Russia’s own modernisation was one goal. But the liberal-minded reformists never fully claimed power in Russia and always had to settle for coexistence with the power elites inherited from the Soviet Union – particularly the Silovniki.

But even orthodox Soviets must have admitted that Russia was in trouble and could hardly sustain its hegemonic position in Eastern Europe. It could not afford to intervene in Poland in parallel with the war in Afghanistan. The Soviet Union in 1990 neither had the hard power to coerce its satellite states to remain obedient and to repress the independence movements on the rim of the USSR nor the soft power to act as a centre of attraction to them. Russia needed a break, time to reform,

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<sup>1</sup> Christopher Andrew and Vasili Mitrokin, *The KGB in Europe and the West: The Mitrokhin Archive*, Penguin Books, Middlesex, 2000, pp. 400-438.

<sup>2</sup> See: Mark B. Smith, “Social Rights in the Soviet Dictatorship: The Constitutional Right to Welfare from Stalin to Brezhnev”, *Humanity*, Winter 2012, pp. 385-406.

<sup>3</sup> Klaus von Beyme, *Die Sowjetunion in der Weltpolitik*, Piper & Co, München, Zürich, 1983, pp. 19-22; Vladimir Gelman, *Authoritarian Russia, Analyzing Post-Soviet Regime Changes*, University of Pittsburgh Press, 2015, p. 145ff.

<sup>4</sup> The best example for the transactional and highly selective Russian reading of the Paris Charter and the purpose of the OSCE is Sergei Karaganov’s speech at the Friedrich Ebert Stiftung’s Moscow conference on 20 May 1999. Transcribed in: *Das Europäische Modell an der Schwelle zum 21. Jahrhundert*, Internationale Konferenz, 19. Bis 20. Mai 1999, in: Erich Reiter (Ed.), *Sicherheitspolitik in der GUS und im Baltikum*, Ausgewählte aktuelle Aspekte, Studien und Berichte zur Sicherheitspolitik, 1/2001, Wien, pp. 27-32.

regroup, and regain strength, and would accept any framework that would contain the West by diplomatic means until Russia was strong enough to be a centre on its own again.

The idea of a pan-European security order was not new to Soviet foreign policy. Initial plans date back to the 1950s, where similar formulas were proposed by Stalin and Molotov to prevent the rearmament of Germany and to Finlandise the country.<sup>5</sup> The aim was to ensure a Russian veto regarding any move the West makes in Europe regarding security, while the Soviet/Russian moves would be prepared through “hybrid” campaigns followed by fast pre-emptive action to create a *fait accompli* on the ground – like the Soviet Union did in 1939 in the Baltic states and Finland and then from 1945 to 1948 in Eastern Europe. While in 1990 the Soviet Union was in a weak position to act offensively, the new Charter would give it an instrument to slow down or prevent the West from using this moment of Russian weakness to its own advantage.

Hence Russia never accepted the primacy of human rights over sovereignty. While Moscow recognised the need to reform and de-regulate, it thought it had a right to modernise and democratise “with Russian characteristics”, and that the rights of the sovereign (i.e., the holders of power) would always trump individual freedoms.<sup>6</sup> Hence it would interpret the norms it had signed in a way that would suit the regime in whatever way (the principle stayed the same under Yeltsin and Putin; however, the discrepancies from the Western model became more apparent under the latter).<sup>7</sup>

While the West thought the bloc confrontation had ended on its own terms (liberal victory), most Soviet cadres thought the USSR had achieved a draw. While the factual independence of the Eastern European satellites could not be prevented, Moscow thought that the principle of “indivisible security” gave great powers a privileged right to derogate the will of smaller countries to join other alliances.

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<sup>5</sup> Molotov presented his idea of a neutral Germany embedded in a pan-European collective security organisation at the foreign ministers’ conference in Berlin, 1954. The proposal was rejected by the Federal Republic of Germany and the Western powers. The Soviet Union was serious about the reunification of Germany, but the West – especially West Germany – would not want to live with a finlandised Germany under Soviet influence as well as a collective security order that would strip the continent of the security provided by NATO in exchange for vague guarantees by the Soviet Union – guarantees for independence the USSR had already broken with regard to other Eastern European states after 1945. See: Hermann Josef Rupieper, “Die Berliner Außenministerkonferenz von 1954, Ein Höhepunkt der Ost-West Propaganda oder die letzte Möglichkeit der Schaffung der deutschen Einheit?” *Vierteljahreshefte für Zeitgeschichte*, Jahrgang 34, Heft 3, 1986, pp. 427-456.

<sup>6</sup> Zbigniew Brzezinski and Samuel P. Huntington, *Political Power: USA/USSR*, The Viking Press, New York, 1965, p. 45ff and pp. 104-121.

<sup>7</sup> Edward Lucas, *The New Cold War: Putin’s Russia and the threat to the West*, Palgrave, Macmillan, 2009, pp. 57-86; Gelmann, *Authoritarian Russia*, p. 71ff.

Indeed numerous generations of Russian diplomats claimed the West would violate this principle. However they never put Russia's own actions to debate. Russia also did not act only in "retaliation" or "reaction" against the West. Wherever feasible, Russia used and orchestrated inner societal or ethnic fissions to maintain an active operative foothold in countries at its periphery. It did so in the Nagorno-Karabakh War (1988 to 1992), in Georgia (Ossetian war 1991-1992 and Abkhazian war 1993-1994), and in Moldova (Transnistria War in 1992), disregarding the principle of indivisible security, non-interference, and the primacy of an OSCE settlement over unilateral action. However, as mentioned above, the Paris Charter was a placeholder, never to be taken too seriously. Wherever possible, Russia set fait accomplis the West would not dare to overturn. Even if the West had been more forthcoming towards Soviet or Russian interests and, especially, had refrained from accepting new members into NATO, Russia might still have resorted to similar wars in the Baltic countries, Poland, and others as soon as Russia felt strong enough to exploit them. Since the West did accept new members, such wars occurred only in countries outside of the alliance, particularly Ukraine.

## WHO IS A PEOPLE?

The Paris Charter gives particular emphasis to the "people" in several instances. Sovereignty rests with the people; self-determination is a right of the people. Hence to determine who or what is a people is central when interpreting and applying the Paris Charter. In this matter, the most fundamental difference between the West and Russia came to the surface soon thereafter, which wrecked the Paris Charter and the OSCE as a whole. However it is worth noticing that there was no consolidated or generally accepted concept of what constitutes a people in the West in 1990. Rather, there were different concepts, several of which proved impractical during the wars of the dissolution of Yugoslavia (1991-1999) and were abandoned. This overview is a crude simplification; however, it illustrates the perception gap between Russia and the West.

Of all the Western concepts, the German concept was the most "liberal". German scholars defined "people" according to the Yiddish verdict "a language is a dialect with an army". Once a group of people developed not only a common "we-feeling" and national cohesion, but started to act as an independent social entity, capable of providing public services (including security) and taking the issue of their collective rights into their own hands, they constituted a people in the sense of the Paris Charter. Once the social mobilisation of that people had reached the point when they could rise in arms against their current state, independence was more or less inevitable. One may try to settle with extended autonomy, or moderate the transition towards independence (negotiating minorities' rights, transition government,

monitoring, etc.), but forcing them back under a rule they reject by arms is a fruitless endeavour. Of course this needs to be taken with a grain of “*realpolitik*”, not to atomise the international system from the outset. But it explains Berlin’s reactions to the many crises following the end of the Cold War. In Yugoslavia (also in Ethiopia-Eritrea and others), the recognition of Slovenia and Croatia was seen as accepting reality. Rather than try to prevent the dissolution of Yugoslavia (which was seen as inevitable), the international community should facilitate an orderly and peaceful disengagement and post-conflict reconciliation to ensure peaceful coexistence and cooperation of the different states after their formal independence.

The German doctrine would work in Russia’s favour at times. For example the West never endorsed Azerbaijan’s claims of Nagorno-Karabakh returning to Azerbaijan under Baku’s conditions. However, one precondition for the acceptance of secessionist movements is that they emerge on their own, or at least would have emerged even if help from outside was withdrawn. This was the case in Nagorno-Karabakh, Slovenia, Croatia, and Kosovo. But not in the case of Crimea or the Donbas.

