



# Towards a Sustainable Security for Asia and Europe

## The Next Gen EU-ASEAN Think Tank Dialogue

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Co-funded by  
the European  
Union





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## FOREWORD

The world today has long been engaged with the challenges and opportunities that arise in a rapidly changing global environment. The current security context is shaped by a range of factors and a number of broader trends that interact in a variety of ways to produce a volatile and unpredictable security environment, characterised by both traditional and non-traditional security threats. These are all contributing to a world that is more interconnected and interdependent than ever before, but also more complex and unpredictable.

Given the complexity of the current situation, it is clear that there are no easy solutions to the challenges that we face. As the challenges are often diffused and difficult to predict, they require new forms of cooperation and coordination among states and non-state actors. The complex and interconnected nature of the security challenges today highlights the importance of cooperation between ASEAN and the EU for promoting peace, stability and security.

ASEAN and EU regions have been working tirelessly in building a more inclusive and sustainable security architecture. In addition to formal intergovernmental cooperation, there is also a pressing need for track II (non-official) cooperation between ASEAN and the EU in the field of security, which helps to foster greater mutual understanding, build trust, and develop innovative solutions to complex security challenges facing both regions. In this regard, joint research publications can also help to promote greater awareness and understanding of security issues among policymakers, civil society actors, and the general public, both within ASEAN and EU regions and beyond.

This joint publication on security issues aims to serve as a platform for dialogue and exchange, and can help to build bridges between the two regions, particularly in areas where there may be divergent perspectives or approaches. By collaborating on research and analysis, ASEAN and EU research fellows can make recommendations for security cooperation between the two regions.

The authors of this volume are fellows under the Security cluster of the EANGAGE project, who bring a wealth of expertise and experience to bear on the issues at hand. They offer a range of perspectives and insights that will be of interest to scholars, policymakers, and concerned citizens alike. From the technologically advanced cooperation in the Indo-Pacific to the challenges to human security, the contributors to this book grapple with some of the most

pressing security topics of our time. One of the strengths of this volume is its multidisciplinary approach as the authors draw on a variety of theoretical frameworks and empirical evidence to shed light on the complex and multifaceted nature of contemporary security threats. Especially through these joint publications, ASEAN and EU fellows can share best practices and lessons learned, and develop new approaches to addressing shared security challenges.

Having no doubt that this will be an invaluable resource for scholars and practitioners alike, the Diplomatic Academy of Vietnam is delighted to recommend this research volume to anyone with an interest in the future of international relations. We look forward to receiving comments from readers via our email at [vnccing@dav.edu.vn](mailto:vnccing@dav.edu.vn). We hope that the fellows of the EANGAGE project will continue to strengthen the network and to join hands in our future projects.



Dr. Pham Lan Dung  
Acting President, Diplomatic Academy of Vietnam

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Finally, this book would not have been possible without the dedication and enthusiasm of the young research fellows who wrote the papers in this volume.

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**Women, Peace and Security  
under Authoritarianism  
in ASEAN**

Overcoming Challenges in a  
Constrained Environment

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**Dana Lee | Anna Grzywacz**

## Abstract

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United Nations Security Council Resolution 1325 on Women, Peace and Security, UNSCR 1325, adopted in 2000, was a landmark in advancing women's rights and recognition of their roles in peace and security. In general, non-democratic regimes are less likely to effectively and sincerely implement the agenda and liberalise their stance on women's rights, or to play a significant role in the diffusion of women, peace and security (WPS) norms, and more likely to restrain civil society organisations (CSOs). Thus, in this paper, we address the question of how non-governmental organisations advancing WPS overcome challenges posed by their governments. We analyse two case studies: Cambodia and Myanmar. Our findings show that CSOs in Cambodia employ mainly two strategies when dealing with the regime, cooperation and conflict, whilst CSOs in Myanmar mainly use one strategy, which is conflict. In both analysed cases CSOs have little to no autonomy and are able to operate in the politically approved areas only, but in the case of Cambodia, a mix of strategies allows CSOs to push further their agendas. Moreover, we notice a lack of institutional support coming from regional organisations, both the European Union and the Association of Southeast Asian Nations.

## INTRODUCTION

It has been more than 20 years since the first and major international step towards highlighting the importance of gender equality and protection of women's rights in peace and development was taken by the United Nations Security Council (UNSC). In 2000, the Security Council adopted UN Security Council Resolution 1325 on Women, Peace and Security.<sup>1</sup> The resolution recognises not only a need to protect and promote women's rights, but also their essential role in peace-building programmes. Resolution 1325 was followed by the adoption of nine other resolutions, all forming what is known as the Women, Peace and Security (WPS) agenda.<sup>2</sup> The agenda is built upon four pillars: participation, conflict prevention, protection, and relief and recovery.<sup>3</sup> The pillars are complementary to each other. The UN has been supporting states in adopting and implementing National Action Plans guiding WPS policies. A number of states (and international organisations) have taken measures to implement the agenda and assert that women's rights are essential in stabilising conflict areas. Although the effectiveness of the implementation of WPS has been questionable, there is little doubt that ensuring women's rights and their political participation is a key component of ensuring security.

However, the political participation of women and the adoption of WPS are not the key concerns of non-democratic states. Nor is the involvement of civil society organisations (CSOs) acknowledged to play a critical role in promoting WPS. Thus, in this paper, we aim to analyse: how civil society organisations promote issues falling within the scope of the WPS agenda and

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1. United Nations Security Council Resolution 1325. 2000. S/RES/1325. (<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES1325%20.pdf>).

2. These resolutions are: UNSCR 1325, UNSCR 1820, UNSCR 1888, UNSCR 1889, UNSCR 1960, UNSCR 2106, UNSCR 2122, UNSCR 2242, UNSC 2467, and UNSCR 2493.

3. The first pillar focuses on an increase in the number of women participants in the decision-making processes, dialogues and negotiations; the second pillar aims to establish mechanisms protecting women's rights by eradicating violence towards them; the third pillar calls for the development of strategies and programmes to prevent violence against women; and the fourth pillar focuses on the inclusion of women and their needs into relief and recovery processes and programmes.

how they overcome challenges posed by authoritarian states, including what strategies they apply. Our findings show that CSOs in the two states have little to no autonomy, and are able to operate in politically approved areas only. But, CSOs in Cambodia choose strategies of cooperation and conflict, while in the case of Myanmar, it is conflict. CSOs advancing WPS in Myanmar are more visible internationally and in conflict with the military regime due to the oppressiveness they experience. In the case of Cambodia, a mix of two strategies creates more room to manoeuvre for CSOs, so they can push their agenda as well as gain access to decision-makers.

Our paper is structured as follows: after the introduction, we briefly address authoritarian regimes' attitudes towards women's empowerment, and then discuss regional support of WPS. In the fourth section, we explain our conceptual approach. In the following two sections, we examine the authoritarian constraints in the two discussed cases and how civil society overcomes them. We close our paper by comparing the CSOs' activities and strategies in the two states.

## **AUTHORITARIAN APPROACH TOWARDS WOMEN'S RIGHTS AND THEIR POLITICAL PARTICIPATION**

Although gender equality has been recognised as a core right in numerous human rights declarations, women are still targets of systemic abuses – starting from limited access to education and health systems, and receiving lower wages than male counterparts and ending with serious and mass violations of their rights in armed conflicts and civil wars. It has been established that women's participation in resolving and preventing conflicts is essential to providing security, but also that their involvement is critical to societal and economic development. The UN declarations and conventions include general statements, but also provide guidance on more specific measures state actors should take to advance women's rights, such as the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) signed in 1979. Despite the international institutional and legal support of women,



violence against women is still a concern.<sup>4</sup> Promoting women's rights and participation in security has been essential to addressing the root causes of armed conflicts and providing stable conditions for sustainable economic development.<sup>5</sup>

Democracy as an open and inclusive system enhances dialogue on gender equality and is more open to adopting and implementing mechanisms protecting women. Democracies are more likely to introduce changes and debates on policies addressing gender inequality. Moreover, an important role in raising the discussions and pushing for changes is played by civil society organisations. But, a great number of states are not democratic, and some of the authoritarian states adopt the WPS agenda or implement WPS-inspired programmes.<sup>6</sup> Thus, we focus on CSOs promoting the WPS agenda under authoritarian rule. We choose to do so as the authoritarian context provides a different, and more challenging, environment than a democratic setting.

## REGIONAL PROMOTION OF WPS

Alongside the already mentioned support of the UN in promoting WPS, in the regional context of Southeast Asia, the Association of Southeast Asian Nations (ASEAN) has also implemented programmes and pushed for changes towards achieving gender equality. ASEAN has adopted a number of documents suggesting the commitment of the Association: *Declaration on the Elimination of Violence against Women in the ASEAN Region* in 2004, *Hanoi Dec-*

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4. Oudraat, Chantal de Jonge, and Michael E. Brown. 2020. *The Gender and Security Agenda: Strategies for the 21st Century*. London and New York: Routledge, pp. 2–3.

5. Paffenholz, Thania, Nick Ross, Steven Dixon, Anna-Lena Schluchter, and Jacqui True. 2016. *Making Women Count – Not Just Counting Women: Assessing Women's Inclusion and Influence on Peace Negotiations*. Geneva: Inclusive Peace and Transition Initiative. (<https://www.peacewomen.org/sites/default/files/Making%20Women%20Count%20Not%20Just%20Counting%20Women.pdf>); Klugman, Jeni. 2020. Gender, Development and Security. In Chantal de Jonge Oudraat and Michael E. Brown (eds.). *The Gender and Security Agenda*. London and New York: Routledge, pp. 135–154.

6. Donno, Daniela, and Anne-Kathrin Kreft. 2019. Authoritarian Institutions and Women's Rights. *Comparative Political Studies* 52(5), 720–753. (<https://doi.org/10.1177/0010414018797954>).

laration on the Enhancement of the Welfare and Development of ASEAN Women and Children in 2010, Declaration on the Elimination of Violence against Women and Children in 2013, ASEAN Regional Plan of Action of Elimination on Violence in 2015, and Joint Statement on Promoting Women, Peace and Security in ASEAN in 2017. Moreover, ASEAN promotes WPS through ASEAN Inter-Governmental Commission on Human Rights, ASEAN Institute for Peace and Reconciliation, and the ASEAN Women for Peace Registry.<sup>7</sup> Although it has been recognised that non-governmental organisations are important players in promoting the WPS agenda, the Association has a mixed record of supporting non-governmental actors.<sup>8</sup> ASEAN has created space for discussions on gender equality, but the organisation itself has no instruments to incentivise its members to comply with the WPS standards.

ASEAN comprises ten Southeast Asian states, a number of which are non-democracies. Malaysia, the Philippines, Indonesia, Thailand, and Singapore are considered flawed democracies, while Cambodia, Myanmar, Vietnam, and Laos are regarded as authoritarian states.<sup>9</sup> ASEAN members have a poor record in terms of human rights protection.<sup>10</sup> Despite the institutional support, it all comes down to a political decision of adopting WPS by state actors. Thus, we further focus on the domestic context.

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7. Davies, Sara E. 2020. Atrocity Prevention in Practice: Studying the Role of Southeast Asian Women in Atrocity Prevention. In Cecilia Jacob, Martin Mennecke (eds.). 2020. Implementing the Responsibility to Protect. London and New York: Routledge, pp. 156–176; ASEAN Regional Study on Women, Peace and Security. 2021. (<https://asean.org/book/asean-regional-study-on-women-peace-and-security/>).

8. However, ASEAN allows only registered CSOs to cooperate with the organisation.

9. Brunei is not included in the ranking; Democracy Index 2020. 2020. Economist Intelligence Unit, p. 29. (<https://www.eiu.com/n/campaigns/democracy-index-2020/>).

10. Duxbury, Alison, and Hsien-Li Tan. 2019. Can ASEAN Take Human Rights Seriously? Integration through Law: The Role of Law and the Rule of Law in ASEAN Integration. Cambridge: Cambridge University Press; Renshaw, Catherine. 2017. Global or Regional?: Realizing Women's Rights in Southeast Asia. Human Rights Quarterly 39 (3), 707–745. (<https://doi.org/10.1353/hrq.2017.0038>).

## CONCEPTUAL AND METHODOLOGICAL APPROACH

Civil society organisations are acknowledged to play a critical role in promoting peace and security, including the WPS agenda. By a civil society organisation or a non-governmental organisation (NGO), we mean an organisation serving the general interests of society and playing the role of mediator or intermediary between governmental bodies and society.<sup>11</sup> In our work, we focus on the organisations operating in Cambodia and Myanmar that work on WPS-related issues.

How can CSOs pressure governments to comply with international standards? The ample literature explains and discusses different strategies CSOs can apply to make changes. It includes four patterns of interactions: conflict, cooperation, competition, and cooptation.<sup>12</sup> The strategies are distinguished based on two aspects: goals and means. Cooperation denotes that both the government and CSOs share strategies and ends, while conflict means that the two have different means and ideas. A competitive relationship exists when governmental bodies share the same goals as CSOs, but not strategies. And the last type of interaction, cooptation, assumes that the actors have different goals but employ the same strategies. Conflict occurs mostly in the area of human rights, but also humanitarian relief and environmental issues. In contrast, cooperation dominates development programmes.<sup>13</sup> But, generally, the literature identifies two different types of strategies, cooperation and conflict. Cooperation includes some sort of CSOs' influence on the government, and allows for the implementation of projects within communities and also for advocacy, but is associated with a risk of cooptation and may raise questions on the CSOs' legitimacy and trustworthiness. Unlike coopera-

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11. We use the terms *civil society organisations* and *non-governmental organisations* interchangeably.

12. Stroup, Sarah S. 2019. NGOs' Interactions with States. In Thomas Davies (ed.). 2019. *Routledge Handbook of NGOs and International Relations*. London and New York: Routledge, pp. 32–45.

13. Johnson, Tana. 2016. Cooperation, Co-Optation, Competition, Conflict: International Bureaucracies and Non-Governmental Organizations in an Interdependent World. *Review of International Political Economy* 23 (5), 737–767. (<https://doi.org/10.1080/09692290.2016.1217902>).

tion, conflict as a strategy focuses on advocacy campaigns and may result in limited access to governmental bodies, but CSOs uphold the required level of legitimacy and trustworthiness.

The WPS agenda is a broad category that would fall in conflict or conflict-like areas of interactions between governmental and non-governmental organisations. Is this the case for authoritarian settings? The low level of protection of human rights implies that a conflictual relationship is not viable and simply illegal. However, CSOs *are* operating in authoritarian states, and moreover, their creation and development *are* supported by non-democratic regimes. It is thus argued that authoritarian governments exploit civil society organisations to uphold their legitimacy.<sup>14</sup> Andrew Heiss explains: “Empowering NGOs allows autocrats to expand their control over society and take advantage of the services and expertise provided by these organisations, but doing so also runs the risk of allowing these organisations to destabilise the regime”.<sup>15</sup> It highlights a trap of autonomy and dependence. CSOs are required to have the autonomy to act according to their interests, but they are heavily dependent on governments. However, CSOs promoting the WPS agenda should be welcomed by states with a history of conflicts or are experiencing conflicts. Nevertheless, just as much as they are welcomed, they are also controlled by governmental bodies to make sure they act in accordance with state interests. Equally important is the issue of source of funding. Governmental decisions to finance CSOs lead to increased control over these organisations. But, foreign funding support contributes to more strict control over non-state actors. International funding is associated with a threat of destabilising authoritarian governments, specifically if an organisation operates in human rights and advocacy areas. Welfare and grassroots development areas are seen as contributing to regime stability and thus cooperation is more likely to occur in such areas, although the line between cooperation and cooptation is thin.

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14. Bush, Sarah Sunn. 2019. Democracy and NGOs. In Thomas Davies (ed.). 2019. Routledge Handbook of NGOs and International Relations. London and New York: Routledge, pp. 543–556; Heiss, Andrew. 2019. NGOs and Authoritarianism. In Thomas Davies (ed.). 2019. Routledge Handbook of NGOs and International Relations. London and New York: Routledge, pp. 557–572.

15. Heiss, Andrew. 2019. NGOs and Authoritarianism. In Thomas Davies (ed.). 2019. Routledge Handbook of NGOs and International Relations. London and New York: Routledge, pp. 557–572, 560.

We further proceed with an analysis of the constraints that are placed on CSOs and how they are being overcome by referring to the above-mentioned types of interaction. We look particularly at what types of interaction persist between governments and CSOs promoting WPS and how CSOs respond to them. While WPS has established its pillars and defined the scope of each of the pillars, the two case studies analysed in this paper do not adhere strictly to the pillars. We analyse CSOs' operations falling within the scope of WPS to see how the agenda is pushed forward without a formal governmental implementation of it.

We analyse two case studies. Neither Cambodia nor Myanmar has adopted National Action Plans for WPS implementation, although Cambodia is somewhat committed to the protection of women's rights, through its ratification of the *Convention on the Elimination of All Forms of Discrimination against Women* in 1992. We selected these two states for (at least) three reasons: (1) both states are authoritarian and authoritarian states are more reluctant to protect women's rights; (2) both states have experienced armed conflicts – Cambodia during the Cold War, while Myanmar has been dealing with internal conflicts for years; and (3) both states have a poor record of gender equality. The Global Gender Gap ranks Cambodia 89th and Myanmar 114th out of 154 analysed states.<sup>16</sup> Despite a questionable record of women's rights protection in the two states, both actors consider WPS as a significant agenda. As concluded by Lourdes Veneracion-Rallonza, four Southeast Asian countries have the potential to promote the WPS agenda, namely Indonesia, the Philippines, Cambodia, and Myanmar.<sup>17</sup> Indonesia and the Philippines are the only two states in Southeast Asia with WPS National Action Plans, whilst Cambodia and Myanmar have implemented plans related to WPS. In this paper we focus on authoritarian regimes; therefore, the two states are arguably good case studies to investigate how civil society pressures the governments to protect women's rights and acknowledge their vital role in peace and security.

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16. Out of the 10 ASEAN members, Cambodia is ranked 6th and Myanmar 10th in the ranking; Global Gender Gap Report 2021. 2021. World Economic Forum. (<https://www.weforum.org/reports/ab6795a1-960c-42b2-b3d5-587eccda6023/>).

17. Veneracion-Rallonza, Ma Lourdes. 2016. Building the Women, Peace and Security Agenda in the ASEAN through Multi-Focal Norm Entrepreneurship. *Global Responsibility to Protect* 8 (2-3), 158-179. (<https://doi.org/10.1163/1875984X-00803005>).

We do not focus on the efficacy of CSOs. Assessing the performance of non-governmental organisations includes an assessment of their effectiveness, but as already noted democratic and non-democratic regimes differ fundamentally in how they treat civil organisations. Limitations placed on CSOs are essential factors determining not only the effectiveness of CSOs' operations but also their contributions to the regime's stability. Thus, we focus on constraints and ways of overcoming them in order to promote WPS. The two following sections are structured as follows: we provide a short overview of the two authoritarian regimes, briefly introduce the state of women's rights, explain how and to what extent the two state actors respond to WPS, and finally, how civil society organisations promote WPS.<sup>18</sup>

## CAMBODIA

### Cambodian Authoritarian Characteristics

Hun Sen has served as the prime minister of Cambodia since 1985. He was engaged in the 1991 Paris Peace Talks and ended the conflict with Vietnam. Two years later, when he challenged the election results for not giving him power, he called for a 50-50 power-sharing rule, an agreement with Norodom Ranariddh, First Prime Minister.<sup>19</sup> It is considered as a peaceful resolution for domestic stability by balancing power between the previous ruling government and the winning party. In an authoritarian regime, it is important to know how to persuade the ruling government to give up its power in order for the new government to form. This type of characteristics is influenced by the legacy of warfare as Cambodia was mired in a civil war for many decades and any threat to the stability of the country would convince the other party to compromise. Therefore, the concern over the 1993 election was resolved when King Sihanouk accepted Hun Sen's proposal of 50-50 power-sharing, a system that adopted a co-prime minister and co-ministers

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18. We do not discuss all the CSOs operating in both states, but only the most influential ones.

19. Roberts, David. 2020. Democratization, elite transition, and violence in Cambodia, 1991–1999. *Critical Asian Studies* 34 (4), 520–538. (<https://doi:10.4324/9781003060604-2>).

from both parties, the National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC) and the Cambodian People's Party (CPP).<sup>20</sup> Hun Sen has been holding the power he was not granted in the elections. However, Hun Sen's power grab and Cambodian authoritarian characteristics are still relevant to Cambodia's politics today, with crackdowns on the opposition, activists, and the media. It is worth noting that Cambodia's senior citizens have lived through the Khmer Rouge mass killings of almost a quarter of the total population, and decades of civil war. The post-war traumatised of every Cambodian who spent almost 30 years living under conditions of instability is well complemented by a strongman figure. Consequently, political protests are very less likely to occur in Cambodia compared to other Southeast Asian countries such as Thailand and Myanmar. Still, protests and demonstrations against the government that mostly involved the young generation largely occurred after the 2013 election. There was a record of 642 labour demonstrations from 2010 to 2018<sup>21</sup>. Hun Sen was able to gather all the power for himself, take down the opposition party, and oppress the media and political activists, all with little resistance from the people. For example, in 2017, the Supreme Court dissolved the opposition party, which was holding 55 out of 123 seats.<sup>22</sup> The CPP has been criticised for the imprisonment of the vice-president of the Cambodia National Rescue Party (CNRP), and the assassination of the famous political analyst Kem Ley, the environmentalist Chhut Vuthy, and the leader of the trade union Chea Vichea. Hun Sen showed regret in his speech in the capital Phnom Penh that he had not targeted to kill the leaders of the demonstration "at the time."<sup>23</sup> He addressed the president of the CNRP, who is currently in exile, directly: "I want to let you know that if you hadn't fled Cambodia,

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20. Roberts, David. 2020. Democratization, elite transition, and violence in Cambodia, 1991-1999. *Critical Asian Studies* 34(4), 520-538. (<https://doi:10.4324/9781003060604-2>).