But the German opinion was not shared by many Western states in 1990. With most states, the “French” doctrine that a people is the sum of citizens of a state prevailed. Sovereignty rests with the people, but that means with all citizens of a particular state. They can decide by majority to dissolve – like Czechoslovakia splitting in 1993 – but there is no right to secede from a state without the consensus of this state’s majority. Individual human rights and freedoms to be guaranteed by the state should prevent ethnic conflicts from turning violent. However, in general, the doctrine rather emphasises individual rather than collective human rights; hence, it is rather sceptical towards separatism. This doctrine explains the reaction of most Western states to the break-up of Yugoslavia – which they thought to prevent. France, the United Kingdom, Italy, Spain, the Netherlands, Belgium, and, initially, the United States (US) rejected recognising Slovenia and Croatia (declaring independence in 1991); instead, they tried to preserve Yugoslavia by offering it European Economic Community (EEC) membership on privileged terms. Well into the mid-1990s, sizeable parts of the French and British policy establishment still regarded the dissolution of Yugoslavia as a mistake. Yet, the doctrine proved impracticable. Slovenia and Croatia would under no circumstances go back under Serbian rule and had the means to defend independence. After Belgrade violated numerous United Nations (UN) resolutions, committed atrocities in Eastern Slavonia and Bosnia, took UN peacekeepers as hostages, and all but neglected the Vance-Owen and Owen-Stoltenberg plan for Bosnia, Washington tilted towards the German line and that basically decided the first round of secession wars in 1994/95. However, reluctance still dominated the negotiations in the Rambouillet and later

the Ahtisaari plan for Kosovo: independence should be prevented through an utmost autonomy for Kosovo, but preserving Serbia's territorial integrity.

When the Ahtisaari plan was brought to the UN Security Council, Russia issued a veto, but submitted no other alternative proposal or plan that would reconcile the two camps. The Russian veto was then exploited by Prishtina to declare independence – a fact that most European states accepted as unavoidable (German doctrine). But the Russian move was more telling about the Russian doctrine. Why did Moscow oppose the Ahtisaari plan? Why was Moscow ever inconsistent about separatism, supporting it in Georgia, Moldova, and Azerbaijan, but forcefully battling it in Yugoslavia?

The Russian doctrine on what is a sovereign “people” combines French etatism with the Soviet doctrine of limited sovereignty, according to which some states and peoples are truly sovereign, while others are not.<sup>8</sup> By the virtue of history, culture, and power, some people are true subjects in international relations (master-people), forging the fate of their nation by themselves, while others (servant-people) are required to subordinate their own collective rights to the interests and preferences of the master-people. The ideological affinity of Russia's political elites towards Fascism greatly facilitated the acceptance of this paradigm in wider elite circles, including large parts of the contemporary “opposition”.<sup>9</sup> In Yugoslavia the Serbs by virtue of their history and orthodox brotherhood were entitled to have a colonial empire, regardless of how they behaved or what means were necessary to maintain it. It was irrelevant what the Croats, Slovenes or Bosniaks thought of being part of that empire. The same paradigm explains Russia's actions against Ukraine and Georgia.

This pattern also explains why Russia throughout the decades was obsessed with preserving a “sphere of influence” or lambasting “NATO expansion”. In the Russian viewpoint, the will of the Baltic countries, Poland, and others was simply irrelevant. They ought to respect Russia's interest of being surrounded by dependent minions. Their admission into NATO was seen as “America's violation of Russia's interests” as if those states had no will at all. Unsurprisingly both sides never agreed on a coherent narrative.

In every crisis – for instance, Russia's invasion in the Donbas – or diplomatic overture – like the Meseberg memorandum – Russia tried to reach out diplomatically to Washington (or other strong European states) to find a common ground to

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<sup>8</sup> See: Martin Malek, “Integration in der GUS und die Politik Russlands”, in: Martin Malek (ed.), *Integration in der GUS*, Schriftenreihe der Landesverteidigungsakademie, 3/2010, p. 33ff.

<sup>9</sup> Vladislav Inozemtsev, “Putin's Russia: A Moderate Fascist State”, *American Interest*, 23 January 2017, available at: <https://www.the-american-interest.com/2017/01/23/putins-russia-a-moderate-fascist-state/>; Anton Barbashin and Hannah Thoburn, “Putin's Brain, Alexander Dugin and the Philosophy Behind Putin's Invasion of Crimea”, *Foreign Affairs*, 31 March 2014, available at: <https://www.foreignaffairs.com/articles/russia-fsu/2014-03-31/putins-brain>.

“solve” the crisis, as if the affected states were non-existent. This reflects Moscow’s standard way of solving a crisis: identify the master-state of your regional opponent and negotiate with him on how to arrange a settlement between the servant states. All these efforts were in vain; first, because the West does not subscribe to the Russian concept of limited sovereignty and does not impose solutions without consulting the affected states. (Despite the victimhood narrative circulated in Belgrade, this was also true for Serbia; however, attempts proved futile.) Second, because the West does not possess puppet forces like the Donetsk People’s Republic (Донецкая Народная Республика – DNR) and Lugansk People’s Republic (Луганская Народная Республика – LNR) in any of the conflicts involved. Everyone who follows decision-making in NATO or the EU knows that it is by no means a game of orders and obeys.

While both the French and the German doctrines have their faults and in practice it is much more difficult to settle on who is to be regarded as sovereign in legal terms than on paper, the Russian interpretation of the European order is outright unacceptable to everyone but Russia. Moreover, Russia’s cynical adoption of the rhetoric of the German doctrine by creating uprisings and incidents through covert agents and special forces, to be exploited to legitimise an invasion before any settlement process starts, has destroyed any trust and predictability in the current system.

## SACRED BORDERS?

The annexation of Crimea in 2014 came as a shock to the Europeans. Although state borders were declared sacrosanct with the Helsinki declaration in 1975, Europe’s borders have changed since, and in Eastern and Southeastern Europe they have changed quite dramatically. It was more the way how Russia changed the borders of Ukraine than the fact that they changed that shocked Europe.

The question of whether borders may be changed is strongly related to the issue described above. Who or what is a people, and under what circumstances would national self-determination overrule sovereignty? The problems of borders and people became pressing after 1918, when the victorious powers of the Entente imposed the French concept of the monolingual nation-state on Central and Eastern Europe. The problem was that east of the Rhine there were no mono-ethnic territories, and language was not in all instances the defining factor for social identity. The dissolution of the German, Austro-Hungarian, and Ottoman empires did not liberate people from cultural oppression, but rather created many successor states in which a respective majority repressed one or more minorities: Ukrainians were suppressed both in Poland and Soviet Russia, the Germans in Czechoslovakia or Italy, the Hungarians in Romania, everyone but Serbs in Yugoslavia, and so forth. Hence, instead of peace the region witnessed an unprecedented flaring up of civil

wars and ethnic riots.<sup>10</sup> The first solution to the problem seemed to be ethnic cleansing: first practised between Greece and Turkey, then applied on a monstrous scale by Germany in Czechoslovakia, Poland, Yugoslavia, and the Soviet Union (today predominantly the territories Belarus and Ukraine). After the defeat of the Axis powers, the expulsion of German and Italian minorities from the new found Soviet Satellites and Yugoslavia was part of the new order in Eastern Europe. The human toll of adjusting people to borders was enormous – especially if the borders were moved by imperial conquest first.

For the West, the events of the Second World War were a never-to-be-repeated exercise. To preclude a repetition, human rights bills and the banning of crimes against humanity should ensure that states behave properly and that citizens can exercise their individual and collective rights without having to secede to form their own state or try for an *Anschluss* to another. Still the West was not perfect at this, as finding sustainable solutions for separatist conflicts took decades (Südtirol, Catalonia, the Basque countries, Corsica, Northern Ireland). Still they came about without war and ethnic cleansing.

When the communist order collapsed in 1989, numerous minority-majority tensions existed in various states. The fear that these tensions would turn violent (especially if transformation failed) explains the attention the Paris Charter pays to human rights and minority issues. Unfortunately, in the Western Balkans and the Southern Caucasus minority issues did turn violent. The reaction of Russia and the West to these contingencies is telling about their very different views on the matter of changing borders.

In the initial phase of the war in Yugoslavia,<sup>11</sup> the West attempted to prevent the disintegration of the country by pressing Belgrade to agree on serious reforms and by offering it membership to the European Economic Community (which became the EU after 1992). With the backing of Moscow, Milošević declined all compromises proposed by both European diplomats and representatives of other Yugoslav republics still willing to remain in Yugoslavia (by then Bosnia and Macedonia) and sent the army. Only after all diplomatic efforts had failed did Washington and the Europeans pave the way for the recognition of the independence of Slovenia, Croatia, and Bosnia. But the West still tried to be as predictable as possible and

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<sup>10</sup> See: Robert Gerwarth, *The Vanquished: Why the First World War Failed to End, 1917-1923*, Penguin, New York, 2017.

<sup>11</sup> See for the initial phase of the war and the EEC/EU reaction: Erich Rathfelder, “Der Krieg an seinen Schauplätzen”, in: Dunja Melčić (ed.), *Der Jugoslawienkrieg, Handbuch zu Vorgeschichte, Verlauf und Konsequenzen*, 2. Aktualisierte und erweiterte Auflage, VS Verlag für Sozialwissenschaften, Wiesbaden, 2007, pp. 334-361; Jaques Rupnik, “Die Welt im Balkanspiegel: das Agieren der Großmächte”, in: Dunja Melčić (ed.), *Der Jugoslawienkrieg, Handbuch zu Vorgeschichte, Verlauf und Konsequenzen*, 2. Aktualisierte und erweiterte Auflage, VS Verlag für Sozialwissenschaften, Wiesbaden, 2007, pp. 461-474.



worked out criteria under which one may recognise both former Yugoslav and former Soviet republics. Furthermore, the West insisted that the new states respected their minorities, and rejected any adjustments of the borders to ethnic situations on the ground – so as not to provide a pretext to cleanse areas under the control of one party. The West put pressure on Croatia to reintegrate the Serbian minority in the Krainia and Eastern Slavonia, despite the atrocities that were committed by them. Multi-ethnic coexistence remained a principle of all subsequent peace plans for the Balkans. At times this produced very clumsy agreements like the Dayton agreement in Bosnia and the Ohrid agreement for Macedonia. Both Bosnia and Macedonia are almost failed states by design, hardly capable of policing their realms. These ill-designed agreements are witnesses to the fact that the West only reluctantly accepts *realpolitik* when borders are to change.

Contrary to the Russian claim, Kosovo serves as a perfect example of the West's reluctance to change borders. When the fighting flared up in Kosovo in 1998, the West had already grown wary of Milošević violating numerous UN resolutions and recklessly backing ethnic cleansing and crimes against humanity. Nevertheless, the first negotiating attempts thought to achieve a compromise that preserved Serbia's territorial integrity. Despite Serbian-Russian propaganda claims about being tricked by NATO, the negotiations effectively failed because both parties on the ground would not agree to compromise. If Serbia had accepted the Rambouillet agreement, it would have had the right to deploy a limited number of army and police forces to patrol its then internationally recognised border with Albania. Still, Serbia declined. Even then Kosovo's independence was not a given fact, and negotiations to achieve a solution that would allow Kosovan self-governance while preserving Serbia's territorial integrity went on in multiple rounds of negotiations, culminating in Russia's veto against the Ahtisaari plan in 2007. But even until now, the West and particularly NATO have ensured that the Serbian minority in Kosovo and Orthodox cultural sites are secured. While the West's attempt to ensure multi-ethnic coexistence in places like Kosovo might be rather a reflection of normative demands than the realities on the ground, it illustrates the West's reluctance to change borders in the name of ethnic conflict.

When negotiating the Helsinki Charter, the Soviet Union had more pragmatic reasons for insisting on the inviolability of boundaries. The US had not formally recognised the Soviet gains under the Molotov-Ribbentrop accord (1939) and West Germany then had not formally assigned the claim to East Prussia, Pomerania and Silesia – although the Federal Republic of Germany (FRG) did nothing to regain these territories. Hence, when insisting on the inviolability of boundaries, the Soviet Union primarily thought of securing its own borders. Back then, Moscow was quite satisfied both with its imperial borders as well as its sphere of dominions. Critical reflections of Stalin's foreign policy, the Molotov-Ribbentrop pact

and its consequences for Europe, as well as the ethnic “redistribution” following the changes of borders in Central-Eastern Europe (CEE) were restricted to liberal circles under Yeltsin’s reign. They were never absorbed by Russian diplomacy or wider circles of the power elites<sup>12</sup>. Putin quickly ordered patriotic education and a broader revision of historical education to prevent any future critical evaluation of this period of Soviet history.<sup>13</sup>

When ethnic tensions erupted in the Russian neighbourhood due to the collapse of the Soviet Union, Russia also perceived these conflicts under aspects of *realpolitik* first. Russian security personnel were a key force in escalating wars in the post-Soviet space or tilting the balance to a draw.<sup>14</sup> The only exception was the Nagorno-Karabakh conflict, which would have flared up and been won by Armenia even without Russian interference.<sup>15</sup> Ethnic tensions in Georgia (Abkhazia and South Ossetia) probably would have erupted without Russian help (as social mobilisation and nationalism had significantly increased during the last years of the Soviet Union), but it remains unclear whether they would have taken such a violent turn.<sup>16</sup> In Moldova social mobilisation for war was low in 1992 and the conflict would most likely not have turned violent without Russia’s interference.<sup>17</sup> As peaceful coexistence never was an objective in Russian foreign policy, ethnic cleansing was the result of all these conflicts but Transnistria. While in Georgia and Nagorno-Karabakh ethnic cleansing was practised by all sides, Russian security personnel did nothing to stop or mitigate the atrocities. In the 2008 Russian-Georgian war,

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<sup>12</sup> See: Anna Sanina, *Patriotic Education in Contemporary Russia, Sociological Studies in the Making of the Post-Soviet Citizen*, Ibidem Press, Columbia, 2017; “Putin’s Distorted history”, *The Moscow Times*, 18 November 2014, available at: <https://themoscowtimes.com/articles/putins-distorted-history-29683>.

<sup>13</sup> “Rewriting Russia’s History With ‘Iron Felix’”, *The Moscow Times*, 29 June 2015, available at: <https://themoscowtimes.com/articles/rewriting-russias-history-with-iron-felix-47754>.

<sup>14</sup> Thomas Goltz, “Letter from Eurasia: The Hidden Russian Hand”, *Foreign Policy*, No. 92, Autumn, 1993, pp. 92-116; The most comprehensive summary: Fiona Hill and Pamela Jewett, “‘BACK IN THE USSR’: Russia’s Intervention in the Internal Affairs Of the Former Soviet Republics and the Implications for United States Policy Toward Russia”, January 1994, available at: <https://www.brookings.edu/wp-content/uploads/2016/06/Back-in-the-USSR-1994.pdf>.

<sup>15</sup> See for the war: Erich Reiter (ed.), *Der Krieg um Bergkarabach, Krisen- und Konfliktmanagement in der Kaukasusregion*, Schriftenreihe zur Internationalen Politik, Band 2, Böhlau, Wien, Köln, Weimar, 2009.

<sup>16</sup> See for the history of the first Abchasian and South-Ossetian war: Jürgen Schmidt, “Konfliktursachen, Abchasien und Südossetien”, in: Erich Reiter (ed.), *Die Sezessionskonflikte in Georgien*, Böhlau Verlag, Wien, Köln, Weimar, 2009, pp. 101-135.

<sup>17</sup> See: Martin Malek, *Der Konflikt im Dnjestr-Gebiet (Moldova), Analyse und Dokumente*, Schriftenreihe der Landesverteidigungsakademie, 7/2006, p. 10ff; Stefan Wolff, “Ein lösbarer ‘eingefrorener Konflikt’?”, *Die Innen- und Außenpolitik der Selbstbestimmung in der Republik Moldau und Transnistrien*, in: Erich Reiter (ed.), *Problemlage und Lösungsansätze im Transnistrienkonflikt*, Böhlau, Wien, Köln, Weimar, 2012, p. 15ff.

Russian armed forces were the key facilitator for expelling around 30,000 Georgians from South Ossetia.<sup>18</sup>

While Russia allowed several negotiation frameworks to “solve” each frozen conflict under the umbrella of the OSCE, Russia’s own geopolitical preferences became the most important factor for their complete stalling (except for the Nagorno-Karabakh conflict, where local parties are unwilling to accept a compromise even without Moscow’s interference). In Moldova, both the 1997 Moscow memorandum and the 2003 Kozak memorandum presented by Russia foresaw the transformation of Moldova into a federation where Russian proxy forces had absolute veto positions, particularly regarding foreign and economic policies. The aim of this move was to prevent Moldova from associating itself with any Western organisation – be it NATO or the EU. Provisions that pre-determine foreign policy and economic alignment were never demanded by the West of any of the West Balkan states, and the West never thought to block any state from being politically close with Russia.