21. Increased repression, declining demonstrations: An analysis of Cambodian demonstrations. 2019. (<https://acleddata.com/2019/02/22/increased-repression-declining-demonstrations-an-analysis-of-cambodian-demonstrations-2010-2018/>).

22. National Election Committee. 2013. The Official results of provincial and municipal elections nationwide. (<https://www.nec.gov.kh/khmer/content/4136>).

23. Finney. 29 November 2018. Cambodia's Hun Sen 'sorry' he hadn't killed protest leaders. Radio Free Asia. (<https://www.rfa.org/english/news/cambodia/sorry-11292018161515.html>).

you would already have had your funeral.”<sup>24</sup> Between September 2020 and June 2021, six environmental activists were arrested, of which two women activists, Long Kunthea and Phoun Keo Raksmeay, are facing up to ten years in prison on the charges of “plotting” based on Article 453 of Cambodia’s criminal code. Besides that, the Cambodian government also unsuccessfully pursued charges against the CNRP female vice president via extradition from Malaysia.<sup>25</sup>

The freedom of the media as well as the freedom of speech have been restricted. Since 1992, at least 14 journalists have been murdered because of their reports.<sup>26</sup> In 2017, *Cambodia Daily*, an independent newspaper company, was shut down after 24 years of operation because of its inability to pay back the tax to the government.<sup>27</sup> From January to June 2020, the royal government of Cambodia revoked the licenses of three independent media platforms, namely, TVFB news, Rithysen Radio station, and CKV TV online.<sup>28</sup> In addition, Yeang Sothearin and Uon Chhin, journalists from Radio Free Asia (RFA), were charged with espionage. Even though there were no pieces of evidence, the court refused to dismiss the case, meaning that the investigation will always continue, and their rights to leave the country are restricted. The media is an essential platform to provide a voice for the powerless people whose rights are violated or who have experienced land grabbing. The international community and the public can then see or hear the voice of the people in the rural areas whose land were forcefully acquired in the name of development.

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24. Finney. 29 November 2018. Cambodia’s Hun Sen ‘sorry’ he hadn’t killed protest leaders. Radio Free Asia. (<https://www.rfa.org/english/news/cambodia/sorry-11292018161515.html>).

25. Ginsburg. 2020. Authoritarian international law? *American Journal of International Law*. (doi:10.1017/ajil.2020.3).

26. Scoones, Edelman, Borrás Jr. et al. 2021. *Authoritarian Populism and the Rural World*. London: Routledge.

27. Human Rights Watch. 2021. *World Report 2021*.

28. Human Rights Watch. 2021. *World Report 2021*.



## Women's Rights Situation in Cambodia

Based on the above-mentioned authoritarian characteristics, three main women's rights concerns will be discussed in this part. Women's rights violations include the poor working conditions of garment workers, the lack of women in political participation, and the arrest of land defenders. Before the 2018 election, many of the demonstrations carried out by garment workers demanded an increase in their salaries to a level commensurate with an affordable living standard in Cambodia. The garment and footwear factories in Cambodia employ approximately one million workers, of whom almost 80 per cent are female.<sup>29</sup> The workers migrate from the rural parts of Cambodia to work in the city and send back part of their salaries to support their families. Although the workers work for long hours daily, they receive very low salaries and are struggling to make ends meet. In 2014, the minimum salary of garment workers was only US\$100 per month.<sup>30</sup> The protests and crackdowns between 2013 and 2018 received a lot of media attention. As a result, the minimum wage has been steadily increasing, from US\$100 in 2014 to US\$192 in 2021.<sup>31</sup> Besides that, in early 2000, there were complaints about mistreatment of factory workers and their poor working conditions, such as violence, the threat of violence, working long hours, and the issue of racism between the foreign employers and Khmer employees.<sup>32</sup> These issues had become a political matter as they led to demonstrations involving support from the trade union and the opposition party (Sam Rainsy Party). In 2004, Chea Vichea, the head of the trade union, was shot in his head, and until now the "real" perpetrator has not been found yet.

Another issue is related to the number of Cambodian women in political participation. Women are underrepresented at the decision-making level.

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29. International Labour Organization. 2018. Cambodia Garment and Footwear Sector Bulletin. (wcms\_663043.pdf). (ilo.org).

30. See more at Cambodia Garment and Footwear Sector Bulletin.

31. aseanbriefing.com. 2021. Cambodia's 2021 Minimum Wage: Increased for Textile and Garment Sector. (<https://www.aseanbriefing.com/news/cambodias-2021-minimum-wage-increased-for-textile-and-garment-sectors/>).

32. Hughes. 2007. Transnational Networks, international organizations and political participation in Cambodia: Human rights, labour rights and common rights. Democratization 834-852. (doi:10.1080/13510340701635688).

The first democratically elected government in 1993 comprised all male ministers. Whereas women comprised 56 per cent of the voters, only 5 per cent of the candidates were women.<sup>33</sup> This is due to the instability during the war period sharpening men's leadership while women's educational background was seen as a disadvantage. The conditions have improved in the last decade: the percentage of women in parliament was 21.1 per cent in 2010 although this slightly decreased to 20 per cent in 2020. However, many female human rights defenders are living under threats, and some of them were sentenced to prison because of political reasons. After the detention of Rong Chhun, a Cambodian union leader and a political activist, trade unionists and female peace activists Sar Kanika, Chhoeun Daravy, and Eng Malai, who asked for the release of Rong Chhun, were later also sent to prison. Since there is only one female prison in Cambodia (CC2), the conditions there are very difficult and do not comply with international standards. The prisoner must share a space approximately 30 metres long and 7 metres wide with 176 female prisoners, which is 400 per cent more than the limited capacity. There is only one bathroom and two toilets, with almost no support for women during their menstruation periods and pregnancies.

Similarly, women stand on the frontline to protect their land against forced evictions. Land grabbing occurred when Cambodia went through the phase of development. Women use their identities as mother and wife, which are associated with peaceful resistance, to reduce the likelihood of violence or imprisonment when resisting local authorities. One of the most famous cases of forced eviction is Boeng Kok Lake, where the government leased 133 hectares of land to a private Chinese company called Shukaku, Inc in February 2007.<sup>34</sup> It was portrayed as a case of Cambodian women defending their land when the government sold it to Chinese investors. In 2014, Tep Vanny and four other women were re-arrested when they called on the international community to put pressure on the ruling party for arresting garment workers. In May 2012, 13 Boeng Kok Lake women were sentenced

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33. Hill, Ly. 2004. Women are silver, women are diamonds: Conflicting images of women in the Cambodian Print Media. *Reproductive Health Matters*, 104-115. (doi:10.1016/s0968-8080(04)24148-9).

34. Brickell. 2014. "The whole world is watching": Intimate geopolitics of forced eviction and women's activism in Cambodia. *Annals of the Association of American Geographers* 1256-1272. (doi:10.1080/00045608.2014.944452).

to two and a half years in prison on the charge of illegally occupying the land.<sup>35</sup> The Boeng Kok Lake case has received international attention, leading to the presence of the World Bank Inspection Panel investigating the case. The investigation found that the locals' rights to register the land were unfairly denied before the government leased the land to a private company, thereby causing forced evictions.<sup>36</sup>

## **WPS: International Standards and Domestic Law**

Aligning with the WPS agenda, Cambodia has taken efforts to improve women's rights, as shown in its ratification of the Convention on the Elimination of All Forms of Discrimination against Women on 14 November 1992, and its optional protocol on 13 October 2010. Article 45 of the constitution of Cambodia prohibits discrimination against women and the exploitation of women in their work, and instead promotes gender equality, particularly in family affairs. Article 46 of the constitution guarantees women jobs and full salaries during maternity leave. However, the article failed to mention the minimum length of maternity leave, leading to ambiguity when implementing the law.<sup>37</sup> Another limitation was shown in article 106 of the Labour law, which stipulates equal wages for the same work conditions, regardless of sex and age. In practice, however, women's salaries are lower than men's in some places. For instance, women garment workers' salaries are 13 per cent lower than those of men doing the same type of work.<sup>38</sup>

From here we will assess Cambodia's government's performance in improving WPS by reviewing the concluding observations written by the Human Rights Committee in 1999 and 2015. Both years are considered remarkable

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35. Brickell. 2014. "The whole world is watching": Intimate geopolitics of forced eviction and women's activism in Cambodia. *Annals of the Association of American Geographers* 1256-1272. (doi:10.1080/00045608.2014.944452).

36. Brickell. 2014. "The whole world is watching": Intimate geopolitics of forced eviction and women's activism in Cambodia. *Annals of the Association of American Geographers* 1256-1272. (doi:10.1080/00045608.2014.944452).

37. The problem of implementation is questionable when the labour law allows 90 days of maternity leave with half-pay and other benefits.

38. International Labour Organization. 2018. Cambodia Garment and Footwear Sector Bulletin. (wcms\_663043.pdf (ilo.org)).

years in Cambodian politics. Even though the first democratic election was held in 1993, instability was still an issue due to the coup d'état in 1997, and the Khmer Rouge force's presence in the forests. 1999 marked the integration of the Khmer Rouge into the government, which guarantees the stability of the state, but the Human Rights Committee's observations that year show severe violations of women's rights as well as other related rights. According to Comment Number 17 of the Committee's observations, the roles of women in society are subordinated to men's, which thus constrains their full participation in politics. Comment Number 13 showed the concern that "women prisoners are vulnerable to rape by prison guards".<sup>39</sup> There were also reports of "serious overcrowding in prisons and at the level of ill-health among prisoners and the lack of health care", according to Comment Number 14. This was at the beginning stage of state-building after decades of civil war, and some parts of society were considered to be of lesser priority. However, a similar comment was also seen in the 2015 report,<sup>40</sup> which means that the rights of female and male prisoners have been neglected. Based on Comment Number 7 of the 2015 report's concluding observations, the low representation of women in politics, especially in the decision-making process, was still a concern.

## How Civil Society Helps to Improve the Situation

Thanks to the political transition after the civil war, Cambodia has attracted many NGOs, making it one of the countries with the highest level of NGO concentrations in the world.<sup>41</sup> However, the level of autonomy of the civil society in Cambodia is very low because of government restrictions. Heads of NGOs and staff working in the human rights sector face threats from the government, which thus also constrain their duties and decision-making pro-

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39. Human Rights Committee. 1999. Concluding Observations of the Human Rights Committee.

40. Human Rights Committee. 2015. Concluding observations on the second periodic report of Cambodia.

41. Hughes. 2007. Transnational Networks, international organizations and political participation in Cambodia: Human rights, labour rights and common rights. Democratization 834-852. (doi:10.1080/13510340701635688).

cesses. For example, a training session to raise awareness of land laws was being conducted in a rural area by the staff of a human rights NGO, when local police personnel came to observe and asked for the list of participants. Local people quickly left the training session, and the NGO's staff felt threatened.<sup>42</sup> To examine the civil society in Cambodia, we consider the cases of well-known NGOs dealing with a variety of issues.

Cambodian League for the Promotion and Defence of Human Rights (LICADHO) is an NGO focusing on the promotion, monitoring, and protection of human rights. LICADHO does monitoring work by investigating state violations of human rights, including children's rights and women's rights, through conducting investigations, writing reports, and cooperating with the court or authorities in interventions. Other related monitoring works are conducted by researchers at 18 prisons in Cambodia, who check the conditions of the prisons and safeguard the legal representation of pre-trial detainees. Therefore, legal consultation is provided to the victims of human rights violations, and, for some important cases, legal protection is also provided. They also provide humanitarian assistance, mainly medical support, to the victims and prisoners. Regarding the promotion aspect, LICADHO's work is concentrated on training programmes that help to raise the awareness of the local communities regarding human rights issues, including violations of women's rights. LICADHO established the Women's Rights Monitoring Office to promote gender equality, and also to monitor abuses. The online database of LICADHO contains all the reports and human rights cases, giving the public a convenient way to access the information. Another well-known NGO is the Cambodian NGO committee on the Convention on the Elimination of All Forms of Discrimination Against Women (NGO-CEDAW), an organisation established to implement CEDAW through a close relationship with the government. There is also the Cambodian Committee for Women (CAMBOW), a collaboration of 35 different NGOs aiming at raising awareness of women's rights and strengthening their positions in education and the workplace.

There are organisations working actively to improve the women's rights situation in particular domains. In the area of garment workers, the Free

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42. Frewer. 2013. Doing NGO work: The politics of being 'civil society' and promoting 'good governance' in Cambodia. *Australian Geographer* 97-114. (doi:10.1080/00049182.2013.765350).

Trade Union of Workers of the Kingdom of Cambodia plays an important role in improving the conditions of factory workers, protecting their rights when they are violated by the factory's owners or managers, and supporting and conducting some labour demonstrations in the past. Two presidents of the trade union were murdered, in 2004 and 2007 respectively, while justice has not yet been achieved. Because the trade union is already strong and efficient, there are no other NGOs working on this matter, but also because the union often acts against the government, their work has been scrutinised.

The second area is the lack of women in political participation: there are several NGOs aiming to empower women's participation in political sectors. Gender and Development for Cambodia established a committee to promote women in politics with the purpose of addressing the issue by lobbying the government, training, and capacity building. Besides that, LICADHO has been actively promoting the respect of civil and political rights, especially the rights of women. Therefore, legal consultation is provided to the victims of women's rights violations, and, in some important cases, legal protection is also provided. Through its 13 local offices and its headquarters, LICADHO monitors the government and cooperates with other national and international organisations to influence Cambodia's government.

The last issue, land grabbing, is covered by the Cambodian Human Rights and Development Association (ADHOC), which deals with forced evictions, land grabbing, and economic and social land concessions. The NGO provides support to the victims, legal advice, training and workshops, and does lobbying jobs through direct meetings with high-ranking officers. ADHOC's reports, press releases, and publications have become one of the main sources of land-issues information in Cambodia.

While Gender and Development for Cambodia follows the government's strategies in achieving its gender goals, the Free Trade Union of Workers of the Kingdom of Cambodia tends to oppose the government. ADHOC and LICADHO use conflict strategies to pressure the government. LICADHO is also supported by an external actor, the LICADHO office in Canada. Gender and Development for Cambodia works on its internationalisation by seeking foreign support. The collaboration of this NGO and Heifer Cambodia received

funding from the European Union in 2013, to work on the project *Promotion and Protection of Women's Rights and Socio-Economic Empowerment*.<sup>43</sup>

CSOs operating in Cambodia are falling within the scope of cooperation and conflict strategies. This influences their performance and development, as the former aligns with the political agenda, constraining substantial changes, whilst the latter is controlled by the government to comply with its political interests. These all contribute to evolutionary and slow progress, working with and for the community, and less focus on substantial legal changes.

## MYANMAR

### Myanmar Authoritarian Characteristics

Except for the period from 2011 to early 2021, Myanmar's political system has been under military rule, which means a strong male-dominant leadership is embedded in Myanmar's characteristics. It should be noted that this strong male-dominant context directly affects the safety and security of common women citizens, especially after the coup d'état in 2021. The Burmese military uses sexual violence as a tactic of war to punish the population or make them retreat from the state.<sup>44</sup> This strategy has been used on minorities before, including the Rohingyas, but now the strategy is used widely on its own citizens. For the period of only ten months after the coup d'état, it was reported that at least 11,047 people were placed under detention, and over 1,345 people were killed, including children.<sup>45</sup> The junta uses weapons

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43. heifer.org. 2013. Cambodian Women's Empowerment Project Launches with Support from European Union. (<https://www.heifer.org/blog/cambodian-womens-empowerment-project-launches-with-support-from-european-union.html>).

44. United Nation. 2021. Conflict-Related Sexual Violence. Report of the United Nation Secretary-General. (<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2021/04/report/conflict-related-sexual-violence-report-of-the-united-nations-secretary-general/SG-Report-2020editedsmall.pdf>).

45. Women's League of Burma. 2021. Hold the Myanmar military and security forces accountable for their grave human rights violations, including violence against women. ([http://womenofburma.org/sites/default/files/2021-12/Letter\\_English\\_.pdf](http://womenofburma.org/sites/default/files/2021-12/Letter_English_.pdf)).

and airstrikes against citizens, causing many people to flee their homes. The military enters houses, robs and kills people inside their homes, and rapes women in some cases. This is due to the suspension of the Privacy and Security Law (2017) on 13 February, meaning that the authority has the right to enter private areas to check for the purpose of security without any court warrants. Another issue is the curfew imposed from 8 pm to 4 am, while the cut-off of internet connections threatens the citizens' right to receive information. The citizens live in fear because if there is an invasion by the military of their private houses, the lack of information and internet connection would put the people in danger.<sup>46</sup> To force the family members to surrender, children are targeted as hostages or even murdered.<sup>47</sup> Therefore, Myanmar people live in fear; even though they do not participate in any protests and physically stay at home, they still face the violation of their privacy by the government. According to the Women's League of Burma, many women who were against the junta were libelled by the military-controlled media. The language used by the military or the statements made by the spokesperson tend to be sexist. It is worth noting that women are subordinated to men in the society as well as in Myanmar Buddhism; however, the patriarchal norms and the male-dominant context in the current Myanmar political system make it even harder for women to protect their rights.

## Women's Rights Situation in Myanmar

Under military rule, the situation of women's rights in Myanmar as well as the safety of women are deteriorating. First, we will scrutinise the women's conditions in the historical context under the junta before and after the crackdown on the 8888 uprisings. Women's participation in the political sector is very low. Approximately 20 years before the uprising in 1988, the percentage of women in the parliament was low, constituting less than 3 per cent of the

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46. Sharma, et al. 2021. Covid-19 and a coup: Blockage of internet and social media access further exacerbate gender-based violence risks for women in Myanmar. *BMJ Global Health*. (doi:10.1136/bmjgh-2021-006564); *The Irrawaddy*. 3 December 2021. Myanmar (Burma): Myanmar Junta Killed Around 100 Children Since Coup: NUG. *The Irrawaddy*. (<https://www.irrawaddy.com/news/burma/myanmar-junta-killed-around-100-children-since-coup-nug.html>)

47. Khaing. 1984. *The world of Burmese women*. London: Zed Books Ltd.



overall number of seats in the parliament.<sup>48</sup> In the 1990 election, 15 women were elected to the parliament, which comprised a total of 485 seats.<sup>49</sup> However, this does not imply the improvement of women's involvement in political participation because all the women elected were candidates from the National League for Democracy (NLD), the party that received overwhelming support from the population.<sup>50</sup> Since Aung San Suu Kyi was placed under house arrest, the election's result does not mean anything.

On the other hand, the protests against the military in 2021 comprised approximately 60 per cent of women as frontline protest leaders, and 70-80 per cent as the leaders of the civil disobedience movement.<sup>51</sup> This contrasts with the idea that politics and power are strongly associated with men. Due to the leadership of women in the protests, large percentages of women are under arrest and detention. During the arrests and interrogations, women experienced severe torture as it has currently become a common practice by the junta. The government cracked down on the demonstrations with force, violence, and even murder. The very first assassination was carried out nine days after the coup, when the military shot a 19-year-old girl in her head during a peaceful demonstration. In addition, the military tries to threaten women protesters mentally and physically by using sexual violence. According to a woman who was arrested, the military used sexist words against the protestors, such as "F\*\*\*\*\* dog daughters, we will rape and kill you all!"<sup>52</sup> Some women protestors who were placed under detention were raped in order to ensure that those women protesters would not rebel against the junta after release. Another issue is the conditions of the prison, where there is a lack of hygiene and privacy. As mentioned above, at least 11,047 people

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48. Loring. 2018. Overcoming barriers: Myanmar's recent elections and women's political participation. *Asia Pacific Viewpoint* 74-86. (doi:10.1111/apv.12177).

49. Loring. 2018. Overcoming barriers: Myanmar's recent elections and women's political participation. *Asia Pacific Viewpoint* 74-86. (doi:10.1111/apv.12177).

50. Khin. 6 March 2021. Myanmar (Burma): With Myanmar's Most Famous Woman in Custody, Many Others Step up to Take on Junta. *Radio Free Asia*. (<https://www.rfa.org/english/news/myanmar/iwd-aungsansuukyi-03082021164419.html>).

51. A. A. (Myanmar Researcher) and Liv S. Gaborit. 2021. Dancing with the junta again. *Anthropology in Action* 51-56. (doi:10.3167/aia.2021.280207).