In Georgia, Russia’s tactical manoeuvring was even more obvious. When negotiations on the reintegration dragged on through the 1990s, even Shevardnadze’s government grew frustrated with Moscow’s demands. Particularly disturbing to Georgia was the vehement rejection and airing of direct threats against Georgia after the United States had deployed troops to the Pankisi valley in 2002. Those troops were deployed to hunt down Al-Qa’ida personnel and other Islamist fighters hiding in the valley. Those Islamist fighters had close contact with Chechen terrorists and Islamists on the Russian side of the border. To Shevardnadze the American assistance would be in the Russian interest as well, and Georgia was taken aback by the Russian reaction. When Saakashvili took power in 2003, Putin tested the possibilities of rapprochement with Georgia by facilitating the settlement of the conflict in Adcharia, where the Armenian minority demanded independence. However, Saakashvili was even less willing to bow to Moscow’s demands for a permanent alignment to Russia’s orbit and political tensions soon rose with Russia imposing sanctions on Georgia and reinforcing its military presence in the separatist provinces. When Saakashvili’s “soft rapprochement” policy towards South Ossetia posed a danger to Russian control of that province, Russia, in 2008, staged an armed escalation, exploited the Georgian reaction to invade the country,<sup>19</sup> sized

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<sup>18</sup> “Georgia: UN continues to press for humanitarian access to victims”, *UN News*, 15 August 2008, available at: <https://news.un.org/en/story/2008/08/269582-georgia-un-continues-press-humanitarian-access-victims>; “Georgia: ‘He looked out of his window and they killed him’”, *The Guardian*, 19 August 2008, available: <https://www.theguardian.com/world/2008/aug/19/russia.georgia>; “Signs of Ethnic Attacks in Georgia Conflict”, *The New York Times*, 14 August 2008, available at: <https://www.nytimes.com/2008/08/15/world/europe/15ethnic.html>.

<sup>19</sup> Gustav C. Gressel, “Der Krieg am Kaukasus, Geschehnisse und Konsequenzen”, in: Erich Reiter (ed.), *Die Sezessionskonflikte in Georgien*, Böhlau Verlag, Wien, Köln, Weimar, 2009, pp. 15-49.

definite control over all parts of South Ossetia and Abkhazia, expelled the remaining Georgian population, and hermetically sealed off these provinces from Georgia. Any post-conflict reconciliation was pre-empted by recognising the separatist republics, which are run as Russian dominions. Any form of independent civil or political action is curtailed by security forces and Russian security personnel keep a tight grip on all public and private affairs.

The Russian behaviour was a severe violation not only of the wording but also of the spirit of the Paris Charter and the OSCE. It should have given the West a warning about what would happen in Ukraine years later. Then Russia used the successful Maidan revolution to occupy and annex the Crimean peninsula without any warning. And subsequently infiltrated special operations soldiers into the Donbas to stage uprisings to provide a pretext for an armed aggression.<sup>20</sup> Europe has not seen such reckless aggressiveness since the autumn of 1939.

In short, Russia only agreed to the principle of the inviolability of borders as long as it was satisfied with its “sphere of influence”, but later abandoned the principle in favour of imperial revisionism. It did so covertly during the 1990s, but became increasingly bold and open when its military might allowed a more open challenge of the status quo.

## RESORT TO WAR

The prohibition of the use of force anchored in the United Nations Charter was repeated in the Paris Charter. Nevertheless, Europe witnessed wars after 1990 and Western powers as well as Russia were involved in several of them. But there is a striking difference between the practices of when to resort to war, and how to conduct diplomacy before doing so.

For the West the first time the issue of the use of force appeared was in the Bosnian war. After forces of the Republica Srpska denied access to and occasionally shot at UN personnel in Bosnia, and reports about atrocities mounted, the Clinton administration started to evaluate the possibilities of using force to enforce UN resolutions calling for a ceasefire. This met resistance in Europe – particularly amongst former Entente powers – and Russia, and no resolution could be passed in the Security Council. The US threatened unilateral action, and therefore Russia reluctantly agreed to resolution 816 to allow the enforcement of a no-fly zone and resolution 836 to allow strikes on UN requests to protect safe zones (March 1993). But the authorisation mechanism for the strikes was clumsy and time-consuming. To Serbia, this was a deliberate tactic. Belgrade directly prepared, directed, and

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<sup>20</sup> See: Andrew Wilson, *Ukraine Crisis: What it means for the West*, Yale University Press, 2014; Nikolay Mitrokhin, “Transnationale Provokation, Russische Nationalisten und Geheimdienstler in der Ukraine”, in: *Osteuropa*, 64. Jahrgang, Heft 5-6, Mai-Juni 2014, pp. 157-174.

supported the creation of an “ethnically pure Serbian state” executed through its proxy forces; while on the international arena Milošević maintained the image of a neutral party and denied any direct involvement in the war.<sup>21</sup> Likewise Serbian commanders on the ground used stalemates in negotiations or diplomatic impasses to intrude into UN safe zones or expand their territorial control – while Belgrade and Moscow would ask NATO for restraint or veto strikes in the UN Security Council. Once Serbian “irregulars” reached their aims, negotiations on a possible ceasefire were resumed on the basis of new facts on the ground. However, by 1994, Washington had grown weary of these tactics and NATO considerably stepped up its air campaign, leading to Operation Deliberate Force. The Russian criticism that this operation overstepped the competences given to NATO through resolutions 816 and 836 ignored the fact that it was conducted on the immediate request of UN Secretary-General Boutros Boutros-Ghali, who would have had to withdraw UN peacekeepers from Bosnia had NATO not intervened militarily. Serbian offensives brought the UN safe zone concept to the verge of collapse. Still, in the subsequent peace negotiations that led to the Dayton agreement, Serbia and Russia were present as equal partners.

It is impossible to understand the dynamics of the Kosovo war (cited by Russia as the Western states’ prime violation of the Paris Charter) without taking the dynamics of the Bosnian war into account. During the run-up to the war, Western leaders particularly tried to avoid the Bosnian experience of being bogged down by negotiations that were nothing but a diversion in order to gain time to create a fait accompli on the ground. The West did not realise that in the case of Kosovo the Albanian side was acquainted with similar tactics, like using a ceasefire negotiated by Yeltsin in 1997 to unilaterally improve the situation on the ground. During the subsequent negotiations, both parties proved stubborn and unwilling to make concessions on maximalist demands. However Milošević had already wrecked his reputation as an honest broker and statesman previously: The hardening of nationalist politics in Serbia and particularly the appointment of Vojislav Šešelj – an outspoken advocate of the “greater Serbian” idea – as deputy prime minister did not quite ease the West’s reservations when dealing with Kosovo. Still when fighting in Kosovo flared up in 1998, international negotiations on ending hostilities were commenced and the OSCE was asked to monitor the situation on the ground. But as in Bosnia, OSCE monitoring proved unsuited to quelling the situation. The Serbian special police ramped up their reprisals right in front of the OSCE observers, leaving little doubt in the West that the Bosnian scenario was about to start all

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<sup>21</sup> See for the Serbian conduct of the war: James Gow, “Strategie und Kriegsziele”, in: Dunja Melčić (ed.), *Der Jugoslawienkrieg, Handbuch zu Vorgeschichte, Verlauf und Konsequenzen*, 2. Aktualisierte und erweiterte Auflage, VS Verlag für Sozialwissenschaften, Wiesbaden, 2007, pp. 363-371.

over again.<sup>22</sup> This explains why NATO commenced its air strikes after the failure of the Rambouillet accords quicker than after the numerous failed peace initiatives in Bosnia. Nevertheless, the West continued its negotiating efforts to reach a compromise between the two parties even after the war – these efforts only came to an end with Russia walking away from the Ahtisaari plan and Kosovo declaring independence. Neither in Bosnia (SFOR) nor in Kosovo (KFOR) did the West exclude Russia from participating in the respective military missions or from being part of the administrative and economic recovery effort. None of the provisions proposed by the West in all the Balkan wars was meant to limit the country's further foreign policy choices. On the contrary, both the EU and NATO treated their former enemy Serbia as an equal and offered the same set of relations as with all other West Balkan member states (however, Serbia is only interested in EU membership).

Russia had a different approach to the use of force from the start. What remained from the Soviet Army in 1991 was by no means a match for the West's capabilities in terms of power projection. Hence, in the aftermath of the dissolution of the Soviet Union, military interventions had to be low cost, and were usually carried out through indirect support, volunteers, secret services, and other hidden channels. With the West lacking proper information about what was going on in these conflicts, and being distracted by the Gulf War, the prospects of an Israeli-Palestinian settlement, the outbreak of hostilities in Yugoslavia, and the political-economic transition in Eastern Europe, it had little capacity and will to react to these contingencies. Both the OSCE and the UN only slowly got involved towards the end of the war in Abkhazia in 1994, and later on also monitored the situation in South Ossetia. The wars in Abkhazia, South Ossetia, and Moldova were all frozen by bilateral ceasefire agreements in either Moscow or Sochi, in which Russia extracted the right to deploy peacekeepers either within a CIS framework or in a bilateral agreement. Hence Russia could de facto manage the new administrative boundaries, while the OSCE and the UN were only invited to monitor the situation later – when Russia had already created a *fait accompli* in its own favour. The deployment of Russian "peacekeepers" excluded any international military presence from the start, and made Russia the real arbiter of the situation on the ground. Moscow could escalate – or tolerate escalation – or de-escalate at will, and leverage this against the affected states when negotiating in Minsk or Geneva. The conflicts would remain frozen unless Georgia or Moldova bowed to Russian demands on their foreign-policy orientation. To underline the Russian position, Russia increased its support for all

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<sup>22</sup> Joscha Schmierer, "Der Kosovo-Krieg 1999", in: Dunja Melčić (ed.), *Der Jugoslawienkrieg, Handbuch zu Vorgeschichte, Verlauf und Konsequenzen*, 2. Aktualisierte und erweiterte Auflage, VS Verlag für Sozialwissenschaften, Wiesbaden, 2007, pp. 475-480.

separatist republics throughout the 1990s and 2000s.<sup>23</sup> However, Moscow achieved quite the contrary: the harder it tried to pressure Moldova and Georgia, the more they tended towards seeking shelter in the West.

The situation became even more dramatic in 2008 in Georgia. Political tensions between Russia and Georgia had increased; the more successful Saakashvili's reform programme became, the stronger Moscow feared to "lose" the country to Western influence. In 2006, Moscow imposed an embargo on Georgian wine and mineral water as well as restricted financial transactions by Georgians living in Russia. Then Russia reinforced its military presence in South Ossetia and Abkhazia, without having proper reasons to do so. The Russian-proclaimed "militarisation of Georgia with assistance from Washington" does not match the real intentions of the US. The limited military assistance Georgia received from the US before 2008 was aimed at transforming the Georgian armed forces for expeditionary warfare – in short, to be able to help the US in Iraq and Afghanistan. It did not enable the Georgian armed forces to better defend their country, let alone to pose a threat to Russia. Emboldened by the increased Russian presence, Abkhazian and Ossitian militias engaged in a series of provocations in 2008. When Russia staged manoeuvres north of the Caucasus and started diverging troops into South Ossetia on 7 August, Saakashvili ordered a preemptive attack on Tsinvali. The subsequent war proved to be disastrous for Georgia, both in military terms and in terms of public relations for the country.

Russia learned many lessons in the Georgian war: the two most important were that first, the West would not react to Russian aggression other than through diplomatic protest, and second, that it would be easy to impose the Russian narrative of the conflict (the "Georgian aggression") on the West. Russia overplayed both in 2014.

When the corrupt government of Wiktor Janukowycz was brought down by a popular uprising in February 2014,<sup>24</sup> none of the "fears" the Kremlin cited to legitimise its aggression was close to reality. NATO had not invited Ukraine to join the alliance, there were no plans to move troops to Ukraine (and even if there had been, it would have been the sovereign right of Ukraine to join any alliance), the "coup" was not supported by Western governments, and there was no "repression" or "discrimination" against the Russian-speaking "minority" (which, in fact, was the majority of the Ukrainian people). In fact, Ukraine had always been a bi-

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<sup>23</sup> Martin Malek, "'Integration' in der GUS und die Politik Russlands", in: Martin Malek (ed.), *Integration in der GUS*, Schriftenreihe der Landesverteidigungsakademie, 3/2010, Wien, pp. 48-52.

<sup>24</sup> Andrew Wilson, *Ukraine Crisis, What it means for the West*, Yale University Press, 2014, p. 66ff; Igor Lyubashenko, "Euromaidan: From Students' protest to mass uprising", in: Klaus Bachmann and Igor Lyubashenko (eds.), *The Maidan Uprising, Separatism and Foreign Intervention*, Peter Lang, Frankfurt am Main, 2014, pp. 61-85.

lingual state,<sup>25</sup> and the few existing language issues concerned the Polish, Slovak, Hungarian, Romanian, Bulgarian, and German minorities in the very west of the country. Even if there were problems, Russia would have had the possibility to raise the issue within the OSCE (which runs an entire sub-organisation, the Bureau for National Minorities in Prague) or the United Nations before resorting to war. Instead, Russian armed forces denied OSCE monitors from entering Crimea<sup>26</sup> in March 2014 and banned independent international observers from its staged referendum.<sup>27</sup> In both Crimea and the Donbas the possibility of a peaceful resolution of the conflict was not even tried for a second. Only after international pressure on Russia mounted in 2014 and the war in the Donbas became much more costly than anticipated for Moscow, did Russia agree to negotiate a ceasefire agreement – which has been broken by Russia’s proxies almost every day since.

As shown, the West tried for years to solve the war in Yugoslavia through peaceful means and only resorted to war when it believed that the diplomatic process was exhausted (or used as a diversion to gain time for ethnic cleansing). The West always tried to use the OSCE and the UN framework first, before resorting to unilateral use of force. Russia, on the other hand, uses unilateral force first, whenever it sees an opportunity to achieve its goals, and tries multilateral diplomacy only when forced to do so by the West. Moscow never thought to bother the OSCE with the conflicts in the Southern Caucasus or Moldova unless it could prevent a broader Western engagement in the region through containing international involvement in futile discussion formats or meaningless observation missions. Whenever Russia believed that a war had a high probability of resulting in Russia winning and benefiting the interest of the restoration of a wider Russian empire, it did not hesitate.

## OUTLOOK

Looking back to the 1990s and observing what has become of the Charter of Paris and the OSCE, the assessment is indeed sobering. The OSCE has by far not lived up to expectations, and it is hard not to blame Russian revisionism for that. While the West has indeed made mistakes in the past 27 years (the most consequential ones, however, happened outside of Europe and without the consent of most European

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<sup>25</sup> See for the ethnic and linguistic situation in Ukraine: Adam Balcer, “Borders within Borderland: The ethnic and cultural diversity of Ukraine”, in: Klaus Bachmann and Igor Lyubashenko (eds.), *The Maidan Uprising, Separatism and Foreign Intervention*, Peter Lang, Frankfurt am Main, 2014, pp. 87-118.

<sup>26</sup> “Bewaffnete verweigern OSZE-Beobachtern Zugang zur Krim”, *Die Zeit*, 7 March 2014, available at: <http://www.zeit.de/politik/ausland/2014-03/krim-ukraine-putin-osze>.

<sup>27</sup> Christian Marxsen, “The Crimea Crisis, An International Law Perspective”, *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht*, Vol. 74 (2014), 367-391; available at: [http://www.mpil.de/files/pdf4/Marxsen\\_2014\\_-\\_The\\_crimea\\_crisis\\_-\\_an\\_international\\_law\\_perspective.pdf](http://www.mpil.de/files/pdf4/Marxsen_2014_-_The_crimea_crisis_-_an_international_law_perspective.pdf).



states: Iraq in 2003, and Libya in 2011), it has always tried to act in the spirit of the Charter. It tried any peaceful solution first, refrained from the use of force for as long as possible, and did not change borders until all efforts to prevent it through consensual solutions were exhausted. Russia, on the other hand, tries to augment its empire by whatever means, and only resorts to the use of diplomacy and international law if it is helpful to contain the West.

Still, there is no need to abandon the organisation. Western nations are unwilling to live in any European order that is below the standards of the Charter of Paris. For the moment, one can only expect these standards to be met when living in the countries of the European Union, protected by NATO. Russia wants to restore its empire, and make the West concede parts of Europe through accepting a treaty on “Common European Security”. But to Europe, there is no need at all to accept Russian claims for supremacy. However, the OSCE neither has the means nor the instruments to contain Russia. This can only be done through determination and deterrence by the West – organised through NATO in military terms and the EU in diplomatic terms. There is no chance of building security “with Russia” as German diplomats sometimes claim.<sup>28</sup> One can only be secure from Russia.