52. A. A. (Myanmar Researcher) and Liv S. Gaborit. 2021. Dancing with the junta again. *Anthropology in Action* 51-56. (doi:10.3167/aia.2021.280207).

have been placed under detention, which means the sudden increase in the number of detainees would lead to an overcrowding problem. Under the pandemic situation where people are supposed to practise social distancing, detainees are facing health risks. Lack of clean water would force the detainees to drink unclean water that could result in diarrhea. There were reports of the violation of the privacy of female prisoners, as the location of their bathroom allowed male prisoners to see inside the bathroom.<sup>53</sup>

## **WPS: International Standards and Domestic Law**

Myanmar ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1997, but did not ratify its optional protocol. Since the state is not legally bound to the protocol, any individual complaints regarding the violation of women's rights could not be reviewed by the CEDAW committee. The domestic law to improve women's rights in Myanmar is very limited or even vague. In Myanmar, there are two main laws: the common law and the customary law, which is influenced by the Buddhist law widely practised by the Burmese.<sup>54</sup> The Buddhist law places women in a patriarchal society, which diminishes women's status in society and the political sector. Article 348 of the constitution guarantees the principle of non-discrimination regardless of gender. However, this article does not clarify the type of discrimination, that is, whether it is direct or indirect discrimination. Similarly, article 352 states:

The Union shall, upon specified qualifications being fulfilled, in appointing or assigning duties to civil service personnel, not discriminate for or against any citizen of the Republic of the Union of Myanmar, based on race, birth, religion, and sex. However, nothing in this Section shall prevent the appointment of men to the positions that are suitable for men only.<sup>55</sup>

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53. Myanmar's Constitution 2008.

54. Barrow. 2015. Contested Spaces during Transition: Regime Change in Myanmar and Its Implications for Women. *Cardozo Journal of Law & Gender* 75-108.

55. Myanmar's Constitution 2008.

It does not discriminate against any background in the occupation of any duty in the union, but specifically states that “some positions are suitable for men only.” The law does not define what type of position is suitable only for men, which gives rise to difficulty in the recruitment process. Moreover, the constitution written by the military is biased towards men’s dominance. It reserves a quarter of the seats for the military, a male-dominant institution, but does not reserve any seats for women. As a result, women are under-represented in the Burmese authoritarian regime.

The Myanmar government made some efforts to improve the women’s situation with new laws and government policies while the state was on a path to democracy. It started with the adoption of the laws on the protection of race and religion that gives women their identity. Myanmar never had a law about violence against women until the start of the process to draft the law in 2012. Before that, the Myanmar law system had never defined the meaning of violence against women.<sup>56</sup> Regarding that matter, the government also imposed the first national plan aimed at reducing violence against women and raising awareness of women’s rights nationwide. It is a ten-year plan called the “National Strategic Plan for the Advancement of Women” (from 2013 to 2022).

## How Civil Society Helps to Improve the Situation

Due to the inherent limitations of carrying out autonomous human rights monitoring under a military government, in 1992, 12 organisations working in the women’s rights sector established their offices outside Myanmar.<sup>57</sup> Most of these exiled organisations are based in the neighbouring country Thailand. Civil society organisations are working to include women’s par-

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56. Barrow. 2015. Contested Spaces during Transition: Regime Change in Myanmar and Its Implications for Women. *Cardozo Journal of Law & Gender* 75-108.

57. Cárdenas, Olivius. 2021. Building peace in the shadow of war: Women-to-women diplomacy as alternative peacebuilding practice in Myanmar. *Journal of Intervention and Statebuilding* 347-366. (doi:10.1080/17502977.2021.1917254).

ticipation in the peace process by delivering leadership training to minority women living in places where conflicts are still ongoing.<sup>58</sup>

One of the leading Burmese women's rights organisations is the Women's League of Burma (WLB). To keep its autonomy in conducting women's rights violations investigations and criticising the government, the main office of WLB remained in Thailand until 2017 under the democratic lead government in Myanmar. Despite the ongoing armed conflicts in Myanmar, WLB has played an important role in promoting "women-to-women diplomacy", aiming to promote peace-building across the ethnic division. Established under the context of political repression and ethnic and armed conflicts, WLB promotes women as an agent in the process of peace-building. The programmes of the organisation are mainly focused on three domains: peace and reconciliation, women against violence, and women's political empowerment. In response to the initial goals of the organisation, the objective of the "peace and reconciliation" programme is related to the preparation for national reconciliation by promoting mutual understanding among all the people of Burma and increasing the public's fundamental knowledge of conflict management. When the Myanmar military government was reluctant in drafting the anti-violence law on women, the WLB programme had been focused on women against violence. This programme aims to eliminate violence against women through women's capacity building. The programme also provides support to the victims of violence and helps the local community to understand state violence against women. The last programme is called "women political empowerment" and its goal is to ensure the increase of women's participation in the political sector, preparing for the movement toward democratisation.

The following are NGOs that work on addressing the four main women's rights concerns in Myanmar: (1) Women in political participation: The Women's League of Burma implements a programme called "women's political empowerment," which aims to ensure the increase of women's participation in the political sector, preparing for the movement toward democratisation. In 2005, WLB signed "the Basic Principles for a Future Federal Constitution

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58. Cárdenas, Olivius. 2021. Building peace in the shadow of war: Women-to-women diplomacy as alternative peacebuilding practice in Myanmar. *Journal of Intervention and Statebuilding* 347-366. (doi:10.1080/17502977.2021.1917254).

of the Union of Burma” and negotiated with the Federal Constitution Drafting and Coordinating Committee to include the principle of gender equality. They were able to successfully lobby to impose a minimum 30 per cent quota on women’s positions at the federal level of the legislative branch; (2) Political detainees: Women Activists Myanmar called for international support, particularly from the Australian government, to apply pressure on the military junta in order to secure the release of all political prisoners, including women human rights defenders. The main platform for spreading information is its official Facebook page, which focuses on spreading awareness through panel discussions and webinars. However, some political prisoners were released with conditions, according to the NGO’s press release on 20 October 2021; (3) Sexual violence: We have not found any NGOs specifically addressing the issue of sexual violence, but there are NGOs that are working on combating and condemning the junta’s acts of violence against women, in which sexual violence is included. Another programme of the Women’s League of Burma focuses on women against violence. The programme provides support to the victims of violence and helps the local community understand state violence against women. The WLB has issued several press releases and carried out a nationwide campaign to condemn and make the military accountable for sexual violence. Similarly, Women Advocacy Coalition Myanmar (WACM) provides press releases and papers concerning women’s rights and raises awareness about ongoing gender issues in the military. Sexual violence is one of the issues addressed by WACM; (4) Women’s conditions in prison: at the time of writing, this issue has not yet become a focus of any civil society organisation in Myanmar.

It is worth noting that some of the CSOs mentioned above are newly established in response to the human rights situation in Myanmar. All of them are against the military. Those that tackle the issues of sexual violence and political detainees highlighted their work in calling for international pressure and increased awareness of the ongoing situation in Myanmar. Moreover, CSOs are pursuing the strategy of conflict, and are forced to operate from abroad. This results in focusing on society training and providing assistance to those in need. Lobbying for structural and legal changes has been limited significantly. This also leads to the internationalisation of the women’s situation in Myanmar. We also note that not all of the essential areas requiring improvements are covered by CSOs, particularly the one referring to conditions in prison.

## CONCLUSION

Cambodia and Myanmar are two authoritarian, developing economies with a history of conflicts. While even non-democratic states recognise the importance of the WPS agenda and the roles women play in peace-building initiatives and post-conflict recovery, they are hesitant to liberalise domestic law to allow the empowerment of women. Signs of democratic procedures, and civil society activism, in particular, are under strict control. Thus, our aim was to analyse how CSOs operate in a constrained environment, how they respond to political and legal limitations, and what aspects of WPS they promote.

The Cambodian case shows that the main issues lie within the areas of female garment workers, the political participation of women, and land defenders. In each case, CSOs push for the recognition of women's rights and the improvement of the conditions of female workers. There is a mix of two strategies applied by the analysed organisations, cooperation and conflict. Conflict is preferred by the CSOs dealing with human and labour rights, and members of these organisations are more likely to face serious violations of their rights than the ones cooperating with governmental bodies. The CSOs cooperating with the government focus on political participation in general rather than human and labour rights. Despite questionable outcomes in lobbying for further compliance with international standards, the CSOs in Cambodia focus on victims and lobbying for political changes. However, cooperating CSOs are following the regime's interests and adjusting themselves to the governmental requirements. While small changes improving the women's situation are visible, this approach also poses a risk of becoming co-opted by the authoritarian regime.

The domestic conditions are more strict in Myanmar than in Cambodia, and so numerous CSOs are forced to operate from outside of this state. This is the main reason why the CSOs tend to follow the conflict strategy. It also draws more international attention to what happens in Myanmar than in Cambodia. CSOs in Myanmar are more open to looking for international support than those in Cambodia. After the 2021 coup and the rise of military rule, any improvements in advancing WPS have been blocked. Mass human rights violations, sexual violence, and torture led to the establishment of new organisations opposing the military and choosing conflict over other strate-

gies. It affects the development and ability of these CSOs to provide assistance, but also results in the substantial internationalisation of the regime's wrongdoings.

Both cases also show that regional organisations, in particular, ASEAN and the European Union (EU), do not provide critical institutional support to develop WPS agendas in all ASEAN member states. The Association has been slowly expanding its institutional capacity to facilitate implementation and improvements within WPS; however, this remains largely detached from what is happening in the ASEAN member states. The European Union's involvement in advancing WPS as a part of non-traditional security is also scarce, despite the EU's capacity to push forward the agenda as a part of security cooperation with ASEAN.





# 02

## **Implementation of National Action Plans on Women, Peace and Security in Southeast Asia**

Strategies and Opportunities

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**Muizzah Harun**

## **Abstract**

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1325 National Action Plans (NAPs) or NAPs on Women, Peace and Security (WPS) have been employed globally as a key formal national-level policy mechanism to advance the WPS agenda. It serves as an official recognition by a government of its commitment to undertake and implement the necessary strategies, such as monetary allocation, and programmes to advance the agenda. There are two countries in Southeast Asia that have implemented a WPS-related NAP, namely, the Philippines' NAP on UNSCR 1325, and Indonesia's NAP on other WPS resolutions, specifically, UNSCR 1820. The paper aims to examine ASEAN's progress in implementing the WPS, and its related mechanisms, such as NAPs. Lastly, using the concept of "high-impact NAPs", the paper reviews strategies to tackle emerging challenges in relation to advancing women, peace, and security in Southeast Asia.

## BACKGROUND

The Women, Peace and Security (WPS) agenda was initiated through United Nations Security Council Resolution (UNSCR) 1325. Adopted in October 2000, UNSCR 1325 aimed at sustainably integrating women and girls into peace and security initiatives and mechanisms. The resolution was widely considered a landmark development as it acknowledged and addressed the disproportionate impact of violent conflicts on women and girls, whilst concurrently calling for the increased participation of women in conflict resolution, peacekeeping, and peacebuilding. Four key pillars or aspects are highlighted under Resolution 1325, calling for increased participation, protection, conflict prevention and involvement in relief and recovery efforts for women.

**Figure 1. Four Pillars Outlined in UN Security Resolution 1325.<sup>1</sup>**

Women's <b>participation</b> at all levels of decision making in peace and security spheres
<b>Protection</b> of the rights of women and girls
Incorporation of gender perspective into conflict <b>prevention</b> initiatives
Ensuring that gender considerations are integrated into <b>relief and recovery</b> efforts

There are currently 11 Security Council Resolutions which make up the WPS agenda, with the latest, Resolution 2538 on Women and Peacekeeping, adopted in August 2020 under the rotating leadership of Indonesia as President of the United Nations Security Council (UNSC).

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1. Peace Women.org. 2022. Security Council Resolution 1325. (<https://www.peacewomen.org/SCR-1325>).

**Figure 2. Security Council Resolution on WPS.<sup>2</sup>**

Security Council Resolutions on WPS		
Focus	Resolution	Scope
Women in Peacemaking and Conflicts	1325	<ul style="list-style-type: none"> <li>Addresses the disproportionate impact of wars and conflicts on women and girls</li> </ul>
	1889	<ul style="list-style-type: none"> <li>Emphasises the importance of monitoring and accountability tools for WPS implementation</li> </ul>
	2122	<ul style="list-style-type: none"> <li>Highlights an “integrated approach” to sustainable peace</li> </ul>
	2242	<ul style="list-style-type: none"> <li>Encourages assessment of strategies and resources in implementing the WPS agenda</li> </ul>
	2493	<ul style="list-style-type: none"> <li>Urges states to recommit themselves to the WPS agenda</li> </ul>
	2538	<ul style="list-style-type: none"> <li>Calls for increase in women peacekeepers and women in all levels of peacekeeping</li> </ul>
Prevention and Response to Sexual Violence in Conflicts	1820	<ul style="list-style-type: none"> <li>Condemns the use of sexual violence as a tool of war</li> </ul>
	1888	<ul style="list-style-type: none"> <li>Mandates peacekeepers to protect women and girls from sexual violence throughout all points of peace and mediation processes</li> </ul>
	1960	<ul style="list-style-type: none"> <li>Provides framework for accountability for reporting of sexual violence perpetrators in places of armed conflict</li> </ul>
	2106	<ul style="list-style-type: none"> <li>Reiterates that all UN Member States must do more to combat sexual violence in conflicts and prevent impunity</li> </ul>
	2467	<ul style="list-style-type: none"> <li>Highlights survivor-centred approach in guiding actions against conflict-related sexual violence</li> </ul>

2. Peace Women.org. 2022. The Resolutions. (<http://www.peacewomen.org/why-WPS/solutions/resolutions>).

## SOUTHEAST ASIA AND IMPLEMENTATION OF WPS

Southeast Asia is emerging as one of the most dynamic regions in the world. Politically, the Association of Southeast Asian Nations (ASEAN) has been the cornerstone of this region's foreign policy and diplomacy, contributing towards the region's united and centralised approach for decades. Furthermore, ASEAN remains the region's key organisation in driving regional progress, peace, and stability. To ensure this, ASEAN continues to work towards regional objectives as outlined in the ASEAN Community Vision 2025. These objectives cover three distinct but complementary community pillars, namely, the ASEAN Political Security Community (APSC), ASEAN Economic Community (AEC), and ASEAN Socio-Cultural Community (ASC).

In recent years, ASEAN has taken great strides towards advancing the WPS agenda and its pillars. These include the landmark 2017 "Joint Statement on Promoting the Women, Peace and Security Agenda at the ASEAN Regional Forum". Other high-level statements followed suit, demonstrating continued high-level political will and commitment, such as the ASEAN Declaration on the Gender-Responsive Implementation of the ASEAN Community Vision 2025 and Sustainable Development Goals. Consequently, the region also observed the establishment of peace and WPS-related mechanisms such as the ASEAN Institute for Peace and Reconciliation (ASEAN-IPR), launched in 2012 and operationalised in 2018, as well as the ASEAN Women for Peace Registry (AWPR), launched in 2018.

While the region continues to advance and promote socio-cultural, economic and security progress, women continue to face significant challenges and experience notable inequalities compared to their male counterparts. In particular, women who come from poor households, women who live in rural areas, women of ethnic minority groups, women with disabilities, as well as migrant women continue to be greatly disadvantaged in terms of sustainable development growth<sup>3</sup>. Thus, under the socio-cultural pillar, ASEAN has spearheaded efforts to eliminate challenges faced by women, including gender-based violence (GBV), and to promote an enabling environment for

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3. ASEAN, UN Women. 2021. ASEAN Gender Outlook, p.10. (<https://data.unwomen.org/publications/asean-gender-outlook>).

the equal participation of women in society. These efforts have also been developed by key ASEAN-led mechanisms such as the ASEAN Committee on Women (ACW), a major sectoral body mandated to help strengthen commitments made by ASEAN in advancing the rights of women.

Women's economic empowerment and inclusion also remain key to sustainable development and peace. Krause, Krause and Bränfors have expressed how the underlying inequalities and marginalisation of women remain neglected in peace-related processes, and how they could affect the outcomes of sustainable and post-conflict peace, particularly in areas of armed conflict<sup>4</sup>. The Southeast Asian region has recognised this aspect, and has developed initiatives to strengthen women's economic empowerment, such as addressing barriers which impede women's full economic participation, supporting women's participation in science, technology, engineering, arts and mathematics (STEAM) and encouraging public and private sector collaboration to create more business opportunities for women, among others<sup>5</sup>. Moreover, the region has recognised the use of harnessing emerging technologies in promoting resilience, competitiveness, and empowerment in an era of the increasing digitalisation of the economy, as reflected in high-level meetings such as the 4th ASEAN Ministerial Meeting on Women in October 2021.

Meanwhile, in the defence and security sector, an emerging field in which Southeast Asia has demonstrated its commitment towards the WPS is the promotion of its female peacekeepers. Although the pandemic has shifted the ways in which the region's peacekeepers, negotiators and stakeholders can operate, the region continues to pursue regional cooperation through videoconferencing, online seminars, as well as proactively recommending extra duty activities, such as COVID-19-related and educational community-centred programmes. ASEAN has also leveraged on multilateral engagements to further advance the WPS agenda, evidenced through initiatives such as the UN-ASEAN Action Plan 2021-2025.

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4. Krause, Jana, Werner Krause and Piia Bränfors. 2018. Women's Participation in Peace Negotiations and the Durability of Peace. *International Interactions*, 44:6, 985-1016. (<https://doi.org/10.1080/03050629.2018.1492386>).

5. Action Agenda on Mainstreaming Women's Economic Empowerment (Wee) In ASEAN. 2021. (<https://asean.org/wp-content/uploads/2021/01/Action-Agenda-on-Mainstreaming-Women%E2%80%99s-Economic-Empowerment-WEE-in-ASEAN.pdf>).

## CHALLENGES TO IMPLEMENTING THE WPS AGENDA IN SOUTHEAST ASIA

### Institutional Obstacles

Institutionalism may pose challenges to implementing the WPS agenda. Entrenched patriarchal practices and values, as well as limited institutional capacities, remain clear barriers to effectively implementing the WPS agenda within the Southeast Asian region<sup>6</sup>. An in-depth analysis of the impact of corruption on human rights, peace and gender equality finds that corruption affects the implementation of all four pillars under the WPS agenda<sup>7</sup>. Thus, eradicating corruption, an aspect which remains a challenge for Southeast Asia<sup>8</sup>, is key to ensuring the long-term and sustainable advancement of the WPS agenda.

However, ASEAN, as the region's central institution, has demonstrated its determination in advancing the agenda. Complementary measures, such as the forthcoming ASEAN Regional Plan of Action on WPS (RPA WPS), and ASEAN Member States' (AMS) commitment in realising this would provide the guiding frameworks for AMS to better implement and devise their own National Action Plans (NAPs) in due time.

### Emergence of Non-Traditional Security Threats

The evolving strategic environment in the region continues to pose challenges for the region. Meanwhile, non-traditional security threats such as

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6. Khullar, Akanksha. 2019. ASEAN & UNSCR 1325: What Explains the Limited Engagement? (Part-II). Relief Web. (<https://reliefweb.int/report/world/asean-unscr-1325-what-explains-limited-engagement-part-ii>).

7. Global Network of Women Peacebuilders. 2020. Examining the Intersections of Corruption, Human Rights, and Women and Peace and Security. (<https://gnwp.org/corruption/>).

8. Jenkins, M., Duri, Jorum, Pisey, Pech and Mohamed, Ilham. 2020. Corruption in ASEAN. Transparency International Anti-Corruption Helpdesk. Transparency International. 24 November 2020. ([https://knowledgehub.transparency.org/assets/uploads/kproducts/Corruption-in-ASEAN-2020\\_GCB-launch.pdf](https://knowledgehub.transparency.org/assets/uploads/kproducts/Corruption-in-ASEAN-2020_GCB-launch.pdf)).

violent extremism and climate change continue to pose challenges to the ways in which states can respond to them. The emergence of these regional cross-border security challenges also continues to be drivers of conflict for Southeast Asia, directly impacting women's rights and limiting the inclusion of women's participation across different sectors.

Since 2020, the COVID-19 pandemic has also proven to be a challenge for WPS in Southeast Asia. For women on the frontlines of peacebuilding processes, the COVID-19 pandemic has posed challenges towards supporting and implementing peacebuilding-related processes<sup>9</sup>. Thus, it is necessary to adopt a more comprehensive, inclusive, and innovative approach with respect to the development of cooperation programmes and initiatives on WPS, both at the national and international levels, including within ASEAN. This is particularly essential in the context of COVID-19, which has changed the global socio-economic, political and health sectors. Challenges posed by the pandemic have threatened to halt initiatives and practices implemented to advance the women, peace, and security agenda.

However, AMS have remained committed to ensuring women's inclusion in peace and security, despite challenges brought about by the COVID-19 pandemic. Regional mechanisms dedicated to enhancing the region's peace efforts and objectives, including WPS, have also adapted to the pandemic. For example, ASEAN-IPR facilitates the discussion of emerging peace-related issues through its regular virtual discussion series.

Sectoral mechanisms under the APSC pillar also remain key in contributing towards the WPS agenda in the defence and military sector, including through the ASEAN Defence Ministers' Meeting (ADMM), ADMM-Plus and ASEAN Chief of Defence Forces Meeting (ACDFM).

Some of these reflections are outlined in the landmark "ASEAN Regional Study on Women, Peace and Security" produced by ASEAN, United States Agency for International Development (USAID) Partnership for Regional Optimisation within the Political Security and Socio-Cultural Communities (PROSPECT) and UN Women. Launched in conjunction with International Women's Day in March 2021, the report provides a comprehensive overview of the region's progress in WPS implementation. The study also highlighted

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9. ASEAN and UN Women, ASEAN Gender Outlook. 2021.



recommendations for ASEAN to further improve WPS adoption across the region, including the implementation of NAPs.

## NATIONAL ACTION PLAN ON WOMEN, PEACE AND SECURITY

The two decades since the adoption of the WPS agenda have prompted extensive research into mechanisms for its implementation around the world. Among the recommendations to advance the women, peace and security agenda put forward by the United Nations is “the presence of specific accountability mechanisms, as well as mechanisms to track and monitor progress”.<sup>10</sup> Thus, this is where National Action Plans may play a role.

The NAP has since become a means of institutionalising the WPS agenda for both conflict-affected and non-conflict-affected countries. As of September 2021, 98 United Nations members, approximately 51 per cent, have adopted a 1325 NAP<sup>11</sup>. While it has been key to enabling the adoption of aspects under the WPS agenda, NAPs did not become a priority until the release of two Security Council presidential statements, in 2004 and 2005, respectively.

Among others, the objectives of a NAP on WPS are to set priorities, coordinate actions, simplify decision-making, track progress, and prompt meaningful changes in behaviours, policies, and funding<sup>12</sup>. Moreover, a NAP enables civil society to have a mechanism through which they can hold governments accountable. NAPs also create space for governments, multilateral institutions, and civil society to work together in achieving more under the WPS agenda<sup>13</sup>.

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10. United Nations. 2019. S/2019/800. Report of the Secretary General. Women peace and security. ([https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2019\\_800.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2019_800.pdf)).

11. Hamilton, C. and L. J. Shepherd. 2020. WPS National Action Plans: Content Analysis and Data Visualisation, v2. (<https://www.wpsnaps.org/>).

12. Hood, Melody. 2016. What Are National Action Plans and Why Do They Matter? Inclusive Security. (<https://www.inclusivesecurity.org/2016/08/10/national-action-plan-matter/>).

13. Hood, Melody. 2016.

## NATIONAL ACTION PLANS ON WPS AND SOUTHEAST ASIA

According to the ASEAN Regional Study on Women, Peace and Security<sup>14</sup>, one of the key recommendations for the region would be the establishment of the ASEAN Regional Plan of Action on WPS (RPA WPS). The RPA WPS, expected to be introduced during the 40th ASEAN Summit scheduled to be held in November 2022, will provide key guidelines on implementing the WPS agenda through synergising ASEAN's sectors and stakeholders. More importantly, the study suggests that the RPA WPS could “agree upon a timeframe that promotes the adoption of National Action Plans by all AMS.”<sup>15</sup> Thus, the study indicates and recognises the importance of NAPs as one of the mechanisms to achieve the WPS agenda within the region. In Southeast Asia, Indonesia and the Philippines are the only two countries that have established NAPs on Resolution 1325 and Resolution 1820. While non-compulsory, the adoption of a NAP is recognised to be a commitment towards upholding the pillars laid out under UNSCR 1325. Specifically, NAPs enable greater understanding of how nation states prioritise various aspects of WPS through various national activities, such as funding and monitoring of activities and tools.

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14. ASEAN, USAID, UN Women. 2021. ASEAN Regional Study on Women, Peace and Security. (<https://asean.org/book/asean-regional-study-on-women-peace-and-security/>).

15. ASEAN, USAID, UN Women. 2021, p. 4.

**Figure 3. Implementation of 1325 NAPs in Southeast Asia.**<sup>16, 17</sup>

Implementation of NAPs in Southeast Asia		
Country	Document	Context / Objective
Philippines	National Action Plan on the Implementation of SC Resolution 1325 (from 2010 to 2016)	<ul style="list-style-type: none"> <li>• Launched in March 2010</li> <li>• Becomes first country in Asia-Pacific region to adopt a 1325 NAP</li> </ul>
	National Action Plan on Women, Peace and Security (from 2014 to 2017)	<ul style="list-style-type: none"> <li>• Review of first NAP, prompted streamlining of NAP Action Points and Indicators</li> </ul>
	National Action Plan on Women, Peace and Security (from 2017 to 2022)	<ul style="list-style-type: none"> <li>• Launch of Second NAP in March 2017</li> </ul>
Indonesia	National Action Plan (NAP) for the Protection and Empowerment of Women and Children during Social Conflicts, <i>RAN P3AKS</i> (from 2014 to 2019)	<ul style="list-style-type: none"> <li>• Launched in June 2014</li> <li>• Spearheaded by the Ministry of People's Welfare</li> </ul>

## POTENTIAL CONTRIBUTIONS OF NAPs ON WPS

Considering the challenges in relation to enhancing women, peace and security in Southeast Asia, there are several ways in which a 1325 NAP can contribute towards enhancing WPS. Firstly, the development of 1325 NAPs would allow for greater gender mainstreaming across ASEAN's community pillar and sectoral bodies. Gender mainstreaming across developmental processes have been proven to strengthen the capacities of all stakeholders involved<sup>18</sup>. Moreover, gender mainstreaming ensures that gender perspec-

16. Peace Women.org. Philippines. 1325 NAPs. (<http://1325naps.peacewomen.org/index.php/philippines/>)

17. Peace Women.org. Indonesia. 1325 NAPs. (<http://1325naps.peacewomen.org/index.php/indonesia/>)

18. UN Women. 2022. Gender Mainstreaming. (<https://www.un.org/womenwatch/osagi/gendermainstreaming.htm>).

tives and gender equality remain central in all processes and activities, such as policy development, research, advocacy, dialogue, and resource allocation, among others. This would ensure that conflict-drivers and challenges in the region also do not reinforce or widen existing inequalities in AMS.

The creation of NAPs by the respective ASEAN Member States would also further reaffirm ASEAN's commitment to the WPS agenda and expand current national and regional efforts that have been implemented. Since the Joint Declaration on WPS in 2017, ASEAN has been steadfast in formalising regional mechanisms to enhance WPS across the region. Not only would these efforts support the role of women in peace and security efforts, the implementation of NAPs would help pave the way for lasting and sustainable peace in the region.

Furthermore, the creation and establishment of NAPs would provide an opportunity to highlight the region's approach to WPS. The ability to localise the national frameworks, tackling national priorities and demonstrating Southeast Asia's regional and global impact, would align with the region's ideal of ASEAN Centrality. Ownership attributed towards the creation, implementation and monitoring processes of NAPs would significantly enhance the institutional capacity of AMS and promote trust, knowledge-sharing, and inclusion within the region.

## **STRATEGIES AND OPPORTUNITIES FOR NAP IMPLEMENTATION**

Drawing on the concept of “high-impact NAPs” employed by Inclusive Security<sup>19</sup>, the following section will review the strategies that can be used to address some of the key challenges faced by Southeast Asia with regard to women, peace, and security. Moreover, the concept underscores that the development of high-impact NAPs should follow four key criteria, namely, inclusive design process and coordination system for implementation; results-based monitoring and evaluation plan; resources identified and allocated for

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19. Hood, Melody. 2016.

implementation; and finally, strong and sustained political will<sup>20</sup>. These criteria will be discussed in the following section in order to recommend strategies for the implementation of NAPs in Southeast Asia.

## **Inclusive Design Process and Coordination System for Implementation**

The inclusion of a wide range of actors involved in processes related to a NAP will be crucial in ensuring its success. Civil society organisations (CSOs), for example, are key to facilitating progress related to WPS and often possess first-hand information that would enable public and government institutions to act upon and develop solutions, recommendations, as well as policies. This is evident in several countries where CSOs play a key role in peace processes and peacebuilding, such as the Philippines<sup>21</sup>. In contrast, in situations where NAPs do not have clear frameworks that establish the roles of key actors, issues arise, such as CSOs resorting to their own resources and capacities to engage with national NAPs<sup>22</sup>. While the mere representation of individuals from CSOs alone does not immediately translate into meaningful participation, it remains pertinent for governments to actively engage public and civil society institutions and organisations in the creation, implementation, and monitoring of NAPs.

Additionally, each AMS should find specific issues of interest under the WPS agenda that would best suit national and regional objectives. This is evident in existing NAPs on WPS within the region. The Philippines for instance, utilised its NAPs on WPS to focus on enhancing and integrating the role of women in peace processes in conflict-affected regions, such as Mindanao.

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20. Hood, Melody. 2016.

21. Nario-Galace, Jasmin (2021). Women Count for Peace and Security: A Story of Collaboration in the Philippines. *The Journal of Social Encounters*. 5(2), 59-65. ([https://digitalcommons.csbsju.edu/cgi/viewcontent.cgi?article=1092&context=social\\_encounters](https://digitalcommons.csbsju.edu/cgi/viewcontent.cgi?article=1092&context=social_encounters)).

22. Mundkur, Anuradha, and Laura J. Shepherd. 2018. Civil Society Participation in Women, Peace and Security Governance: Insights from Australia. *Security Challenges* 14, No. 2: 84-105. (<https://www.jstor.org/stable/26558023>).

Consequently, it might be apt to expect AMS to produce NAPs to tackle specific national concerns, such as the promotion of women peacekeepers or engaging women in post-conflict peace processes.

## Results-based Monitoring and Evaluation Plan

Monitoring and Evaluation (M&E) measures remain important for countries in the tracking of the progress of their respective NAPs, particularly whether the objectives and indicators are being effectively met within the specific timeframes. As a result of NAP planning, some countries have established new consultative bodies to govern and oversee the implementation of their NAPs.

The role of CSOs in the monitoring and evaluation of NAPs on WPS has also been widely examined<sup>23</sup>, and their significance has been widely recognised by multilateral institutions, such as the UN. CSOs thus play an important supplementary role in holding governments accountable in the execution of activities for their NAPs.

## Resources Identified and Allocated for Implementation

The 2014 report by Cordaid and Global Network of Women Peacebuilders on “Financing for The Implementation of National Action Plans on UN Security Council Resolution 1325”<sup>24</sup> has highlighted several challenges pertaining to government spending and fiscal planning on WPS. Acquiring funding sources and financing issues also remain challenges for ASEAN.

In order to overcome financial challenges related to financing NAP initiatives and programmes, AMS may consider leveraging its engagement

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23. Odanović, Gorana. 2013. The Role of CSOs in Monitoring and Evaluating National Action Plan (NAP) for Implementation of UNSCR 1325. (<https://giwps.georgetown.edu/resource/the-role-of-csos-in-monitoring-and-evaluating-national-action-plan-nap-for-implementation-of-unscr-1325/>).

24. Cordaid and Global Network of Women Peacebuilders. 2014. Financing for the Implementation of National Action Plans on UN Security Council Resolution 1325. (<https://gnwp.org/financing-naps/>).

through a holistic approach. In this regard, ASEAN has been able to promote monitoring and implementation mechanisms, as well as research and dialogue with its partners. Furthermore, the WPS agenda, and particularly the development of NAPs, can become an area in which ASEAN engages its partners to implement best practices.

## **ASEAN-EU COOPERATION IN IMPLEMENTING NAPs ON WPS**

The Plan of Action to Implement the ASEAN-EU Strategic Partnership (2023 to 2027), adopted at the ASEAN Post-Ministerial Conference (PMC) +1 with the European Union (EU), outlines several areas of cooperation between ASEAN and the European Union. Under the Political-Security Cooperation pillar, enhancing dialogue and promoting cooperation on defence and security matters, including the WPS agenda, is reiterated. In this regard, ASEAN and the EU may exchange best practices through dialogue and joint research in enabling the implementation of the WPS agenda, specifically as outlined in the upcoming ASEAN Regional Plan of Action on WPS.

The EU has promoted efforts on WPS, including through key documents on UNSCR 1325 and gender mainstreaming in the EU, such as through its EU Gender Action Plan III, adopted in November 2020, and the EU Strategic Approach to Women, Peace and Security, adopted in 2018. The EU may also consider promoting its regional efforts in implementing NAPs on WPS; as of October 2021, only two countries within the EU have not implemented 1325 NAPs.

### **Strong and Sustained Political Will**

The notion of political will was highlighted during the ASEAN Ministerial Dialogue on Strengthening Women's Role for Sustainable Peace and Security by United Nations Under-Secretary-General Rosemary DiCarlo. In her remarks,

she emphasised the importance of the political will of leaders to “press for equal and meaningful participation of women”<sup>25</sup>.

Within Southeast Asia, Southeast Asian states have championed the WPS agenda through priorities set in the region’s rotating chairmanship priorities. Vietnam has been commended for its continuous support for women’s empowerment and women’s key role in peace and reconciliation efforts throughout its 2020 chairmanship, as well as during its elected term on the UN Security Council from 2020 to 2021. In its capacity as ASEAN chair in 2020, Vietnam supported the inaugural ASEAN Women Leaders’ Summit in November 2020 and has undertaken plans for the execution of the ASEAN Women Leaders’ Forum, which will focus on women’s role in comprehensive and sustainable recovery.

Cambodia, as 2022 ASEAN chair, has also spearheaded efforts to feature the WPS agenda more prominently. Notably, the WPS agenda is a key priority listed under the APSC pillar, whereby Cambodia seeks to better promote the interests and roles of women across peace-related processes<sup>26</sup>. Throughout its chairmanship, Cambodia has also expressed its objective to highlight the WPS agenda in the ASEAN Comprehensive Recovery Framework (ACRF). More recently, the “Concept Paper on Enhancing Support Mechanism for ASEAN Women Peacekeepers” was adopted during the 15th ADMM, demonstrating that cross-sectoral efforts all contribute towards advancing the WPS agenda in Southeast Asia.

## CONCLUSION

Drawing on the concept of high-impact NAPs by Inclusive Security<sup>27</sup>, it remains evident that Southeast Asia has strongly demonstrated a sustained

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25. United Nations. 2020. DiCarlo: It is vital that we all use our political will and leverage to press for the full, equal and meaningful participation of women. UN Political and Peacebuilding Affairs. (<https://dppa.un.org/en/dicarlo-it-is-vital-we-all-use-our-political-will-and-leverage-to-press-full-equal-and-meaningful>).

26. ASEAN Cambodia. 2022. Summary - Cambodia’s Priorities for ASEAN in 2022. (<https://asean2022.mfaic.gov.kh/>).

27. Hood, Melody. 2016.



political will to advance NAPs on WPS, and consequently may consider further the development and incorporation of the other criteria of high-impact NAPs, including monitoring and evaluation as well as resource identification and allocation. Finally, ASEAN may look towards sustaining and expanding cooperation to further advance its commitment towards implementing NAPs on WPS in the region.

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# 03

## **The Belt and Road Initiative in Southeast Asia**

A Delicate Balance Between  
External and Internal Security

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**Pascal Abb | Jeslyn Tan | Thu Hien Phan**

# Abstract

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Across Southeast Asia, China's Belt and Road Initiative (BRI) has made considerable inroads, despite significant concerns of smaller regional states that further Chinese economic penetration will lead to political dependence. This can be explained by the BRI's relatively warm reception by regional political elites: with its easy access to foreign capital and lack of political preconditions, it is often an attractive way to pursue national development goals, thus strengthening regime legitimacy and internal security. Such benefits however need to be weighed against Chinese influence as a potential external security threat and cause for local popular resentment, resulting in a complicated calculus. In this paper, we examine the BRI's progress in three Southeast Asian countries (Vietnam, Malaysia and Myanmar) through the lens of how local elites balance external and internal security risks, identifying distinct strategies in each case:

In **Vietnam**, the BRI has progressed slowly, with projects avoiding the label due to strong nationalist sentiments against Chinese influence. Elite outlook on the BRI as a security factor is shaped by managing potential internal unrest and continuing a multi-directional foreign policy, both of which are working against a wholesale pursuit of Chinese investments. Alternative funding sources would be the most attractive way of resolving this dilemma, but these have been increasingly difficult to access as Vietnam has gained Low Middle Income Country (LMIC) status.

In **Malaysia**, an initial embrace of the BRI hit headwinds because previously supportive elites were replaced in a government turnover, while subnational governments have also proven more resistant. Popular concern has mostly focused on corruption and the debt burden associated with major projects, leading to their renegotiation and in some cases abandonment. External security

concerns are somewhat less pronounced, but Chinese strategic interest in alternatives to the Malacca Strait has led to worries about being sidelined.

In **Myanmar**, the BRI has made headway despite significant popular resistance by successfully appealing to different elites throughout a now-aborted political transition to democracy. This shows both the flexibility in China's elite engagement strategy and its willingness to work with partners considered unpalatable in Western countries. However, Myanmar's new junta leadership is likely to be far less effective in building a consensus around highly controversial Chinese projects, and the violence that followed the 2021 coup has exposed them to much larger security risks.

Across all countries, concerns associated with the BRI have led elites to seek out alternative infrastructure funding, particularly from Japan. This also creates a potential opening for the European Union and its new "Global Gateway" scheme, particularly where it can offer a better solution to navigating external and internal security problems, as well as improving on the BRI in terms of transparency, sustainability and stakeholder engagement.

# 1. INTRODUCTION

Infrastructure is an issue that is prominently placed on the joint European Union-Association of Southeast Asian Nations (EU-ASEAN) agenda, with increasing bilateral cooperation, especially on connectivity issues. Connectivity has been named as one of four focal areas under the EU-ASEAN strategic partnership, and Southeast Asia is likely to see increased EU investments under the latter's new "Global Gateway" infrastructure initiative. However, if such efforts are to make significant headway, they will have to compete against alternative regional integration and infrastructure-building schemes, particularly the Chinese "Belt and Road Initiative" (BRI). Southeast Asia is directly exposed to the potentially transformative impact of the BRI, as it is to the rise of China in general. Since its launch in 2013, ASEAN states have predominantly embraced the BRI, and already absorbed a staggering US\$86 billion in Chinese construction investments (Scissors 2019). Notably, this has happened despite many Southeast Asian states being apprehensive about the effects of growing Chinese power, especially those disputing Chinese territorial claims, mainly in the South China Sea. Understanding the roots of the BRI's appeal in Southeast Asia, and its complicated interactions with regional and national security dynamics, is highly relevant for the development of alternative schemes.

The undeniable relevance of the BRI in Southeast Asia has already triggered significant interest in its local implementations. However, much of the earlier literature on this topic has tended to focus on the initiative's geopolitical aspects, explaining Chinese actions with strategic motivations (e.g., solving the "Malacca dilemma" (Lim 2018)) and the reactions of other countries, with general perceptions of a rising China, ranging from a looming security threat to an economic growth engine or even a valued ally (Gong 2019). This approach has been able to capture many important features of responses to the BRI, which are predominantly taken at the national level and attach great weight to its political implications. However, it tends to make several questionable assumptions: that an objective "national" interest exists; that this is predominantly defined by external security concerns (here, Chinese power and economic influence); and that policies will be rationally chosen in its pursuit. To overcome these limitations, we propose to analyse BRI responses through a more comprehensive understanding of "security" that also takes domestic politics into account and covers factors like national cohesion and regime security.

More recent literature on the BRI in Southeast Asia has already integrated the domestic political dimension: Kuik (2021a, see also Lampton, Ho and Kuik 2020, 88ff.) has proposed a model of “asymmetry-authority”, holding that national responses to the BRI are shaped by their relative weakness compared to China and the extent to which governing elites rely on developmental legitimacy, with both factors being positively associated with an embrace of the BRI. This is a crucial factor through which any perceptions of Chinese power are filtered and “national” interests are distilled, with governing elites capable of influencing both processes to different degrees. The latter have additional significance as the focal point of Chinese BRI promotion, which is often specifically designed to engage these groups (Custer et al. 2018). In negotiations over BRI implementations, China has also been highly responsive to their interests, resulting in projects that are well-suited to elite capture but deeply flawed from a public finance viewpoint (Abb, Swaine and Jones 2021; Jones and Hameiri 2020). This model has enabled the BRI to rapidly expand into many international markets and clear local regulatory obstacles. However, it is also risky, as regime turnovers can remove the BRI’s local support base, requiring extensive renegotiations or even resulting in cancellations.

This article adapts the abovementioned model by relating it to security, specifically the question of how political elites in Southeast Asia use Chinese-financed infrastructure to balance between external and internal security imperatives, how this shapes local BRI implementations, and how they are marketed domestically. Across Southeast Asia, BRI cooperation with China is a politically contentious issue, due to concerns that China will use it to gain political leverage over its smaller neighbours, play them against each other in bilateral negotiations, and exacerbate great-power competition in the region (Gong 2019). Impressions of the BRI are split between hopes attached to its developmental benefits and deep-seated fears of a renewed Chinese hegemony (Tang et al. 2019). National identities constructed against a Chinese “Other” are prevalent throughout the region, making cooperation with Beijing a politically sensitive programme. At the same time, China is an increasingly important and attractive source of capital and expertise for infrastructure construction, a crucial element of national development schemes. Accordingly, in order to maintain legitimacy, political elites face a task of balancing between the competing objectives of realising development opportunities offered by Chinese capital, and assuaging popular concerns over the influence that comes with it. This basic dilemma is the same regardless

of a country's political system, but the precise power configuration, the tools which local elites can use, and the constraints they face differ significantly between cases in Southeast Asia.