There also is no need to further accommodate Russia, or find excuses for Moscow’s behaviour in the vain hope to limit confrontation and engage in a “constructive dialogue”. During the 1990s, Bill Clinton and Christopher Warren (later also Madeline Albright) were deliberately soft on Moscow regarding Russian infringement into the sovereignty and territorial integrity of its neighbouring countries – in their hope to remain on positive terms with Moscow and to not push the “moderates” to the edge. Twenty years later, Russia had not only clandestinely intervened in Moldova, Georgia, and Armenia, it has waged two open wars against Georgia and Ukraine, infringed the United Kingdom’s sovereignty with targeted associations, rehearsed offensive military actions against NATO, interfered in electoral processes in the West, spread propaganda and supported radical parties throughout Europe. Appeasement has failed – containment is needed.

Eventually Russian imperialism will run out of steam. When and how this will happen is hard to predict. History offers several examples of similar ideological systems like the current Russian system and of when they lost their imperial momentum. Franco’s Spain and Pinochet’s Chile never had a chance to expand, because the international environment never permitted an openly revisionist foreign policy (although initially expansionism was part of the ideological portfolio of both). Mussolini’s Italy, Horthy’s Hungary, and the Kingdom of Romania were defeated as German co-belligerents. Salazar’s Portugal and Gaitieri’s Argentina lost minor

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<sup>28</sup> “Streit um Sanktionen, Nicht ohne und nicht gegen Russland”, *Tagespiegel*, 31 May 2016, available at: <https://www.tagesspiegel.de/politik/streit-um-sanktionen-nicht-ohne-und-nicht-gegen-russland/13664196.html>.

wars – Portugal, in the colonies, and Argentina, the Malvinas campaign – and were toppled. Hitler’s Germany was initially successful but defeated, destroyed, and divided in and after World War II. Taking history’s lessons into account, the most important task of European statesmen is not to appease Russia. But to make Russia lose its imperial lust through deterrence and by the maintenance of an international environment that does not allow territorial revisionism (the Spanish solution). If the West fails in that, history might repeat itself in more drastic and dramatic forms.

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# Eurasian Security Cooperation: Issue Areas and Outcomes

*May-Britt U. Stumbaum*

## INTRODUCTION

Eurasian security cooperation today differs from the often rather theoretical undertakings of previous years: Challenges ranging from international terrorism to cyber security and maritime security are faced in the same way by European and Asian states in a world where information and goods flow globally for better or for worse. Yet, deviating from traditional European Union (EU) policies towards Asia that were often driven by an allegedly altruistic stance of “what can we do for you”, Eurasian security cooperation from an EU point of view is increasingly interest-driven. This results from the realization that security challenges affect both sides significantly and similarly and it is important to find ways to address them together.

The 2016 EU Global Strategy (EUGS) sets out five key priorities: Security of the Union, State and Societal Resilience, an Integrated Approach to Conflicts and Crises, Cooperative Regional Orders, and Global Governance for the 21st Century (Union, 2016c).

These guiding key priorities resonate with the EU’s strategic partners when broken down to the tactical level of Humanitarian Assistance Disaster Relief (HADR), the upholding of global common goods (such as keeping maritime routes open for everybody), and finding ways to deal with foreign fighters returning home who need to be de-radicalised and to manage them. The focus here is to exchange lessons learned and best practices, as well as to identify areas where the EU can work with its Asian partners at a global and continent-to-continent level, also on troubling areas in between, such as the Middle East.

The EU developed an array of new tools and papers to add new momentum to the existing frameworks of the EU’s Common Security and Defence Policy and its Development Cooperation (DevCo). The year 2016 saw the publication of several country papers, including a new China strategy and one on Myanmar, with more under preparation in 2017. The European Commission’s new Foreign Policy

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\* This paper was submitted on 19 September 2017.

Instruments provide the European External Action Service (EEAS) with flexible new instruments such as the Asia-Pacific Research and Advice Network (#APRAN) and ASIAFORA to advance the EU's role in multilateral fora. Asia is being discussed at all levels, from the usual Council's Working Group on Asia (COASI) to the Political and Security Committee (PSC) and the Council of the European Union.

The impact of the Trump Administration, with its hardly predictable policy on Asia and towards the US' traditional allies, has further spurred the interest of East Asian partners to work with the European Union. These partners include Japan and Korea, but also India and China – with the issues of interest ranging from trade to climate change and cooperative security.

This paper will examine the EU Global Strategy and the new tools, followed by a discussion on the common challenges, ranging from maritime security, over mass migration of disaster- and conflict-displaced persons, to counterterrorism and dealing with foreign fighters. It will then outline avenues for cooperation before concluding with the main findings on Eurasian security cooperation.

## THE EU GLOBAL STRATEGY AND NEW TOOLS

Based on its most recent strategy papers, the EU's foreign policy concerning Eurasian security cooperation aims to work with the EU's Asia-Pacific partners in the region *and beyond* on common challenges. The 2016 EU Global Strategy addresses the EU's role, aims, and ambitions in a “more connected, contested and complex world” (Union, 2016c) and outlines five “key priorities”, i.e., Security of the Union, State and Societal Resilience, an Integrated Approach to Conflicts and Crises, Cooperative Regional Orders, and Global Governance for the 21st Century. The EUGS further acknowledges:

There is a direct connection between European prosperity and Asian security. In light of the economic weight that Asia represents for the EU – and vice versa – peace and stability in Asia are a prerequisite for our prosperity. We will deepen economic diplomacy and scale up our security role in Asia.

(Union, 2016c)

Beyond cooperating with Asian partners in Asia, the European Union is increasingly looking into possibilities to cooperate with its Asian partners – through bilateral Strategic Partnerships (the EU's strategic partner countries are India, China, Japan, and South Korea), inter-institutional cooperation (such as with the Association of Southeast Asian Nations [ASEAN]), and within multilateral fora such as the Asia-Europe Meeting (ASEM) and the ASEAN Regional Forum (ARF) – on global challenges that concern both sides and that are not necessarily geographically bound to the Asia-Pacific region.

Those global challenges affect both the European Union and its partners in the Asia-Pacific alike: Natural catastrophes, internal turmoil, and violent conflicts in the near neighbourhoods force an ever-increasing number of people to leave their livelihoods and homes and result in refugee flows at ever higher levels, thereby demanding governmental responses in regulations, integration, and, first and foremost, assistance with coping with basic needs. New challenges such as cyber security as well as international terrorism – with foreign fighters returning from Syria to their home countries in Europe and the Asia-Pacific alike – are testing governments everywhere. Responding to global challenges by regional integrations to form more effective associations remains a task for the EU, ASEAN, and other multilateral entities.

On the perception aspect, the EU is better perceived, as often assumed. A 2015 major public diplomacy baseline study on the EU’s Strategic Partners’ perception of the EU and its policies abroad (EU” et al., 2016) conducted by the author and her NFG Research Group “Asian Perceptions of the EU”<sup>1</sup> showed a surprising majority of respondents in favour of a strong leadership role for the EU in world affairs as well as the likelihood of this role for the EU:

Table 1:

**Question: How desirable is it that the European Union takes a strong leadership role in world affairs?**

| Responses from: | Very desirable | Somewhat desirable | Neither/nor | Somewhat undesirable | Very undesirable | n/a   | Total (N) |
|-----------------|----------------|--------------------|-------------|----------------------|------------------|-------|-----------|
| All 10 SP       | 18.9%          | 34.9%              | 27.2%       | 7.1%                 | 4.1%             | 7.8%  | 11621     |
| USA             | 23.9%          | 28.8%              | 24.3%       | 4.0%                 | 2.9%             | 16.2% | 1007      |
| Japan           | 5.9%           | 31.4%              | 37.9%       | 6.7%                 | 2.8%             | 15.2% | 1024      |
| China           | 9.6%           | 46.1%              | 35.6%       | 5.0%                 | 0.6%             | 3.0%  | 1410      |
| S. Korea        | 9.8%           | 38.8%              | 37.5%       | 6.3%                 | 1.5%             | 6.1%  | 1238      |
| India           | 29.5%          | 37.5%              | 23.0%       | 2.6%                 | 1.7%             | 5.7%  | 1056      |

(EU” et al., 2016)

<sup>1</sup> Based at the Freie Universität Berlin, the international and interdisciplinary NFG Research Group analyses diffusion processes of norms and best practices between European and Asian actors. The NFG aims to identify, analyse and assess factors and mechanisms that affect the differences in perception of the EU (as the “sender”) and Asian foreign-policy elites (as the targeted “recipients”) of EU foreign policy).