This paper is designed to investigate how local elites navigate the opportunities and challenges of BRI implementation through a comparison of three countries: Myanmar, Vietnam and Malaysia. These countries do not just exhibit considerable variance in political systems, allowing for a cross-national comparison, but two of them also saw government turnovers in their brief periods of BRI membership – in one case even a complete regime-type change from a fledgling democracy back to military dictatorship. A constant across all cases is that Chinese influence and infrastructure investments are highly contentious, allowing us to relate the heterogeneity in BRI policies and security assessments to factors at the domestic political level. In addition to its explanatory value, we also believe this approach improves on geopolitical interpretations of the BRI by highlighting the agency of member countries (or specifically their elites), an important feature of more recent studies on the BRI (Kuik 2021b; Jones and Hameiri 2020).

A better understanding of these dynamics is not just of academic interest, but also crucial for EU policymakers seeking to design and promote alternative infrastructure schemes in Southeast Asia. Accordingly, we close the paper with a few practical suggestions on how EU connectivity initiatives could compete with the BRI, and which partnerships they could make use of. This is especially relevant because access to alternative infrastructure-funding sources could alleviate some of the adverse security impacts of the BRI, and is likely to be welcomed in the region – provided that the local interests that fuelled earlier demand for the BRI are appreciated and respected.

## **2. VIETNAM AND THE BELT AND ROAD INITIATIVE**

The Belt and Road Initiative was launched by Chinese President Xi Jinping in 2013. Vietnam is more cautious about the BRI than other Southeast Asian countries. While endorsing the initiative, Vietnam has been cautious about applying for BRI loans and has not officially recognised any Chinese-invested projects as being parts of the BRI. This caution has been caused by Vietnamese leaders' concerns about the political and economic security implications of the BRI on their country, specifically economic overdependence, domestic instability, and the risk of being further trapped in the US-China rivalry.



## 2.1. Overview of Vietnam-China Relationship

Vietnam and China have a complex relationship. The two countries share both land and sea borders, similar political ideas and government systems, and a history marked by Vietnam's struggles against Chinese domination dating back thousands of years. After 1991, when the relationship between the two countries was normalised, Vietnam has made substantial efforts to develop a stable and friendly cooperation with China. The two countries established a comprehensive strategic partnership in 2008. The two-way trade between China and Vietnam has grown rapidly, from US\$3.68 billion in 2002 to US\$106 billion in 2018 (International Trade Center 2019, quoted by Vu and Nguyen 2019). The two countries signed on to the ASEAN-China Free Trade Area in 2010 and, more recently, the Regional Comprehensive Economic Partnership in 2020.

Despite significant improvements in economic relations between the two countries, the South China Sea disputes remain a major problem. The two countries have sought to negotiate in both bilateral and multilateral channels. However, these diplomatic efforts are juxtaposed against continued incidents occurring between the two countries, such as Chinese surveillance ships cutting the cables of Vietnam's oil and gas survey vessels in 2011 and the collision between Vietnamese and Chinese ships in 2014<sup>1</sup>.

In terms of infrastructure and connectivity, China proposed the "Two Corridors, One Belt" initiative to boost bilateral trade along the border in 2004. This initiative includes four provinces in China (Yunnan, Guangxi, Guangdong and Hainan) and five provinces in Vietnam (Lao Cao, Lang Son, Quang Ninh, Ha Noi and Hai Phong), forming two economic corridors: the first is Kunming (China) – Lao Cai (Vietnam) – Hanoi (Vietnam) – Hai Phong (Vietnam); and the second is Nanning (China) – Lang Son (Vietnam) – Hanoi (Vietnam) – Hai Phong (Vietnam) (Nguyen 2019). However, implementation has been harder than expected. It took two years to reach a first bilateral agreement on the project. From 2012 onwards, many infrastructure projects, mostly in

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1. The 2014 oil rig crisis again added to these tensions when China sent its Haiyang Shiyou 981 oil rig into the Vietnamese-claimed Exclusive Economic Zone (EEZ), triggering mass anti-China protests across Vietnam. The anti-China sentiment that was triggered by the crisis went beyond the control of the government and escalated into violent riots across the country.

the Kunming – Quang Ninh corridor, were already being implemented (Le 2019). In 2017, Vietnam and China signed a Memorandum of Understanding on linking the BRI and the “Two Corridors, One Belt” initiative.

## **2.2. Overview of the BRI in Vietnam and Vietnam’s Security Concerns**

Vietnamese leaders have offered diplomatic support for the initiative while maintaining concerns about its economic, political and security impacts. They have endorsed the initiative several times: during Asian Infrastructure Investment Bank (AIIB) President Jin Liqun’s trip to Vietnam in 2017, when the Vietnamese prime minister called for AIIB investments in Vietnam’s infrastructure (Xinhua 2017a); and when the late Vietnamese President Tran Dai Quang attended the Belt and Road Forum for International Cooperation in Beijing and showed his formal support for the BRI (Xinhua 2017b). More recently, in 2019, the Vietnamese prime minister emphasised that the implementation of the BRI should promote mutual respect and peaceful cooperation (Tuoi Tre 2019).

Yet there are no Chinese-invested projects labelled as “BRI”, at least in Vietnamese social media. The most recent Chinese investment project in Vietnam, the Cat Linh – Ha Dong metro line in Hanoi that was constructed between 2011 and 2021, was “unofficially considered to be part of the BRI by both Vietnam and China” (Le 2020) but was simply labelled as one of many Chinese-funded projects across the country. In addition, the Vinh Tan 1 thermal power plant in Binh Thuan, Vietnam, which received Chinese investment in 2012 and was put into operation in 2019, was unilaterally labelled by China as a BRI project. Similarly, when Vietnam and China signed a Memorandum of Understanding to connect the “Two Corridors, One Belt” initiative and the BRI, Vietnam was unwilling to recognise the Two Corridors as part of the BRI (Le 2019).

Vietnam’s hesitancy towards the BRI has been shaped by Vietnamese leaders’ strategic approach to its opportunities and risks. In economic terms, the BRI offers Vietnam enormous opportunities in investments, trade and economic development. BRI infrastructure investments improve connections such as roads, ports, airports, and seaports between Vietnam, China, and other Southeast Asian countries, facilitating regional trade. In addition, Vietnam gained lower middle-income status in 2010, which brought a reduc-

tion in official development assistance (ODA) from abroad, while Vietnam's investment needs for infrastructure can reach up to US\$25 billion per year (Diop 2019). The BRI and the AIIB have helped to sustain the inflow of infrastructure investments in Vietnam. BRI infrastructure investments in remote areas of Vietnam can also generate infrastructure-related services and job opportunities for local communities, which results in social stability and growth.

However, the BRI will exacerbate Vietnam's economic vulnerability vis-à-vis China as Vietnam's economy has been increasingly dependent on it. The trade deficit with China has jumped by more than 150 times, from nearly US\$189 million in 2001 to US\$34 billion in 2019 (World Integrated Trade Solution 2019). Since 2010, China has taken advantage of its growing economic influence to threaten countries with which it has territorial disputes. Examples include China restricting rare earths exports to Japan after the Japan-China boat collision incident in the East China Sea in 2010 and stopping purchases of the Philippines' bananas during the Scarborough standoff in 2012. If Vietnam-China tensions over the South China Sea disputes intensify again, Vietnam will likely be the next target of China's economic punishment (Do 2021).

The BRI has also triggered political concerns in that it could fuel Vietnam's anti-China sentiment, causing social instability. BRI projects come with conditions that include the use of Chinese technologies, contractors, workers, and equipment and have often been associated with a poor record of environmental commitment. The combination of BRI investment conditions and potential environmental risks has caused public concerns about new job opportunities and environmental costs. From Vietnamese leaders' perspectives, there is a risk that this will cause violent protests that can challenge their political legitimacy, as seen during the 2014 oil rig crisis.

More importantly, any mismanagement of the BRI could further embroil Vietnam in the growing United States-China rivalry. The US has sought closer ties with Vietnam as the country's role in Southeast Asia has evolved. Evidence includes the US offering a strategic partnership with Vietnam in 2010; the participation of Vietnam, as the only Southeast Asian nation, in the Quadrilateral Security Dialogue Plus; and three high-level US delegations to Vietnam since October 2020. Furthermore, the United States' Interim National Security Strategic Guidance again signalled a consideration of a strategic partnership with Vietnam (Vuving 2021). Consequently, any official Vietnamese support or rejection of the BRI could easily be interpreted as choosing sides between the two powers.

## 2.3. Impacts of the BRI and Vietnam's Response

So far, the implementation of the BRI in Vietnam has caused several economic and environmental issues, which have underlined political concerns. For instance, the Cat Linh – Ha Dong metro project experienced more than eight delays and cost overruns, with the total investment of up to US\$886 million needing a further US\$7.8 million for supervision and consulting (VietnamNews 2021). In addition, the Vinh Tan project has been facing mounting criticism over environmental pollution (Vietnam Plus 2018). Overall, these economic and environmental impacts have intensified public mistrust against China. As mentioned earlier, this mistrust will be exacerbated further in times of bilateral tensions, e.g., over the South China Sea disputes.

Nevertheless, it is important for Vietnamese leaders to continue to offer diplomatic support for the BRI and its local implementation. The country cannot afford the cost of staying out of the initiative and losing the economic benefits. In this regard, Vietnamese leaders have sought to deepen their relations with other BRI recipient countries, so as to be able to jointly bring up and discuss BRI-related issues such as pollution, low quality, and long delays. In addition, the United States (US), Japan, and the EU are now intensively competing with China as infrastructure providers, which offers Vietnam an opportunity to diversify its loan options.

## 3. THE BRI IN MALAYSIA

The various BRI projects in Malaysia demonstrate the country's receptive attitude to the initiative, including the East Coast Rail Link (ECRL), Melaka Gateway, Trans-Sabah Gas Pipeline (TSGP), Multi-Product Pipeline (MPP), Bandar Malaysia, Forest City, and Kuantan Port Expansion. The total amount of Chinese-backed construction in Malaysia is valued at US\$14.53 billion from September 2013 to the present, according to data from the China Global Investment Tracker (American Enterprise Institute 2022). Most of the BRI projects in Malaysia were inked during the era of the Barisan Nasional (BN) coalition government led by Najib Abdul Razak's ethno-centric United Malays National Organisation (UMNO) from 2009 to 2018 (Grassi 2020). When the BRI was introduced in September 2013 by Chinese President Xi Jinping, Najib's administration welcomed the initiative enthusiastically. Nonetheless,

the BRI has not only brought economic benefits, but also had an impact on Malaysia's domestic political scene. The overall impact of the BRI is not only a result of one-way influence exercised by China through infrastructure investments in a host country, but has also been shaped by the responses of local politicians (Lampton et al. 2020; Kuik 2021b). Their involvement, in turn, had further consequences on the country's domestic politics, mainly due to deep-rooted structural issues.

### **3.1. Deep-Rooted Structural Issues in Malaysia's Domestic Politics**

The Malaysian government has always adopted a pragmatic and open policy to embrace foreign investments from traditional investors such as the United States, Japan, Europe, and Singapore, which quickly elevated Malaysia to the status of "middle-income economy" after independence in 1957 (Liu and Lim 2019). The economic development brought about by this policy sustains the legitimacy of Malaysia's political elites through what Lampton, Ho, and Kuik (2020) call "development performance legitimation". Hence, the inflow of China's foreign direct investments (FDI) that came along with its rapid economic rise has been appealing to Malaysia, which faces fierce competition for FDI from traditional investors due to the emergence of a new batch of newly industrialised economies (NIEs) in the region (Kuik 2017; Liu and Lim 2019). Furthermore, Malaysia is stuck in the "middle-income trap" (Lim 2018). Like other countries facing the "middle-income trap", Malaysia finds it difficult to meet the growing demand for infrastructure needed to overcome the "middle-income bottleneck" and transform into a high-income economy. Therefore, Malaysia, particularly during Najib's administration, sought a way to break through the "middle-income trap" by depending on Chinese infrastructure investments, which were attractive because they came with long payback periods and a proven technical prowess for infrastructure development (Lim 2018; Lim et al. 2021, 4).

Infrastructure investments in Malaysia provided under the BRI were strongly supported by the Malaysian government, especially under the BN coalition, because the BRI served the interests of Malaysia's ruling elites, specifically their desire for domestic legitimacy and authority. Other than development-based performance legitimation, another crucial factor that shapes Malaysia's politics is identity-based legitimation (Lampton et al. 2020;

Kuik 2021b). The long-ruling UMNO party has maintained its hold on power by relying on the support of ethnic Malays (Liu and Lim 2019), whose elites are the main beneficiaries and promoters of BRI projects in Malaysia through government-linked companies (GLCs) (Kuik 2021b). These ethno- and elite-centric characteristics are also found in other government coalitions like the Pakatan Harapan (PH) coalition led by Mahathir Mohamad, the Perikatan Nasional (PN) government headed by Muhyiddin Yassin, as well as the Ismail Sabri Yaakob administration (Kuik 2021b).

In just under four years, Malaysia has undergone three political transitions. In the 2018 general elections, the PH opposition coalition led by Mahathir Mohamad took power after ousting the scandal-ridden Najib's UMNO-led BN administration. This was Malaysia's first democratic political transition after the UMNO-dominant BN government had ruled the nation for more than six decades. Less than two years later, in February 2020, Mahathir's government was toppled by its own allies in a political coup dubbed "Sheraton Move", leading to the formation of a new PN government led by Muhyiddin. The short-lived PN administration's period in office ended with the resignation of Muhyiddin and his cabinet in August 2021 after just 17 months in power, and it was replaced by the administration of Ismail Sabri from UMNO (Najib Razak's party) based on the cooperation between BN and PN. All of these coalitions have practised patronage, identity, and elite-centred politics, resulting in major corruption and cronyism issues in the country. Infrastructure projects have been especially susceptible to "non-transparent bidding and financial arrangements, weak rule of law, and the interpenetration of family politics", as shown in the example of the ECRL and the two oil and gas pipeline projects TSGP and MPP (Lampton et al. 2020, 108).

These BRI projects are also linked with the 1MDB scandal that led to Najib's downfall in 2018. Around \$700 million linked to the sovereign wealth fund 1MDB had been funnelled to Najib's personal bank accounts for his personal and political use, as reported by the *Wall Street Journal* in July 2015 (Wright and Clark 2015). The controversy and scandal surrounding Najib Razak following the report had threatened the survival of the ruling BN coalition, while China reportedly assisted Najib in bailing out the deeply indebted 1MDB through vastly inflated contracts for the ECRL, TSGP, and MPP (Jones and Hameiri 2020). Contracts with dubious terms were offered by the former prime minister and his business advisor, Low Taek Jho (or Jho Low), during a meeting with senior Chinese officials in Beijing in 2016 (Jones and Hameiri 2020). The ECRL project was then awarded to China Communications Con-

struction Company (CCCC), financed by a loan from the China Exim Bank, under conditions that require CCCC to fill the huge financial holes of 1MDB (Jones and Hameiri 2020). According to the *Sarawak Report* (2016), the cost of the ECRL was intentionally inflated from RM30 billion (US\$7 billion) to RM60 billion (US\$14 billion) in order for CCCC to help pay off 1MDB's debts through money laundering. In return, CCCC was awarded the railway project, along with additional benefits like land and influence in Malaysia's domestic politics (Jones and Hameiri 2020). If true, the burden is ultimately on Malaysian taxpayers, who have to assume the payment of the inflated ECRL project with interest for seven years.

The Forest City is another ambitious mega property project, built across four artificial islands in the southern state of Johor and in close vicinity to Singapore. The Forest City is a joint development between a Chinese developer, Country Garden, and a local investment firm with ties to the Johor Sultan, which targets mainland Chinese investors due to high property prices that are unaffordable for locals. The project was met with heavy criticism, mainly: concerns over the influx of Chinese immigrants that could turn it into a "Chinese city"; further increases in property prices in Johor; alteration of Malaysia's demographic and voter landscapes; and even violations of national sovereignty (Liu and Lim 2019; Mahtani 2018). Rising Chinese ideological and cultural influences are a major concern for the Malaysian government when implementing the BRI as Malaysia is a multiracial country made up predominantly of the Malays. In 2019, a comic book entitled "Belt and Road Initiative for Win-Winism" was circulated in some schools and eventually banned due to criticism that it was promoting communism and socialism in Malaysia, as well as depicting Malay Muslims that supported the Xinjiang Uyghurs in a negative light (Zaugg 2019). The Malaysian government does not want to be seen as being closely aligned with Chinese ideologies, despite having robust bilateral economic cooperation with the country. Mahathir noted that despite China's strong influence in the world and Malaysia's good relations with Beijing, "...for the moment, it is not for [Malaysia] to promote Chinese ideas and ideologies", citing the rejection of the Chinese communist ideology in Malaysia's early days of independence (Bernama 2019).

Another project, the now-scrapped Melaka Gateway, has been dubbed a "white elephant" due to its negative socio-economic and environmental impacts on neighbouring communities, and limited economic feasibility (Hutchinson 2019; Shepard 2020). Hutchinson (2019) notes that a new port in Melaka will cannibalise Malaysia's two largest ports situated in the same

strategic waterway, Port Klang and Port of Tanjung Pelepas, while itself not producing as much profits as expected as it will suffer from low utilisation for a few years. Currently, Malaysia's port sector is facing overcapacity issues and regional container traffic has also plateaued out (Hutchinson 2019). Furthermore, land reclamation in the area will also damage the surrounding marine environment, with serious impacts on the ecosystem, biodiversity, as well as livelihoods of local fishermen (Shepard 2020). Local fishermen will face more obstacles due to the decline in local fish stocks and will be forced to fish in more dangerous deep seas (Shepard 2020). This may even impact food security, as low fish capture could disrupt food supply chains. These seemingly negative implications of the BRI raise doubts over its benefits for ordinary Malaysians, whose attitude remains more sceptical compared to the political elites'.

### **3.2. The Strategic Impact of the BRI in Malaysia**

The 21st Century Maritime Silk Road Initiative (MSRI) along with the Silk Road Economic Belt (SREB) constitute the BRI, which serves China's geopolitical, geostrategic, as well as geo-economic purposes. Malaysia has assumed an important role in China's MSRI due to its strategic location at the confluence of the Indian and Pacific Oceans, as well as the critical sea lines of communication (SLOCs) it hosts like the Straits of Malacca and the South China Sea. Examples of MSRI projects in the country are the Melaka Gateway, Kuantan Port Expansion, as well as ECRL, which can help mitigate China's "Malacca Dilemma". Through the MSRI, China seeks to reduce the time, costs, and risks of shipping in energy supplies and goods, by utilising an alternative transportation route bypassing the Straits of Malacca and Singapore. It aims to achieve this through a connected network of railways, roads, and ports from Singapore to China (Blanchard 2017), as envisioned in the Singapore-Kunming Rail Link (SKRL) and a network of China-bound oil and gas pipelines.

Nonetheless, bypassing the Straits of Malacca might jeopardise Malaysia's economic and strategic importance and the interests of the Malaysian ports situated along the crucial maritime trade route. The Straits of Malacca contributes greatly to Malaysia's maritime economy and status as a maritime nation. The MSRI projects like the ECRL and Melaka Gateway have also raised concerns over China's increasing influence in two of Malaysia's most strategic sea lanes – the Straits of Malacca and the South China Sea. The ECRL con-



nects Port Klang (located in the Straits of Malacca, near the country's most developed Klang Valley on the West Coast) to Kuantan Port and Kota Bharu facing the South China Sea on the East Coast, near the Malaysian-Thai border (Lampton et al. 2020). When meeting with Premier Li Keqiang at the Great Hall of the People in Beijing in August 2018, Mahathir implied that China's BRI was a tool of "neo-colonialism" to access strategic facilities in developing states through debt traps (Beech 2018). This concern can also be extended to the MSRI projects in Malaysia, as they are all located at strategic points that can serve China's geopolitical and strategic interests.

Moreover, China and Malaysia are both claimants in the South China Sea territorial disputes. In any future negotiations, China could utilise its economic leverage to gain the upper hand over Malaysia. Given China's past records of economic coercions against other states that have acted against its interests (Chheang 2018), the BRI could possibly be used against a host country in cases of conflicting interests. The negotiation on a Code of Conduct (COC) for the South China Sea has been going on between ASEAN members and China since 1996. The First Reading of the Single Draft Negotiating Text (SDNT) was completed in 2019; however, several points in the COC remain unclear due to differences between the negotiating parties, such as the geographic scope, dispute settlement mechanisms, legal status, role of third parties, as well as duty to cooperate (Thayer 2018). While the negotiation on the COC is still ongoing, China has increased its assertive maritime expansion in the South China Sea, including flying 16 military aircraft through the airspace of Malaysia's Exclusive Economic Zone in May 2021 and sending a survey vessel and maritime militia vessels to harass Malaysia's hydrocarbon exploration in its EEZ, which led to a month-long standoff in 2020 (Ngeow 2021).

### 3.3. Malaysia's BRI Responses

The involvement of China in the controversial 1MDB scandal linked to the Najib administration has prompted backlash from opposition party leaders, which helped them galvanise popular support and led to the historic democratic transition in the 2018 general elections. Concerns over the BRI being a "debt trap" were gaining momentum at the time. When the Mahathir-led PH coalition was elected in May 2018, he suspended several BRI projects, including the ECRL and two petrochemical and gas pipelines, citing his con-

cerns on huge debts which Malaysia could not afford and the risks of project bankruptcy, as well as doubts over the benefits Malaysia and its people could gain from them (Ma 2018).

Nevertheless, the ECRL was later renegotiated and restored as “ECRL 2.0” by Mahathir’s PH administration at a cost of RM44 billion (US\$10 billion), from RM60 billion (US\$14.3 billion), and with a new southern alignment. After the surprising change of government in March 2020, this project was reverted to the original northern alignment in September 2020, under Muhyiddin’s PN government’s “ECRL 3.0”. This iteration will pass through more stations, at a cost of RM50 billion (US\$11.9 billion) (Khalid and Ikram 2021). Other than the ECRL, the PN administration also reinstated the two scandal-plagued oil and gas pipelines – the TSGP and MPP – in February 2021, a decision that has been upheld by the administration of Ismail Sabri Yaakob (Dzulkifly 2021). Ismail’s party, UMNO, had supported (though not as a coalition party) the Muhyiddin-led PN coalition until its withdrawal of support for the PN coalition in August 2021, which resulted in yet another change of government, leading to the BN-led Ismail Sabri administration. These two coalitions have been practising a loose cooperation throughout both Muhyiddin’s and Ismail Sabri’s reigns in order to gain a parliamentary majority to form a government. Hence, due to the cooperation between BN and PN, many of the BRI project restorations under the PN coalition were a continuation of the original Najib-era plans, but with renegotiated terms and conditions.

Former finance minister during the PH government in 2018 Lim Guan Eng voiced his criticisms of the revival of the TSGP and MPP over the lack of transparency, particularly regarding payment terms (Dzulkifly 2021). Both of the projects were awarded to China Petroleum Pipeline Bureau (CPPB) in 2016 at a cost of RM9.4 billion (US\$2.2 billion). What raised eyebrows was that 88 per cent of the cost (RM8.3 billion [US\$2 billion]) was paid to CPPB although only 13 per cent of the construction had been completed. The ECRL also required a 33 per cent payment (RM20 billion [US\$4.8 billion]) to CCCC at 15 per cent completion (Zainuddin 2021). The lack of substantial progress has also led to some BRI projects being put off permanently, like the Melaka Gateway. The RM43-billion Melaka Gateway was terminated by the Melaka state government in November 2020 due to its inactivity for many years (Sukumaran 2020).

This also indicates that the outcome of BRI projects in Malaysia was not solely decided by the federal government; instead, it reflects the dynamics between the federal and state governments (Lampton et al. 2020; Liu and

Lim 2019). State governments in Malaysia have rights over land use; therefore, a failure to obtain their backing will have dire implications on the success of a particular project (Lampton et al. 2020; Liu and Lim 2019). For the ECRL project, the Selangor government only gave its permission for the train to pass through the state in the original northern alignment proposed by the federal governments of PN and the current BN administration in December 2021 (Ong 2021). The ECRL could improve the land-based connectivity of Port Klang and Kuantan Port, which will be beneficial for the trade and economic development of Malaysia, especially to the more underdeveloped, poorer and majority-Malay east coast states – Kelantan, Pahang, and Terengganu – which the railway line will pass through. Furthermore, it can increase the competitiveness of Malaysian ports compared to Singapore through the Port Klang-Kuantan Port connectivity (Grassi 2020). Therefore, the ECRL has garnered the support of state governments as it brings economic benefits to their own states as well.

From Najib's reign to Mahathir's PH administration followed by Muhyiddin's PN government to the Ismail Sabri's government, Malaysia's BRI policy has actually remained constant. The successive governments, although from different parties and coalitions, have been generally supportive of Chinese BRI projects. The suspensions of the ECRL during Mahathir's reign were only temporary for renegotiation purposes, and Mahathir himself has clarified his stance by stating that he is supportive of BRI projects multiple times, despite concerns over rising Chinese influence in multiracial Malaysia (Bernama 2019). The same goes for Muhyiddin's PN government, which brought the two Najib-era pipeline projects back to life; and the Ismail Sabri administration which has continued them. The main reasons for this continuous support by different Malaysian governments consist of multidimensional benefits for the ruling elites. Federal and state governments can tout the BRI's economic and developmental achievements to solicit support from voters, which are mostly made up of ethnic Malays. The opaque bidding processes for BRI projects can further benefit the cronies of the ruling elites, another crucial constituency for sustaining political power. Therefore, despite domestic concerns over corruption and several government changes, the BRI has survived in a pretty similar form in Malaysia.

## 4. THE BRI IN MYANMAR

Myanmar is a case in which the external and internal security implications of the BRI are especially pronounced, owing to two key conditions that need to be introduced at the outset. First, Myanmar is a multiethnic state whose postcolonial history is deeply affected by centre-periphery tensions. Its majority ethnicity, the Bamar, make up around two-thirds of the population, settled in the country's geographical core and constituting its political power centre. Meanwhile, its periphery, including the border regions with China, is settled by ethnic minorities, and has long remained outside of the control of the central governments, either as acknowledged self-administered areas or de facto states run by so-called Ethnic Armed Organizations (EAOs, Jolliffe 2015). Second, Myanmar shares a 1,500-mile-long border and a long, contentious history with China. For successive governments, China has been both a source of sustenance and a potential threat to Myanmar's unity and independence (Steinberg 2020, 363). The former has involved access to the Chinese market, capital, expertise and arms industries, which were especially important during Myanmar's international isolation under junta rule from 1988 to 2011. The latter concerns revolve around the potential for hegemonic domination inherent in China's vastly greater size and economic gravity, further amplified by its ability to take advantage of internal divisions in Myanmar. Adding to the complexity, the Chinese policy towards Myanmar has been similarly ambiguous, and marked by the pursuit of strategic in addition to economic interests – prodding national governments towards alignment with China and rejecting Western influence, securing its southern border, and improving its access to the Indian Ocean (Sun 2012). This agenda has not only involved dealings with Myanmar's central government, but also extensive contacts and even cooperation with the EAOs opposing it (USIP 2018).

Across different governments, political elites in Myanmar have often configured their country's interdependent relationship with China around the issue of infrastructure (Steinberg 2020, 369), which is inextricably linked with the pursuit of internal and external security. Infrastructure projects feature prominently in national visions of development, modernisation and nationhood. Since the 1990s, the promise of an infrastructure-centric “peace through development” has been part of formal programmes to pacify EAO-held areas and reintegrate them into the national fold (Brenner 2017). However, implementing these plans requires foreign expertise and capital, with

China as the most obvious and sometimes only available source. As will be shown below, successive Myanmar governments have faced the dilemma of utilising foreign-built infrastructure to pursue internal security, while containing the Chinese influence that may come in its wake.

This tension has shaped the implementation of the BRI in Myanmar as well as earlier Chinese infrastructure-building efforts, some of which were already highly politically contentious. The most prominent case among the latter is the Myitstone dam, a project launched in 2005 to build a 6,000 MW hydropower station in an area populated by the Kachin minority, to be constructed by a large Chinese state-owned enterprise (SOE) in conjunction with junta-aligned businesses in Myanmar (Kiik 2016). The dam drew heated resistance from locals facing forced resettlement and a disruption of their livelihoods, while seeing little of the supposed developmental benefits, as 90 per cent of the power generated at Myitstone was to be exported to China (Ramachandran 2019). Crucially, ethnic Barmars also joined the criticism, motivated by concerns that China could use the dam to control the flow of the Irrawaddy, thereby exercising increased influence and possibly even a kind of hydro-hegemony over Myanmar (Kiik 2016). Even some voices within the military establishment considered this project a national security risk, linking it to long-standing fears of overdependence on China (Kiik 2016). This clash revealed rifts between developmental and security aims in the statebuilding vision espoused by the junta government, and shows how politicised large-scale infrastructure projects can become even in closed authoritarian regimes. Widening opposition was increasingly met by more receptive governance as Myanmar underwent a gradual democratic opening from 2011, and led to the newly established civilian government under Thein Sein suspending the project soon after taking office. Subsequently, Myanmar's democratic opening had a dual effect on the country's political economy: domestically, it changed the country's elite's composition, with civilian authorities asserting control over the levers of government, while the military retained control of the security sector and a major business stake through its holding company Union of Myanmar Economic Holdings Limited (UMEHL), whose interests covered many joint ventures with China. Externally, this created more international competition for China, and forced it to engage both with a new set of elites and an emboldened civil society.

On other occasions, grassroots resistance at least forced better regulation of projects or compensation of local communities. The Shwe oil and gas pipeline connecting the port of Kyaukphyu to China's Yunnan province,

built by the China National Petroleum Corporation (CNPC), also attracted significant criticism for its environmental impact. While this could not stop its construction or entry into service, it pressured CNPC into stepping up its corporate social responsibility (CSR) efforts and providing a compensation of 20 million dollars for local education and health care (Hilton 2013). A final example, the Letpadaung copper mine, is notable for the political agency that eventually brought about a compromise with the Chinese (and domestic military) interests behind it. In 2012, the mine was occupied by local protesters demanding adequate compensation for their forced resettlement from the site (Chan and Pun 2020). Following an initial violent police crackdown on the protest, the government assembled an investigation commission, chaired by then-opposition leader Aung San Suu Kyi. In her findings, she recommended a more generous compensation scheme, while also allowing for a resumption of operations – specifically in order to maintain good relations with China (Chan and Pun 2020). This, and her personal intervention with local protesters, exposed Aung San Suu Kyi to fierce criticism from her base, but was instrumental in keeping the project going and did much to endear her to Chinese observers, who praised her “wisdom” and “fairness” in the matter (Ding 2015). The renegotiated outcome also had a direct impact on elite politics in Myanmar, as it shifted the mine’s majority stake control from UMEHL to the civilian government (Gong 2022).

Accordingly, while Myanmar’s democratisation gave much greater leeway to popular resistance against Chinese infrastructure projects, it also pointed to which newly emerging elites were interested in infrastructural cooperation with China, and enjoyed the necessary legitimacy to ensure its continued progress. Myanmar’s 2015 general elections delivered a resounding victory for the National League for Democracy (NLD) and allowed it to form a government under the de facto leadership of Aung San Suu Kyi. This could have been expected to further complicate the building of Chinese-sponsored infrastructure in Myanmar, as it continued the trend of opening up the country to international competition (especially from Japan) and strengthening the hand of civil society opposition. Despite these factors, however, it led to the reaffirmation of several controversial projects (not including Myitsone), their repackaging in an overarching “China-Myanmar Economic Corridor” (CMEC), and eventually accession to the BRI in 2019.

Nailing down the details of CMEC is difficult as none of the agreements have been published in full, but several of its signature projects are known: the deep-sea port and SEZ at Kyaukphyu, the Muse-Mandalay railway line,

New Yangon City, and three proposed “cross-border economic cooperation zones” (CBECZs) located at the border crossings in Muse, Chinshwehaw and Kan Paik Ti (TNI 2019). Additionally, an “economic development zone” being built at Myitkina has been described as being part of CMEC by the Chinese ambassador to the country (Nan Lwin 2019). Finally, the Mee Lin Gyaing liquid natural gas plant has since been officially announced and labelled as being part of the BRI. Individual projects and their cost are listed below, indicating a total cost for CMEC of at least US\$13.9 billion, but this estimate is likely imprecise due to the lack of official budgets or any cost indications for the CBECZs.

**Table 1. Known BRI projects in Myanmar.**

Project	Cost
Kyaukphyu deep sea port and SEZ	US\$1.3 billion <sup>2</sup>
Muse-Mandalay railway	US\$8.9 billion <sup>3</sup>
New Yangon City	US\$800 million <sup>4</sup>
Chinshwehaw CBECZ	unknown
Kan Paik Ti CBECZ	unknown
Muse CBECZ	unknown
Myitkina economic development zone	US\$400 million <sup>5</sup>
Mee Lin Gyaing LNG plant	US\$2.5 billion <sup>6</sup>
Total cost	>US\$13.9 billion

2. The Irrawaddy. 6 August 2021. Myanmar junta pushing ahead with China-backed Kyaukphyu SEZ and port. The Irrawaddy, 6 August 2021.

3. Nan Lwin. 14 May 2019. China-backed Muse-Mandalay Railway to cost \$9 billion. The Irrawaddy, 14 May 2019.

4. Nan Lwin. 24 November 2020. Nine firms qualify to challenge Chinese proposal for Myanmar’s New Yangon City project. The Irrawaddy, 24 November 2020.

5. Nan Lwin. 9 April 2019. Kachin locals in the dark over China-backed industrial zone plan. The Irrawaddy, 9 April 2019.

6. The Irrawaddy. 8 May 2021. Myanmar junta approves 15 investments, including US\$2.5-billion power project. The Irrawaddy, 8 May 2021.

Myanmar's embrace of the BRI has often been explained with the loss of other international funders in the wake of the 2017 Rohingya crisis (Ramachandran 2019; TNI 2019). However, this did not affect the main alternative to the BRI in Southeast Asia – the Japanese “Quality Infrastructure” initiative (Jiang 2019). In 2016, the NLD government signed on to a cooperation agreement with Japan that included efforts complementary to the BRI – like an emphasis on rural and agricultural development or education (MOFA 2016) – but also direct competition in SEZs and railway lines that would link up with Japan's own plan for an East-West Corridor (Zhao 2019). Despite the Rohingya expulsion, Japan approved new ODA loans totalling over 358 billion yen (about US\$3.4 billion) from 2018-2020, mostly earmarked for infrastructure projects.<sup>7</sup> Rather than selling itself back into Chinese captivity, Myanmar under NLD rule proved quite adept at playing its own game at the nexus of infrastructure and geopolitics – and, in this case, two rival funders against each other.

As a result, the developing relationship between China and Myanmar at the international level can be described as asymmetric interdependence rather than one-sided submission. It is shaped by capital transfers from China to Myanmar, and the fact that China is a far more important partner for Myanmar than vice versa. However, this asymmetry has not resulted in one-sided Chinese political influence over Myanmar, mainly because Chinese security interests in the country give the latter its own leverage. This can be clearly seen from the aftermath of the latest, sharpest twist in Myanmar's elite politics: the February 2021 military coup that deposed the NLD government and replaced it with another iteration of junta rule. The need to secure Chinese projects against upheaval and maintain a semblance of “stability” relegated Beijing to a mostly passive diplomatic role (Abb and Adhikari 2021). On the one hand, Beijing extended a tacit, but not formal acceptance to the new regime, using ties that had never been cut off during the democratic transition. It also revived its earlier role as a diplomatic backer, vetoing (together with Russia) an initial UN sanction, and (unsuccessfully) lobbying ASEAN to invite a junta representative to the China-ASEAN summit in November

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7. Based on a query of the ODA database of the Japan International Cooperation Agency ([https://www2.jica.go.jp/en/yen\\_loan/index.php](https://www2.jica.go.jp/en/yen_loan/index.php)). This compares to a total of 510 billion yen in ODA awarded from 2011 to 2017 in the period of civilian rule.



2022 (Allard and Latiff 2021). On the other, Chinese diplomats in Myanmar voiced concern over the toppling of the NLD and urged a national “reconciliation” amidst escalating regime violence (Abb and Adhikari 2021). China has also maintained contacts with the NLD at the interparty level, and used these to urge restraint (Tower 2021).

While Beijing appears to have profited from the junta regime’s international isolation and its speedier implementation of BRI projects (The Irrawaddy 2021), association with the junta regime has reduced their acceptance and security. In the immediate aftermath of the coup, China’s involvement in Myanmar’s communications sector triggered protests about an alleged transfer of surveillance and communications-blocking technology to the new regime; shortly afterwards, protesters set fire to a cluster of Chinese-owned garment factories (Wang and Zheng 2021). Most recently, a Chinese request to secure the Shwe pipeline against potential sabotage resulted in further explicit threats against the project. In Chinese media, this backlash has been linked to the supposed meddling of Western “black hands” mobilising local civil society for geopolitical reasons (Bai et al. 2021) – a propaganda narrative eagerly encouraged by the junta as a potential bond between the two regimes (Tower 2021), but precluding a genuine reckoning with the sources of anti-Chinese resentment in Myanmar. As a result, Chinese infrastructure investments are more controversial and vulnerable to conflict risks than ever, with the most likely short-term reaction being one of deepening securitisation.

As this brief description of the BRI’s history in Myanmar shows, domestic political elites from both the civilian and military camps faced the same balancing act around external (national) and internal (regime) security in their negotiations with China. Intra-elite jostling for political control over BRI projects and the associated economic benefits was a key feature of democratic transition; in post-coup Myanmar, the same projects may now become targets of outright warfare. One key difference is that the NLD was an overall more effective partner for China that may have sometimes stalled on the BRI’s implementation and actively sought competing funding, but was also the only political force capable of selling the negotiation results to a sceptical domestic audience. For the junta government, its violation of democratic norms has left it with developmental success as the only possible source of legitimacy. In this, it is likely to become more reliant, and possibly dependent, on China. While Japan remains engaged in Myanmar for now and has not suspended ODA projects already underway, it has put a freeze on new

loans that could compete with the BRI (Kasai 2021). However, any increased Chinese influence over the country will be bought with the heavy price of being identified with its current ruling elite, and with its investments being exposed to a deteriorating internal security situation, especially those in the conflict-prone borderlands. This also reveals the limits of China's elite-centred strategy, as better rootedness among grassroots communities would have provided it with legitimacy of its own and thus an insurance against sudden changes in its domestic elite partners (Abb, Swaine and Jones 2021; Tower 2020).

## 5. CONCLUSIONS

The BRI's impact on Southeast Asia is a highly complicated phenomenon linking political, economic and social developments, and regional states have chosen distinct strategies in response. By focusing on elite receptions and strategic calculations in balancing external and internal security, we can draw the following tentative conclusions:

First off, the BRI's rapid advance in Southeast Asia is highly notable, as this happened despite major concerns that it could compromise the external security of member states – an observation made across all three cases. The explanation for this phenomenon can be found in the BRI's attractiveness to local elites of all political stripes, its lack of concerns over governance standards, willingness to align with existing developmental plans hatched by elites of all political stripes, and remarkable resilience to government turnovers. Accordingly, its potential for improving internal security and regime legitimacy is a crucial factor in explaining the BRI's success.

Second, differences in political elites and systems can explain some of the divergence in national responses, but these are not shaped by a simplistic democratic/authoritarian divide. In Malaysia, a democratic government turnover led to revisions in local BRI projects, but its relatively decentralised nature has arguably had the bigger impact on outcomes. Meanwhile, the BRI made the least headway in Vietnam although it has a highly similar political system to China's own, mainly because a wholesale embrace would threaten the nationalist credentials of local elites and undermine internal security. And in Myanmar, both civilian and military governments partnered with China in infrastructure provision, but to very different degrees of success in managing popular resistance and internal security.

Third, the BRI's focus on elite engagement also has several drawbacks for China itself: BRI projects are often not locally rooted and face stiff resistance from communities worried over their lack of environmental and social sustainability. Stakeholder engagement below the level of central governments is weak or nonexistent, unless political subunits – like the Malaysian states – have independent agency to decide over project outcomes. Agreements governing BRI projects and loans are often not publicly accessible, leaving citizens to wonder as to the long-term commitments their governments are entering into with China. Concerns over the resulting corruption can undermine the legitimacy of elites and entire political systems, leading to their replacement and ultimately the renegotiation of contracts. In other words, the BRI's high exposure to politically unstable environments is at least partly of its own making.

Finally, this analysis also raises important points for actors seeking to advance competing infrastructure provision schemes in Southeast Asia, as the EU is seeking to do under its new “Global Gateway” programme. A compelling alternative would have to match the BRI's advantages in scope, speed, flexibility and risk tolerance; while surpassing it in transparency, sustainability and stakeholder engagement. However, this has two problems: first, some of these objectives are mutually exclusive, most obviously in the desire not to engage in a “race to the bottom” with China, while still targeting the same niche. Second, at least in Southeast Asia, such a competitor arguably exists already: Japan's “Quality Infrastructure” initiative seeks to straddle the divide between high standards and political flexibility, while also being backed up by plentiful capital, long regional experience, and a comprehensive integration scheme. Accordingly, in this setting, it may be more promising for EU actors to explore cooperation with existing initiatives rather than pushing into a highly contested niche on its own. The EU and Japan already signed a connectivity partnership in September 2019, but this has not yet resulted in meaningful cooperation in the field. Additionally, where concerns over the strategic motivations behind the BRI are less of a concern than improving local outcomes, EU actors should also remain open about selectively contributing their expertise to Chinese-led projects. This is an especially urgent issue when it comes to environmental governance or dealing with conflict risks, for which Chinese BRI contractors and funders are often lacking the necessary capacities.