Table 2:

**Question: How likely is it that the EU will take a strong leadership role in world affairs in 5 years?**

| Responses from: | Very likely | Rather likely | Neither/nor | Rather unlikely | Very unlikely | n/a   | Total (N) |
|-----------------|-------------|---------------|-------------|-----------------|---------------|-------|-----------|
| All 10 SP       | 22.7%       | 36.7%         | 24.2%       | 6.2%            | 2.2%          | 8.0%  | 11621     |
| USA             | 20.8%       | 29.4%         | 24.5%       | 4.6%            | 3.6%          | 17.2% | 1007      |
| Japan           | 8.4%        | 30.9%         | 35.3%       | 7.7%            | 3.4%          | 14.2% | 1024      |
| China           | 17.2%       | 50.8%         | 25.9%       | 3.1%            | 0.3%          | 2.6%  | 1410      |
| S. Korea        | 12.7%       | 40.8%         | 34.8%       | 5.9%            | 0.7%          | 5.1%  | 1238      |
| India           | 31.2%       | 37.8%         | 21.5%       | 3.1%            | 0.9%          | 5.6%  | 1056      |

(EU” et al., 2016)

Under the 2009 Lisbon Treaty and the EU Global Strategy, the EU has in recent years received new tools with which it can pursue its foreign policy goals to promote Eurasian security cooperation.

On the framework aspect, the EU has put out several new country papers, including an EU Strategy on China (Commission, 2016b; Union, 2016a) and one on Myanmar (Mogherini, 2016; Union, 2016b), with several more under preparation. The EU has also concluded several agreements with its Strategic Partners: South Korea signed the “Framework for Participation of the Republic of Korea in EU Crisis Management Operations” agreement in 2014 (Union & Korea, 2014), becoming the first Asian EU Partner country, and thereby establishing the scope of cooperation and participation of South Korea in EU crisis management operations, both civilian and military. After years of discussion, EU President Tusk, EC President Juncker and Japan’s Prime Minister Abe agreed on the eve of the G20 summit held in Hamburg in July 2017, on the principles of a Japan-EU Free Trade Agreement (JEFTA; negotiations finalised in December 2017, ratification pending) as well as on the political aspect of the strategic partnership. The impact of a US administration under President Trump, under which the strategic alliances with the United States and the US’ Asia policy appear to be much less predictable and reliable, has added huge momentum to discussions on interests, cooperation and the consolidation of these cooperation initiatives by the signing of a framework agreement.

Discussions on how to collaborate with the Asia-Pacific now take place frequently at all levels and not just at the Council’s Asia-Pacific Working Group (COASI). These include the Political and Security Committee and others. The crisis with North Korea has added extra momentum to deliberations on having the Asia-Pacific region on the EU agenda despite huge competition from challenges in the near neighbourhood, including the Middle East and Eastern Europe.

In addition, the European External Action Service also has more tools on hand now: The newly established Partnership Instrument of the European Commission's Foreign Policy Instruments (FPI) has been set up to strategically support the EEAS by enabling it to work in the most flexible way with external resources. Under this framework, the Asia-Pacific Research and Advice Network (#APRAN) was set up to support the Asia-Pacific Department and the respective EU Delegations in the region internally, while the MULTIFORA project aims at actively “[a]dvancing the EU's role in multilateral fora in Asia” (title of the programme) such as the ARF, ASEM and ASEAN.

In sum, the EU's foreign and security policy towards Eurasian security cooperation is now much more focused on finding joint interests that drives cooperation in the Asia-Pacific and beyond, addressing common challenges jointly; the EU can thereby draw on new strategies and additional tools. The “Trump factor” has provided additional momentum to cooperation with the EU's partners in the region as their alliances with the US appear less reliable and predictable.

## COMMON CHALLENGES: FROM MARITIME SECURITY TO FOREIGN FIGHTERS

Going beyond traditional EU policy views on the Asia-Pacific in terms of “what can we do for you”, which often came across as hypocritical in their displayed altruism, the EU's foreign and security policy towards the Asia-Pacific region as outlined in the EU Global Strategy and associated documents focuses on tackling global challenges together – in the Asia-Pacific region and beyond. The following section examines three challenges that both Asian and European countries face – maritime security, mass migration flows due to conflict- and disaster-displaced persons, and dealing with foreign fighters in Syria and elsewhere returning to their home countries in Europe and the Asia-Pacific.

### Maritime Security

Even if still not acknowledged by many EU member states' governments due to the geographical distance, maritime security in the Asia-Pacific will have a widespread impact on Europe. It impacts major sea lanes of communication (SLOC) and thereby disrupts trade and energy sea routes that are crucial for Europe. Trade and increasingly foreign direct investment (FDI) are the backbone of relations between the EU and the Asia-Pacific. The Asia-Pacific region is the biggest trading partner for the EU, with trade totalling almost €1.4 trillion in 2016, exceeding trade with North America substantially. The 2014 FDI numbers saw outward foreign direct investment in China totalling €144.2 billion – the 6th largest destination for the EU. Hong



Kong was the 9th largest FDI recipient, with €106.3 billion in FDI (Commission, 2016a).

Ninety per cent of European trade is sea-borne, making free passage through maritime routes essential for European trade and, in the long run, European wealth. Accordingly, the EU is keen to ensure freedom of navigation and the safety of trade as well as energy sea lanes. Maritime security developments in the Asia-Pacific region have the potential to disrupt the current global rules-based order and the general provision of international public goods. In particular the different perceptions and interpretations of the United Nations Convention on the Law of the Sea (UNCLOS) – Asian partners, first and foremost China, define Economic Exclusive Zones (EEZ) as quasi territorial borders, while Western countries, first and foremost the United States, see EEZ as a right for the concerned country to exploit the resources, for instance through fishing, and yet regard the high seas as international waters that are open for passage by everybody – demand closer exchange and cooperation between EU and its partners to work towards a common understanding and upholding of the global common goods.

So far, however, the general impression among the EU's Strategic Partners is that the EU is not playing a very important role outside of anti-piracy operations in the Gulf of Aden. While EU member states and traditional maritime powers like the United Kingdom (UK) and France are heavily involved in maritime security arrangements, the EU is not so visible in comparison.

## Mass Migration and Refugee Flows

Most visible on the agenda in 2015, managing irregular and unprecedented migration flows has remained a demanding issue for the EU and its Strategic Partners alike, whilst also concurrently presenting opportunities for closer exchange and cooperation. The Asia-Pacific region is hit most by natural disasters, while Europe receives the most people fleeing from conflicts in the neighbourhood. 85 per cent of people displaced by natural disasters in 2015 were in Asia – 8.4 million in East Asia and 7.9 million in South Asia. Disaster-displaced persons in China increased to 3.6 million in 2015; 2.7 million in earthquake-ridden Nepal and 2.2 million in typhoon-struck Philippines (IDMC, 2016). Additionally, countries such as Afghanistan and Myanmar are sources of the largest number of refugees in the Asia-Pacific. In 2017, the Rohingya refugee crisis reached an unprecedented level, negatively impacting the ASEAN community and putting its principles of consensus and non-interference once more to test – not only among ASEAN member states, but also between ASEAN members and EU members in the ASEM context. Borders between states remain porous, making migration and border management, including undocumented workers, a core issue for ASEAN. In addition, countries like China are also concerned about refugee flows, particularly from North Korea.

Europe saw the highest number of people displaced due to conflicts in the immediate neighbourhood: in 2015, 4.8 million were displaced in the Middle East/North Africa (MENA) region (56 per cent of the world's total), with Syria being the main origin of refugees, and 942,000 in Europe and Central Asia (11 per cent of the world's total). European and Asian countries also saw new levels of refugee inflows from abroad due to conflicts – Eurostat measured a record number of over 1.2 million first-time asylum seekers registered in the EU in 2015, triggering new policies, but particularly putting national and local governments to the test. As these mass migration flows are characteristic of a world in transition rather than a one-time event, and given the forecasts that due to climate change these mass migration flows may increase up to 200 million, handling people on the move will remain a challenge. Yet, it also provides another opportunity for cooperation between Europe and Asia.