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# 04

## **The EU and ASEAN in the Context of Major Powers' Rivalry**

Engaging with  
Intergovernmental Regional  
Organisations to Hedge

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**Thu Hien Phan | Luis Gabriel Estrada |  
Thong Mengdauid | Patrycja Pendrakowska**

## **Abstract**

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The increasing manifestation of the United States-China rivalry in Europe and Southeast Asia has inspired a growing body of scholarship exploring how the major powers have penetrated these regions. However, not much attention has been paid to the fact that both European Union (EU) and Association of Southeast Asian Nations (ASEAN) member states have displayed a wide variety of strategies of leveraging and engaging with the respective regional organisations to promote their national interests amid the major powers' rivalry. This paper aims to explore how and why member states of the EU and ASEAN have been projecting their national interests through regional organisations amid the major powers' rivalry. The paper explains the linkages between domestic politics and strategies of engaging with regional organisations by examining the ASEAN-engagement strategies of the Philippines, Vietnam and Cambodia and the EU-engagement strategies of Central and Eastern European countries.

## INTRODUCTION

The increasing manifestation of the United States-China rivalry in both Europe and Southeast Asia has inspired a growing body of scholarship exploring how the major powers have increased their presence in these regions. However, not much attention has been paid to the fact that the member states of both the European Union (EU) and the Association of Southeast Asian Nations (ASEAN) have displayed a wide variety of strategies of leveraging and engaging with the respective regional organisations to promote their national interests amid the major powers' rivalry. Leveraging regional institutions in order to pursue national interests is not new to many EU and ASEAN countries. Due to rising tensions between the United States (US) and China, states have been struggling with pursuing independent foreign policies since many EU and ASEAN countries find themselves in deep security ties with the US while benefiting from economic relationships with China. By engaging with and leveraging regional institutions, including not only shaping regional agendas but also blocking regional consensus to escape tensions and enlarging the membership of regional institutions, they have avoided being further embroiled in the major powers' rivalry while pursuing their national interests. These variations of engagement strategies amid the US-China rivalry require more extensive examination. The variations have created different impacts on EU unity and ASEAN unity. Hence, by understanding such significant variations of strategies of engaging with the regional organisations, one can further predict both the EU's and ASEAN's regional development.

EU unity and ASEAN unity have both been challenged by the manifestation of the US-China rivalry. In the ASEAN context, the US has challenged ASEAN's cohesion by preferring specific ASEAN countries over others. For example, by 2021, the US has conducted between 13 and 16 military exercises with several individual ASEAN member countries, including Singapore, Indonesia, the Philippines, and Malaysia, while there have been no bilateral military exercises between US and Laos, and between US and Myanmar<sup>1</sup>. In addition, US presidents made ten official visits to the Philippines, and eight

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1. East-West Center. 2021. ASEAN Matters for America / America Matters for ASEAN. (<https://www.eastwestcenter.org/system/tdf/private/2021-asean-matters-for-america.pdf?file=1&type=node&id=40776>).

official visits to Vietnam and Indonesia, but only one visit each to Laos and Cambodia<sup>2</sup>. Regarding the relations with Beijing, China is the largest trading partner for ASEAN and its member states. China's economic benefits, particularly the Belt and Road Initiative (BRI), have been dividing ASEAN. Laos and Cambodia have been close allies of China in the region, while countries like Vietnam and Malaysia remain sceptical.

The Sino-US competition has influenced various regions in the world, including Southeast Asia. ASEAN member states have diverse political systems, ranging from democratically weak Malaysia, Indonesia, and the Philippines to semi-authoritarian Cambodia to Thailand's military junta, and the communist systems of Laos and Vietnam.

The situation in the EU is different. The EU has been integrated on regulatory, political, economic, and academic levels. The EU collectively is on the same economic level as China and the US. But, similar to ASEAN, the EU has been embroiled in the two powers' rivalry. Between 2017 and 2021, the Trump administration pursued various policies that divided the EU, including supporting a hard Brexit and being close to authoritarian governments in Central and Eastern Europe<sup>3</sup>. In addition, EU member states hold different views on China's Belt and Road Initiative as some of the Northern and Western European countries remain sceptical, while some of the Central and Eastern European countries, including those in Southeast Europe, support the BRI.

This paper aims to explore how and why member states of the EU and ASEAN have been projecting their national interests through regional organisations amid the major powers' rivalry. The paper explains the linkages between domestic politics and strategies of engaging with regional organisations by examining the ASEAN-engagement strategies of the Philippines, Vietnam and Cambodia and the EU-engagement strategies of Central and Eastern European countries.

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2. Ibid.

3. Chirathivat, Suthiphad, and Langhammer, Rolf. J. 2020. ASEAN and the EU Challenged by "Divide and Rule" Strategies of the US and China Evidence and Possible Reactions. *International Economics and Economic Policy* 17(3).



## THE EU AND STRATEGIC AUTONOMY IN THE MIDST OF THE US-CHINA RIVALRY: FOCUS ON GREECE, HUNGARY, AND POLAND

In recent years, speaking with one European voice regarding foreign policy, including with respect to relations with Beijing, has become difficult as member states have divergent security, political and economic interests. The general EU approach towards China is set out in the “Strategic Outlook” Joint Communication from 2019. According to the document published in Brussels, China is a partner for cooperation and negotiation, an economic competitor, and a systemic rival. On the other hand, the relations with Washington were rather stable, as North Atlantic Treaty Organisation (NATO) and the EU have 21 members in common. Moreover, the relations between NATO and the EU were institutionalised in the early 2000s and steps were taken during the 1990s to promote greater European responsibility in defence matters (NATO-Western European Union cooperation)<sup>4</sup> (NATO 2022). In recent years, as geopolitical tensions increased, the EU, especially France, focused on reviving the concept of strategic autonomy. For the purpose of this article, we will adopt the definition of strategic autonomy by the German Institute for International and Security Affairs (2019): “the ability to set priorities and make decisions in matters of foreign policy and security, together with the institutional, political and material wherewithal to carry these through – in cooperation with third parties, or if need be alone”<sup>5</sup>.

In this paper, we intend to analyse the situation of three countries in the light of the US-China rivalry. First, Poland and Hungary, both countries that joined NATO recently in 1999, the EU in 2004 and the 16+1 cooperation format in 2012. Second, Greece, a member of NATO since 1952, EU member since 1981 and member of the 16+1 format since 2018.

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4. NATO. 2022. Relations with European Union. ([https://www.nato.int/cps/en/natohq/topics\\_49217.htm](https://www.nato.int/cps/en/natohq/topics_49217.htm)).

5. German Institute for International and Security Affairs. 2019. European Strategic Autonomy. (<https://www.swp-berlin.org/en/publication/european-strategic-autonomy>).

## The China Impact

The status of the EU's member states' cooperation with China paints a rather complex picture. First, since 2012, the Central and Eastern European (CEE) countries have engaged in the Beijing-led 16+1 format, which raised concerns in Brussels. The 16+1 format has been assessed by a range of policy papers as a tool of interference that potentially can divide the EU and serve as an instrument of Chinese influence in the region. Some researchers, including Anna Burjanadze, emphasised that the 16+1 cooperation can lead to an increase in Beijing's influence in the EU's decision-making process<sup>6</sup>.

On the other hand, the 16+1 format members were not alone in pursuing deeper relations with Beijing; rather, they followed in the footsteps of the more-developed Western economies. The strongest economies in Europe, including France and Germany, were deepening their relations with China at the bilateral level, supporting the export of their products to the East. Many experts concluded that intensification of these bilateral relations might result in greater interdependence not only at the economic level but also at the political level. In the case of Germany, Noah Barkin (2020) highlighted that the Merkel government's reluctance to antagonise Beijing did in fact undermine the EU's push for a common policy toward China<sup>7</sup>.

Third, relations with China were also developed at the local level, as many cities engaged in city-regional cooperation with Chinese provinces and cities. Lastly, a wide range of other multilateral cooperation mechanisms and networks in CEE, e.g., the Vishehrad Group, led to the intensification of relations with China. There was one single denominator, as Professor Joseph Wieland mentioned during one of his lectures at the Zeppelin University – China governed the network<sup>8</sup>.

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6. Burjanadze, Anna. 2017. China and the EU within the framework of <<16+1>>: Obstacles and Prospects. (<https://www.lai.lv/viedokli/china-and-the-eu-within-the-framework-of-161-obstacles-and-prospects-631>).

7. Barkin, Noah. 2020. Germany's Strategic Gray Zone With China. (<https://carnegieendowment.org/2020/03/25/germany-s-strategic-gray-zone-with-china-pub-81360>).

8. The lecture took place during the Transcultural Student Research Group project that focused on comparative research of the implications of the BRI in Poland and Germany.

Since the 2010s Central and Eastern European countries have witnessed an intensification of bilateral and multilateral endeavours by Beijing's governmental institutions. EU member countries asynchronously developed and intensified bilateral and multilateral relations in the framework of Chinese global initiatives and projects, including the Belt and Road Initiative and the 16+1 format. Beijing was actively engaged in the intensification of relations at the political, economic, and socio-cultural levels. However, this intensification was not coordinated well enough at the EU level; thus, member states developed relations with Beijing in numerous ways, e.g., granting or denying access to strategic infrastructure tenders, including maritime ports or 5G networks, participating or not in the BRI, etc.

Moreover, the rise of populism<sup>9</sup> has contributed to the popularity of authoritarian tendencies that fuel interest in deepening cooperation with non-liberal regimes. Some governments, including Hungary's and Greece's, that rely to some extent on Chinese investments are unwilling to criticise Beijing's policies, including its militarisation of South China Sea islands<sup>10</sup>. Others, including Germany, have very strong trade relations with China, and have tried to navigate between the economic and political interests<sup>11</sup>. The first breakthrough on the EU side that clearly showed Beijing a red light was the decision to freeze the Comprehensive Agreement on Investment (CAI) in 2021.

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9. Applebaum, Anne. 2020. *Twilight of Democracy: The Seductive Lure of Authoritarianism*. New York: Penguin Random House.

10. Brattberg Erik, Le Corre Philippe, Stronski Paul, De Waal Thomas. 2021. *China's Influence in Southeastern, Central and Eastern Europe: Vulnerabilities and Resilience in Four Countries*. (<https://carnegieendowment.org/2021/10/13/china-s-influence-in-southeastern-central-and-eastern-europe-vulnerabilities-and-resilience-in-four-countries-pub-85415>).

11. Barkin, Noah. 2020. *Germany's Strategic Gray Zone With China*. (<https://carnegieendowment.org/2020/03/25/germany-s-strategic-gray-zone-with-china-pub-81360>).

## The US Impact

As the presence of China became evident in Central and Eastern Europe, the US has also sought to strengthen security ties with its NATO allies in the region, particularly Hungary, Greece, and Poland. However, between 2010 and 2016, the US-Hungary relationship deteriorated as the Hungarian government pushed for closer ties with China and the Obama administration criticised Hungarian domestic politics. To improve the bilateral relationship and counter China's influence in Europe, the Trump administration halted criticism of Hungarian domestic politics and pushed for arms and gas deals between the two countries<sup>12</sup>. In addition, in 2017, Hungary supported the enhancement of the EU's defence cooperation mechanism and the idea of boosting the EU's defence capabilities. Greece signed a Mutual Defence Cooperation Agreement (MDCA) with the US in 1990, while the port of Piraeus has been under China's control since 2016 and China has been an important trade partner and investor.

The US offered to strengthen its defence and military ties with Greece by updating the Mutual Defence Cooperation Agreement in October 2021. On the Greek side, then Prime Minister Alexis Tsipras had a discussion with Donald Trump about a US\$1 billion deal for "upgrading Greece's F-16s" and reassured the EU and NATO of its commitment to transatlantic security<sup>13</sup>. Similar to the situation with Greece, the US has deepened its security ties with Poland, which was evidenced by a Joint Declaration of Defence Cooperation. Regarding the US Force Posture in Poland in 2019 with the US promise of enhancing its military presence in Poland, in 2020, the two countries agreed on an Enhanced Defence Cooperation Agreement.

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12. Matura, Tamas. 2020. Hungary: The Peacock's Dance. In: Esteban Mario, Otero-Iglesias Miguel Bērziņa-Čerenkova Una Aleksandra, Ekman Alice, Poggetti Lucrezia, Jerdén Björn, Seaman John, Summers Tim, and Szczudlik Justyna. 2020. Europe in the Face of US-China Rivalry. ([https://www.ifri.org/sites/default/files/atoms/files/etnc\\_report\\_us-china-europe\\_january\\_2020\\_complete.pdf](https://www.ifri.org/sites/default/files/atoms/files/etnc_report_us-china-europe_january_2020_complete.pdf)).

13. Tonchev, Plamen. 2020. Greco-US Ties Deeper Than Sino-Greek Relations. In: Esteban Mario, Otero-Iglesias Miguel Bērziņa-Čerenkova Una Aleksandra, Ekman Alice, Poggetti Lucrezia, Jerdén Björn, Seaman John, Summers Tim, and Szczudlik Justyna. 2020. Europe in the Face of US-China Rivalry. ([https://www.ifri.org/sites/default/files/atoms/files/etnc\\_report\\_us-china-europe\\_january\\_2020\\_complete.pdf](https://www.ifri.org/sites/default/files/atoms/files/etnc_report_us-china-europe_january_2020_complete.pdf)).

The US-China dilemma is based on the dependence of the EU's NATO member states on the US as a security provider on the one hand, and on the other hand, the willingness to set internal political-economical goals vis-à-vis Beijing autonomously. The US-China dilemma in the EU can be seen in the variations on strategies leveraging the EU as pursued by Central and Eastern European countries to secure their national interests. For instance, in 2016, Hungary was unwilling to join a statement by the EU that aimed at criticising China for its politics in the South China Sea. In 2017, Greece vetoed the EU's statement criticising China's human rights record and China's aggression in the South China Sea. The Budapest decision can be attributed to the links between Hungary's government (led by Prime Minister Orbán), Russia and China<sup>14</sup>. Similar domestic politics are present in Greece, which was a beneficiary of Chinese investments in the port of Piraeus.

Poland, on the other hand, has adopted a different approach to China relative to its EU membership. The country combined a strong alliance with the US, focused on transatlantic relations, with active cooperation in the 16+1 format. Poland tried to balance between the expectations of the EU and China. As Justyna Szczudlik (2021)<sup>15</sup> argued, the Polish government advocated on the one hand to consider the US arguments, such as transatlantic cooperation on China issues to increase the leverage on the People's Republic of China (PRC), but on the other hand, kept channels with China open – following the EU's approach on Beijing – to avoid making the PRC more aggressive and build up an anti-Western coalition, especially with Russia. If we take into consideration the Polish reaction regarding the Comprehensive Agreement on Investment, it was critical at the beginning of the announcement but then shifted to a non-negative and even open attitude.

The recent Russia-Ukraine war will certainly contribute to deeper cooperation at the EU level and enhanced cohesion of foreign policies. There is a great chance that the transatlantic relations will play a major role in the EU debates on security. The change of policy (*Zeitwende*) in Germany under Olaf Scholz might bring a new quality to European policy.

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14. Venne François. 2022. China in Hungary: Real Threat or False Alarm? CEPA. ([https://cepa.org/china-in-hungary-real-threat-or-false-alarm/#footnote\\_35\\_13890](https://cepa.org/china-in-hungary-real-threat-or-false-alarm/#footnote_35_13890)).

15. Szczudlik Justyna. 2021. Poland's Stance on CAI: No Need for Haste. *Asia Europe Journal* 20(1).

## THE PHILIPPINES: ASEAN AS A PLATFORM FOR AN INDEPENDENT FOREIGN POLICY

The Philippines has been an active participant in Southeast Asia's several attempts at regional organisation and association, recognising the value of these initiatives in furthering both regional and national interests. The country was a member of ASEAN's two predecessors, MAPHILINDO (Malaya, the Philippines, and Indonesia) and the Association of Southeast Asia (Thailand, the Philippines, and Malaysia), and is a founding member of ASEAN. The Philippines is also not new to the idea of using regional organisations to address regional threats, having participated in the overtly anti-communist Association of Southeast Asia and the Southeast Asia Treaty Organisation.

The country had multiple motivations for actively participating in the succession of regional organisations that emerged in Southeast Asia from the 1950s to the 1960s, but a primary motivation was to diversify foreign relations with neighbours and to move away from a foreign policy that was dominated by US-Philippines bilateral relations.<sup>16</sup> Despite formal independence from the United States in the 1940s, the country continued to carry the image and luggage of a former American colony, with economic and foreign policies closely aligned to its former colonial master. The Philippines remained heavily reliant on the United States, with the country receiving substantial military and security assistance through US programmes and the presence of US military bases, and with the United States being the primary source of investments in the country and its largest export market.<sup>17</sup> Discontent against the perceived inequality and exploitative nature of US-Philippine relations simmered beneath the surface in the decades following independence, leading to a need to chart a foreign policy direction that increases the

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16. Weatherbee, Donald. 1987. THE PHILIPPINES AND ASEAN: Options for Aquino. *Asian Survey* 27. (<https://doi.org/10.2307/2644631>).

17. Sussman, Gerald. 1983. Macapagal, the Sabah Claim and Maphilindo: The politics of penetration. *Journal of Contemporary Asia* 13. (<https://doi.org/10.1080/00472338380000141>).

Philippines' profile in the region as a country that is independent of the US and that has interests separate and divergent from the US's.<sup>18</sup>

The Philippines' special relationship with the United States has significant security implications for the region. The United States was the Philippines' colonial master for nearly five decades immediately prior to independence and was instrumental in liberating the archipelago from the Japanese during World War II. Right after independence, the Philippines agreed to host US military bases in the country in exchange for post-war financial assistance and military security,<sup>19</sup> followed soon after by the signing of a Mutual Defence Treaty between the two countries. Though this had reputational costs for the newly "independent" Philippines, the security guarantee provided by the American bases allowed the government to focus on economic rebuilding. The bases also provided the spillover effect of a stable US presence in the region, as the US could keep an eye on the evolving Communist movements in mainland Southeast Asia and ensure a regional strategic balance against the two Communist powers competing for influence in the region: the Soviet Union and the People's Republic of China.<sup>20</sup>

## Philippines During the Early Years of ASEAN

While the Marcos government was extremely vocal in its support of ASEAN, Manila was not a politically active player in the early years of ASEAN, mainly due to an increasing number of domestic issues in the Philippines, such as increased opposition to the government and the continuing decline of the Philippine economy. Manila followed consensus positions on the issues in Indochina and held back on initiating projects or shaping consensus. The one project that Marcos was relatively active in regarding ASEAN was moving

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18. Kaul, Man Mohini. 1977. Philippine Foreign Policy: Retrospect and Prospect. *India Quarterly: A Journal of International Affairs* 33. (<https://doi.org/10.1177/097492847703300103>).

19. Kaul, Man Mohini. 1977. Philippine Foreign Policy: Retrospect and Prospect. *India Quarterly: A Journal of International Affairs* 33. (<https://doi.org/10.1177/097492847703300103>).

20. Weatherbee, Donald. 1987. THE PHILIPPINES AND ASEAN: Options for Aquino. *Asian Survey* 27. (<https://doi.org/10.2307/2644631>)

it towards a more integrated arrangement, supporting Singapore's agenda of more liberalised inter-ASEAN trade.

The Philippine economy was left in shambles in the aftermath of Martial Law and the People Power Revolution. With economic recovery being an urgent domestic agenda, newly elected President Corazon Aquino continued the previous administration's emphasis on the need to progress and further enhance ASEAN economic cooperation, hoping that increased economic interactions with the other ASEAN member states would help bolster the Philippines' domestic economy. This made prodding ASEAN officials to do more regarding regional economic cooperation a frequent theme of her remarks in ASEAN meetings. She also empowered her trade and industry secretary to push for and develop plans for an ASEAN free trade area and common market in the relevant ASEAN meetings. Despite these efforts and an alignment of interests with fellow ASEAN member state Singapore, not much progress on regional economic cooperation occurred, mostly due to resistance from other member states.<sup>21</sup>

## American Bases and the Manglapus Initiative

Domestic sentiments and perceptions regarding the United States continued to deteriorate in the Philippines. This resentment, and the recognition of the Aquino government of the country's economic dependence on the United States, became important considerations as negotiations for the renewal of the leases for the US bases commenced.

To counterbalance domestic public sentiments regarding the US bases,<sup>22</sup> then Foreign Secretary Raul Manglapus sought to have ASEAN express its support for renewing the leases. In preparation for an ASEAN meeting to be held in Manila, Secretary Manglapus travelled to Singapore, Bangkok, and Kuala Lumpur to meet with government officials towards this end. Thailand

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21. Ibid.

22. 1987. The Philippines in Ferment. Strategic Survey 88. (<https://doi.org/10.1080/04597238708460756>).



and Singapore seemed receptive to the idea,<sup>23</sup> but Kuala Lumpur's response was lukewarm, while Jakarta was opposed to having ASEAN show its support over what it viewed as a bilateral issue between the Philippines and the United States. The objection of Jakarta, which was ASEAN's *primus inter pares*, put a halt to any discussion of a public statement of support from ASEAN regarding the bases.