## Counterterrorism and Foreign Fighters

Counterterrorism is high on the agenda in European and Asian states and addressing the shared perception of international terrorism as a core security threat of the current strategic environment is vital. International terrorists, returning foreign fighters from Syria – with European citizenships – and those who were radicalised while living in European countries pose a major threat to the security of Europe. Interestingly, although the Asia-Pacific's Muslim population is 23 times that of Europe, many more fighters, e.g., in Syria, originate from Europe and might return to their homelands. Counterterrorism hence provides some striking examples of lessons that may be learned from the Asia-Pacific side: India's relatively successful de-radicalisation programmes involving community participation is underpinned by the fact that despite a Muslim population of 177 million, only 25-50 foreign fighters went to Syria from India, compared to some 4000-plus fighters from Europe, with more than 1700 from France alone between 2010 and 2015 (Group, 2015). The EU and its Strategic Partners face a joint challenge, for which exchanges on intelligence and Asian experiences with de-radicalisation programmes are a promising area for cooperation.

## AVENUES FOR COOPERATION

In the context of the EU's aim to promote a rules-based international order, its focus is on shaping rules together, sharing lessons learned, and connecting EU security interests with those of its Asian partners.

The EU's involvement in the Asia-Pacific addresses therefore a broad portfolio. It ranges from high-level dialogues with Strategic Partners, to participation in regional fora to cooperation on the ground in Asia and with Asian partners in

international missions elsewhere, such as the Gulf of Aden or peacekeeping operations in the Middle East and on the African continent.

Within the respective strategic partnerships, regular summits entail security dialogues that focus on a broad range of issues, from cyber security to humanitarian assistance and disaster relief (HADR). These EU-Strategic Partner state summits and their dialogues complement defence-related dialogues between individual EU member states and Asia-Pacific countries, such as Japan, Korea, Australia, and New Zealand and their dialogues with France, the United Kingdom, Germany, and others.

In the area of military policy as pursued by the European Military Staff and within the framework of the Common Foreign and Security Policy and its Common Security and Defence Policy, these summits are underpinned by high-level visits, such as those of the Chairman of the EU Military Committee (CEUMC) to the region. For example, visits were made to South Korea in 2015, and to China and Japan in 2014. There have also been exchanges in Brussels, for instance with the South Korean Vice Chief of Defence (CHOD) in January 2017.

The EU participates in the ASEAN Regional Forum's Defence Officials Dialogue twice a year and is an active member of the ASEAN Regional Forum. In 2017, EU President Tusk was invited to the East Asia Summit as an observer by Philippine President Duterte, host of the 2017 summit; yet the EU is still striving to become a full member of the East Asian Summit<sup>2</sup> due to reservations on the part of countries such as Singapore and Australia.

The EU has also rediscovered the Asia-Europe Meeting (ASEM) – albeit still not with the same verve in action as in words. ASEM is the biggest exclusively Europe-Asia forum, encompassing 53 partners (51 countries and two regional organisations), but not the United States. For example, the efforts of the EU to work towards joint global norms, such as the ASEM Pathfinder Group on Connectivity, which was bought together during the ASEM Senior Officials' Meeting (SOM) in June 2017, is a good example of the activities by the European External Action Service, which is aiming to use these multilateral fora to push for internationally accepted norms, including in new fields like connectivity (while *connectivity* is the overall term used for large infrastructure initiatives connecting states in the Eurasian region, with the most prominent initiative being the Chinese Belt and Road initiative, its definition goes well beyond purely infrastructural aspects).

The EU is furthermore the main development partner of the Indian Ocean Commission. Individual EU member states also participate in organisations such as

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<sup>2</sup> Since 2005, the East Asia Summit (EAS) has been held annually at the level of heads of government of 18 countries (ASEAN member states, China, Japan, Korea, Russia, Australia, New Zealand, United States, and India) and is currently seen as the central forum to discuss security issues in the Asia-Pacific region at a governmental level. EAS meetings are scheduled back-to-back with annual ASEAN leaders' meetings.

the Indian Ocean Rim Association (IORA) and ReCAPP<sup>3</sup>. Last but not least, the EU is an observer to the South Asian Association for Regional Cooperation (SAARC).

In addition to these dialogues and trainings, the EU actively takes part in multi-lateral military exercises. It participated in the US-China Humanitarian Assistance/ Disaster Relief exercise, while EU member states participated in Thailand's Cobra Gold exercise, India's International Fleet Review, Australia's Pitch Black, and the US' RIMPAC. In 2016, the EU was invited for the first time to observe the Indonesian Multilateral Naval Exercise Komodo (MNEK). Along the same line, Asian countries have already cooperated and are still engaging with the EU in missions such as the EU anti-piracy mission ATALANTA; and as outlined above, South Korea became the first Strategic Partner in Asia to agree to participate with the EU in CSDP missions and has also supported the EU in its counter-piracy activities.

Multiple EU member states have been engaging in training activities on peace-keeping with Asian partners. Complementarily, the European Security and Defence College (ESDC) conducts activities with Asian Strategic Partners, including annual courses with the People's Liberation Army (PLA), and seminars alternating between Brussels and Beijing for high- and mid-career level officials (with the seminars themselves alternating with the EU-China high level defence and security dialogue). The ESDC regularly organises orientation seminars with diplomats and military officers from ASEAN countries. The focus of the 2017 course was on maritime security, including illegal migration and port security, law enforcement at sea, and the EU CRIMARIO programme<sup>4</sup> to enhance maritime awareness in the Indian Ocean; the findings were further discussed at the following SOM. As of 2017, the EU-ASEAN High Level Dialogue (HLD) on Maritime Cooperation has offered a platform for exchanges of views, best practices, and lessons learnt on maritime issues thrice (Jakarta in 2013, Kuala Lumpur in 2015, and Bangkok in 2016). New editions of the HLD will be hosted by ASEAN member states as a sign that they have been assessed as being useful. Examples of the EU engaging in training and education programmes include cooperation with the Indonesian Peace and Security Centre (Sentul) through lectures, and exchange of curricula and sub-contracting

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<sup>3</sup> ReCAPP – the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia – represents Asia's first regional government-to-government agreement to promote and enhance cooperation against piracy and armed robbery against ships. The Agreement entered into force on 4 September 2006, and in 2017, features 20 states (14 Asian countries, 4 European countries [UK, Netherlands, Denmark, and the non-EU member state Norway], Australia, and the US) as Contracting Parties to ReCAAP.

<sup>4</sup> Under the Critical Maritime Routes (CMR) programme, EU CRIMARIO aims to strengthen maritime safety and security in the wider IO region by supporting coastal countries in enhancing maritime situational awareness (MSA). MSA is the sharing and fusion of data from various sources to achieve a comprehensive understanding of the maritime domain, whilst an effective and sustainable MSA enables maritime stakeholders to improve security, safety and environment of this domain. For more information, please visit <https://www.crimario.eu/en/the-project/rationale-objectives/>.

courses on Hostile Environment Awareness Trainings (HEAT) for personnel assigned to the region.

## CONCLUSION

Following the framework set out in the EU Global Strategy, the European Union pursues a strategy of promoting its security interests by aiming for cooperation on those challenges identified as being held in common with its Asian partners through bilateral and multilateral fora. The five key priorities of the EU Global Strategy resonate well with the challenges – such as mass migration of disaster- and conflict-induced displacement of people, maritime security, cyber security, and counterterrorism – that Asian partners, including the EU’s Strategic Partners, Korea, Japan, India, and China, have identified. Concerns about a US policy seen as unpredictable and hot-headed have spurred further interest in Eurasian cooperation on security challenges. Based on the 2009 Lisbon Treaty and the 2016 EU Global Strategy, the EU possesses increasingly comprehensive frameworks for interaction as well as more tools provided by the European Commission’s Foreign Policy Instruments to support the European External Action Service with flexible and timely resources.

However, the EU is still perceived primarily as a potential, rather than a de facto, security actor in the Asia-Pacific region. Core challenges to the EU’s credibility and relevance as a security actor in Asia and with Asian countries are the still underdeveloped, existing security partnerships and the EU’s perceived absence from crucial hot-spots in the region, with North Korea being the most striking example, but the South China Sea another case in point. To what extent the EU will be able to respond to the new interest emerging from its Asian partners and to put the ambitious priorities of the EUGS into practice will impact its credibility and capability in the realm of Eurasian security cooperation.

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