The so-called "Manglapus Initiative" forced ASEAN to discuss conflicts and contradictions regarding ASEAN and its regional security environment.<sup>24</sup> ASEAN member states recognised that the US presence in the region through the Philippines provided a level of security in the region vis-à-vis the Communist movements in Indochina and the struggle for influence between the Soviet Union and the People's Republic of China. This had allowed member states other than the Philippines to burnish their post-colonial and non-aligned reputation. This was especially true for Indonesia, which had established itself as a key proponent of the Non-Aligned Movement and had led ASEAN in implementing the Zone of Peace, Freedom, and Neutrality (ZOP-FAN) and the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ).

This contradiction was not lost on the Philippines, and there was growing resentment among Manila policy elites that other ASEAN member states had been free-riding under the American security umbrella projected from the bases in the Philippines without shouldering the kind of reputational burden that hosting the US bases came with.<sup>25</sup> One of the more radical proposals from the Manglapus Initiative was to disperse the US presence throughout the region to share the burden. The discussions also forced ASEAN member states to at least contemplate possible ways forward and the implications for regional security if the leases were not renewed.<sup>26</sup>

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23. Crossette, Barbara. 10 November 1987. Manila's Push for Common Policy on U.S. Bases Surprises Its Allies. *The New York Times*. (<https://www.nytimes.com/1987/11/10/world/manila-s-push-for-common-policy-on-us-bases-surprises-its-allies.html>).

24. Buszynski, Leszek, 1988. *ASEAN and the US Bases in the Philippines. US Bases in the Philippines: Issues and Implications*. Canberra: Australian National University.

25. Weatherbee, Donald. 1987. THE PHILIPPINES AND ASEAN: Options for Aquino. *Asian Survey* 27. (<https://doi.org/10.2307/2644631>).

26. Buszynski, Leszek, 1988. *ASEAN and the US Bases in the Philippines. US Bases in the Philippines: Issues and Implications*. Canberra: Australian National University.

Though an agreement between the United States and the Aquino administration for the extension of the leases was reached, the Philippine Senate refused to ratify the agreement, in effect terminating sustained American presence on Philippine soil. The Philippines shifted its tone to pushing ASEAN towards discussing member states' responsibilities in relation to upholding regional security,<sup>27</sup> while the closure of the bases in 1992 led to other ASEAN member states entering "access" arrangements with the United States, recognising the need to keep the US presence in the region despite refusing to support Manila in keeping the bases.<sup>28</sup>

The effects of the impending vacuum to be created by the closing of the American bases were slowly being felt in the region.<sup>29</sup> Armed conflicts between Vietnam (which was not yet an ASEAN member state) and the People's Republic of China over rival claims in the South China Sea had occurred, most recently in 1988 over features in the Spratlys, where other ASEAN members like the Philippines and Malaysia also had claims.

## The Spratlys and the Code of Conduct

Trouble in the South China Sea flared up once again in the 2010s, when Chinese vessels began harassing survey ships contracted by the Philippine government within the Philippines' Exclusive Economic Zone (EEZ). Tensions reached a peak in 2012 when Philippine and Chinese coast guard vessels were locked in a two-month stand-off in Scarborough Shoal. A US-brokered agreement to de-escalate tensions and withdraw vessels from the area failed

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27. Abad, Medardo. 2011. *The Philippines in ASEAN: Reflections from the Listening Room*. Manila: Anvil Publishing, Inc.

28. Ba, Alice. 2009. *ASEAN of and Beyond Southeast Asia: The ASEAN Regional Forum*. In *(Re)Negotiating East and Southeast Asia Region, Regionalism, and the Association of Southeast Asian Nations*. Stanford: Stanford University Press.

29. Abad, Medardo. 2011. *The Philippines in ASEAN: Reflections from the Listening Room*. Manila: Anvil Publishing, Inc.

when China immediately reneged and sent vessels to block Philippine access to the shoal.<sup>30</sup>

The slow progress in Code of Conduct (COC) negotiations led the Aquino III administration to push ASEAN towards being more proactive in addressing the issue. The administration called on ASEAN to initiate the drafting of a legally binding Code of Conduct based on the agreements of the 2002 Declaration on the Code of Conduct of Parties in the South China Sea (DOC). To push the grouping further, the Philippines circulated its initial draft of a Code of Conduct in early 2012. China resisted suggestions of a legally binding Code of Conduct, while other ASEAN member states had reservations with the Philippine draft's proposals for dispute settlement mechanisms. The discussions also divided ASEAN in terms of claimant and non-claimant states, providing an opening for China to undermine ASEAN unity and forward its interests.<sup>31</sup>

China demonstrated its ability to take advantage of the lack of ASEAN unity during the 45th ASEAN Ministers Meeting hosted by Cambodia. Cambodian Foreign Minister Hor Nam Hong objected to any mention of the Chinese aggression in the South China Sea against Filipino and Vietnamese vessels, the stand-off at Scarborough Shoal, or Chinese oil exploration within the Vietnamese exclusive economic zone. Cambodia justified its objections by using the Chinese arguments of insisting that these issues were bilateral in nature, despite them having been discussed by ASEAN in prior meetings.<sup>32</sup> Subsequent drafts presented by Singapore and Indonesia were rejected by Cambodia, leading to ASEAN's first-ever failure to release a joint communiqué after an ASEAN Ministers Meeting.

Sensing futility in seeking recourse from ASEAN amidst increasing tensions with China, the Aquino III administration enhanced security ties with the US. Though the US insisted on keeping its strategic ambiguity with regard

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30. De Castro, Renato. 2020. The Limits of Intergovernmentalism: The Philippines' Changing Strategy in the South China Sea Dispute and Its Impact on the Association of Southeast Asian Nations (ASEAN). *Journal of Current Southeast Asian Affairs* 39. (<https://doi.org/10.1177/1868103420935562>).

31. Thayer, Carlyle. 2012. ASEAN's Code of Conduct in the South China Sea: A Litmus Test for Community-Building?. *The Asia-Pacific Journal*. (<https://apjif.org/2012/10/34/Carlyle-A.-Thayer/3813/article.html>)

32. Ibid.

to its alliance commitments to the Philippines on issues in the South China Sea, it welcomed the further development of security ties, including the signing of the Enhanced Defence Cooperation Agreement, which allowed for the rotational deployment of American troops in the Philippines.<sup>33</sup>

Manila's disillusionment with ASEAN's inutility with respect to addressing the issues in the South China Sea was evident when it decided to file a case against China through Annex VII arbitration under the United Nations Convention on the Law of the Sea without prior consultation with ASEAN. The ASEAN Secretariat and member states also refused to support the Philippine case against China, and Vietnam and Malaysia only observed the proceedings.

## Duterte and the Belt and Road Initiative

In 2013, China launched the Belt and Road Initiative, a periphery diplomacy project that sought to use Chinese infrastructure investments to secure access to important trade routes and ports, and at the same time increase economic (inter)dependence of recipient countries on China, thereby improving or at least stabilising diplomatic relations. For Southeast Asia, the 21st Century Maritime Silk Road component of the initiative targets key ports in the South China Sea and the Strait of Malacca. China also proposed and launched the Asian Infrastructure and Investment Bank to shoulder part of the financing for the infrastructure projects.<sup>34</sup> Strategically, this allowed China to accomplish two things in the region: attract ASEAN countries closer towards its orbit with the potential of large-scale infrastructure investments, and isolate the Philippines, which was still in the middle of arbitration proceedings against China, from its neighbours.

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33. De Castro, Renato. 2020. The Limits of Intergovernmentalism: The Philippines' Changing Strategy in the South China Sea Dispute and Its Impact on the Association of Southeast Asian Nations (ASEAN). *Journal of Current Southeast Asian Affairs* 39. (<https://doi.org/10.1177/1868103420935562>).

34. De Castro, Renato. 2020. The Limits of Intergovernmentalism: The Philippines' Changing Strategy in the South China Sea Dispute and Its Impact on the Association of Southeast Asian Nations (ASEAN). *Journal of Current Southeast Asian Affairs* 39. (<https://doi.org/10.1177/1868103420935562>).

During the years that the arbitration case was active, the Philippines lost further ground relative to its neighbours in receiving foreign infrastructure investments because of the state of its diplomatic relations with China. This lost economic opportunity informed the Duterte administration's thrust to reverse the adversarial relations that had resulted from the previous Aquino III administration's filing of the arbitral case.

The first major manifestation of this shift in policy came merely weeks after Duterte formally succeeded Aquino III as president. On 12 July 2016, the arbitral tribunal released its decision on the case the Philippines had filed against China. The ruling was mostly in favour of the Philippines in the claims that it had determined it had jurisdiction over. Despite this victory, the Duterte administration's reaction was muted and lukewarm, with the new foreign secretary calling for restraint.<sup>35</sup>

This restraint in reiterating the arbitral ruling extended to ASEAN fora, where Philippine delegations readily withdrew proposals to mention the arbitral ruling at any sign of objection. This policy became even clearer in 2017 during the Philippines' chairmanship, when Duterte announced that he would not raise the arbitral ruling during the ASEAN summit. Observers noted that the Duterte administration went even further, by refraining from including any negative statement directed towards China, including mentions of the militarisation of China's occupied features in the South China Sea.<sup>36</sup> Experts also noted the dilution of language used to refer to issues with China in the official statements released by the Philippines in relation to the summit, including the chairman's statement and the joint communiqué.<sup>37</sup>

This reversal of policy on China saw the Philippines receive its share of China's economic largesse to the region. During the first meeting between Duterte and Xi Jinping, China pledged a total of US\$12.5 billion for bilateral

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35. *Ibid.*

36. Thayer, Carlyle. 18 July 2017. ASEAN's Long March to a Code of Conduct in the South China Sea. ASEAN's Long March to a code of conduct in the South China Sea. Maritime Issues. (<http://www.maritimeissues.com/politics/aseans-long-march-to-a-code-of-conduct-in-the-south-china-sea.html>).

37. Tomotaka, Shoji. 2019. China's Formation of the Regional Order and ASEAN's Responses: From 'Rise' to 'Center'. Essay. In NIDS China Security Report 2019: China's Strategy for Reshaping the Asian Order and Its Ramifications. Tokyo: The National Institute for Defense Studies.

economic cooperation, US\$9 billion of which were allocated for infrastructure development. Trade with China as a share of the total foreign trade of the Philippines increased from 15.5 per cent in 2016 to 19.8 per cent in 2020, and the value of approved foreign investments from China to the Philippines grew tenfold from its value in 2016 to its value in 2020.<sup>38</sup>

## South China Sea Code of Conduct

The Philippines' successful internationalisation of the issue by filing and receiving a ruling on an arbitration case against China went against China's strategy of keeping the dispute discussions at the bilateral level. Around a year after the release of the arbitral ruling, China announced that it had finally agreed on a framework with ASEAN for a COC, nearly 15 years after the DOC was signed in Phnom Penh. Until then, China had insisted on the full implementation of the DOC before initiating any negotiations on the COC.<sup>39</sup> This sudden eagerness to pursue negotiations could be seen as a way to deflect from the arbitration, which China had refused to participate in, and its resulting ruling, which was seen as being generally against Chinese claims in the South China Sea. The COC negotiations would allow China to portray itself as being cooperative with ASEAN and other claimants, and at the same time give it more room and leverage to dictate the process and outcomes. The timing was made even more opportune by the Duterte administration's new policy. With the Philippines now predisposed against referencing the arbitral ruling, China had additional elbow room to steer negotiations away from the ruling's decisions. This was made even more important by the fact that the Philippines was set to be the ASEAN External Relations Coordinator for China from 2018 to 2021.

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38. Pitlo, Lucio. 2021. Philippines-China Relations Under the Duterte Administration: Gains, Challenges and Dilemmas Going Forward. Quezon City: Asia Pacific Pathways to Progress Foundation, Inc. (<https://appfi.ph/publications/49-policy-briefs/2963-philippines-china-relations-under-the-duterte-administration-gains-challenges-and-dilemmas-going-forward>).

39. Thayer, Carlyle. 18 July 2017. ASEAN's Long March to a Code of Conduct in the South China Sea. ASEAN's Long March to a code of conduct in the South China Sea. Maritime Issues. (<http://www.maritimeissues.com/politics/aseans-long-march-to-a-code-of-conduct-in-the-south-china-sea.html>).

Both sides saw the significance of this opportunity. Having the COC signed under the Philippines' term as Country Coordinator would be a diplomatic coup for a country criticised for appeasing China and a vindication of the policy turnaround. For China, there was no assurance that the Philippines' next chief executive would be as sympathetic to China as Duterte, making it an early opportunity to push for a COC that was favourable to China. The eagerness to reach the deadline was seen from the unusual speed with which negotiations progressed early on. In late 2018, ASEAN and China announced that they had agreed on the Single Draft Negotiating Text that would be the basis of the Code of Conduct.<sup>40</sup> Around the same time, Chinese Foreign Minister Wang Yi announced that China wished to conclude negotiations on the COC in three years' time, the first time that a negotiation deadline was ever mentioned and coinciding with the end of the Philippines' term as ASEAN External Relations Coordinator for China and the 100th Anniversary of the Chinese Communist Party.<sup>41</sup>

China's increased cooperation in COC negotiations did not put an end to its aggression in the South China Sea, however, and a collision incident between a Filipino civilian fishing vessel and a Chinese vessel in Reed Bank, within the Philippine EEZ, sparked domestic outcry in the Philippines. The spread of the coronavirus pandemic in early 2020 hampered negotiations as countries focused their efforts on domestic matters, leading to ASEAN and China missing the imposed 2021 deadline for the conclusion of COC negotiations. Negotiations continue to be in limbo as the Philippines' successor as ASEAN External Relations Coordinator for China, Myanmar, experienced a coup in February 2021, and the ruling military junta has a complicated relationship with ASEAN.

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40. Thayer, Carlyle. 6 August 2018. A Closer Look at the ASEAN-China Single Draft South China Sea Code of Conduct. *The Diplomat*. (<https://thediplomat.com/2018/08/a-closer-look-at-the-asean-china-single-draft-south-china-sea-code-of-conduct/>).

41. Storey, Ian. 24 February 2020. Chinese Premier Li Calls for South China Sea Code of Conduct by 2021. Singapore: ISEAS Yusof Ishak Institute. (<https://www.iseas.edu.sg/media/commentaries/chinese-premier-li-calls-for-south-china-sea-code-of-conduct-by-2021-by-ian-storey/>).

## Conclusion

The Philippines has historically been an active participant of Southeast Asia's regionalisation projects, recognising the value of regional organisations in furthering regional interests while at the same time being a platform to advance national goals. The country's attempts at coordinating with neighbours and forming associations with them were informed by the national interest of shedding its image of being an Asian appendage of the United States.

Subsequent attempts at using ASEAN as a platform to advance national interests failed due to strong resistance from other member states. The first Aquino administration's support for ASEAN's earliest economic integration project, in coordination with Singapore, was met with resistance from Jakarta. It would have been a welcome boost to the Philippines' then ruined economy.

Other attempts which focused on security, such as the Manglapus Initiative on the American Bases and the attempts at a South China Sea Code of Conduct from the 1990s to 2000s, also led to disappointing results for the Philippines. But while Manila did not receive the expected results from its attempts, the discussions within ASEAN that they initiated pushed ASEAN towards reckoning with issues that it would have preferred not to, such as regional security in the light of American withdrawal from bases in the Philippines and the need to address the emergence of an aggressive and irredentist China.



## VIETNAM: ASEAN AS A PLATFORM FOR DIVERSIFYING PARTNERSHIPS

### Overview on Vietnam's Strategies of Engagement with ASEAN

Vietnam's strategies of engagement with ASEAN since the *Doi Moi* (Renovation)<sup>42</sup> can be divided into three periods, which together reflect the country's perception of the importance of ASEAN to its national interests. First, between 1986 (the commencing year of *Doi Moi*) and the early 2000s, Vietnam's suspicion of and hostility towards ASEAN were replaced by the country's main interest in seeking ASEAN membership and fostering economic cooperation and trade with ASEAN. In 1992, Vietnam became an ASEAN observer, and three years later, the country officially became an ASEAN member. This shift in Vietnam's perception of ASEAN was reflected in two official documents. The Resolution No. 32 (32/BCT21) highlighted "development and peaceful coexistence with China, ASEAN, and the United States"<sup>43</sup>. The Politburo Resolution No. 13 (May 1988) prioritised "preserving peace and developing the economy" and noted that foreign policy should help to "create a favourable international environment and conducive conditions to serve the cause of national construction and defines"<sup>44</sup>. However, at that time, Vietnam did not seriously consider seeking ASEAN's support for its stance on the South China Sea disputes. Vietnamese diplomats believed that ASEAN was not willing to criticise China regarding its South China Sea policies, as was evidenced by ASEAN member states' "indifferent stance" on the 1988 Sino-Vietnamese clash in the Spratlys, China's granting of a concession

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42. *Doi Moi* (Renovation) refers to economic reforms introduced by the Communist Party of Vietnam in 1986 to promote the transition towards a socialist-oriented market economy.

43. Nam, P. D. 2006. *Ngoai giao Viet Nam sau 20 nam doi moi* [Vietnam's Diplomacy after 20 Years of Renovation]. *Tap chi Cong san* [Communist Review] 14.

44. Tran, Truong Thuy. 2016. Chapter 8: Vietnam's Relations with China and the US and the Role of ASEAN. In: *Security Outlook of the Asia Pacific Countries and Its Implications for the Defense Sector*. The NIDS International Workshop on Asia Pacific Security 14.

for oil exploitation by an American company in Vietnam's waters in 1992, and Chinese seizure of the Philippine-claimed Mischief Reef in 1995<sup>45</sup>.

Second, during the 2000s, the country began to make extensive use of ASEAN-led institutions to manage its relationship with China, and particularly the territorial disputes in the South China Sea. Vietnam showed strong support for the adoption of the Declaration on the Conduct of Parties in the South China Sea (DOC) and a rule-based approach to the South China Sea disputes on many official ASEAN documents, such as the Hanoi Plan of Action, the plan on the realisation of ASEAN Vision 2020, and the Joint Communiqué of the 34th ASEAN Ministerial Meeting. Vietnam's increasing interest in rallying ASEAN's support for its stance on the South China Sea disputes was explained by China's increasing maritime assertiveness, which triggered other ASEAN member states' concerns and made them "more sympathetic to Vietnam's approach"<sup>46</sup>.

Third, from the end of the 2000s till now, the manifestation of the US-China rivalry has become more evident. China submitted the nine-dash line map of the South China Sea to the UN in 2009, which was followed by the first meeting between then President Barack Obama with all ten ASEAN member leaders in the same year, and the US announcement of its "Pivot to Asia" strategy in 2010. These developments presented a new challenge to Vietnam's foreign policy – maintaining favourable conditions for economic growth and protecting national sovereignty while avoiding being embroiled in the major powers' rivalry. Hence, while continuing to bring the South China Sea issues to ASEAN agendas, Vietnam has extensively sought to enlarge and diversify the membership and the partnership of ASEAN-led institutions. This is because Vietnam has seen its national security being further attached to regional security, as was evidenced in its 2009 and 2019 Defence White Papers. These papers emphasise that national security can be guaranteed by boosting regional defence networks and training within ASEAN and between ASEAN and external states. In addition, engaging with ASEAN-led institutions provides an effective way to achieve its national interests in the midst of the US-China rivalry.

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45. Le, Hong Hiep. 2017. ASEAN at 50: The View from Vietnam. *The Strategist*. (<https://www.aspistrategist.org.au/asean-50-view-vietnam/>).

46. *Ibid.*

## Vietnam and ASEAN Amid the US-China Rivalry

Since the end of the 2000s, Vietnam's ASEAN-engagement strategies have involved persistent attempts to rally ASEAN's support for its stance on the South China Sea disputes and to enlarge the membership and partnership of ASEAN-led institutions. Examples of Vietnam making use of ASEAN platforms to project its stance on the maritime disputes against China include then Defence Minister Phung Quang Thanh, at the 9th Shangri-La Dialogue in 2010, sharing Vietnam's concern that armed clashes on the sea would affect not only individual countries but Southeast Asia as a whole and pushing for a Code of Conduct. At the same time, Vietnam, as the ASEAN chair, successfully got the Regional Code of Conduct on the South China Sea included in the Joint Communiqué and restarted the ASEAN-China Senior Officials' Meeting on the DOC<sup>47</sup>. In 2019, at the 52nd ASEAN Foreign Ministers Meeting and the 35th ASEAN Summit, Vietnam repeatedly criticised China for its aggressive behaviours and violations of international law and called for an ASEAN united position on the maritime disputes. The 52nd ASEAN Foreign Ministers Meeting's Joint Communiqué and the Summit were highlighted by China's support for as well as ASEAN consensus on the completion of the Code of Conduct on the South China Sea.

Examples of Vietnam's strategies of seeking to enlarge the membership of ASEAN-led institutions and facilitating connections between ASEAN and other powers include Vietnam, as the ASEAN chair, inviting the US and Russia to join the East Asia Summit (EAS). At the same time, Vietnam took the initiative and facilitated the establishment of ASEAN Defence Ministers Meeting Plus (ADMM-Plus) with the involvement of Australia, China, India, Japan, New Zealand, Russia, South Korea, and the United States in 2010. The expansion of the membership of EAS and ADMM-Plus were aimed at locking the US's commitment to Southeast Asia and checking China's aggressiveness in the South China Sea<sup>48</sup>. In addition, Vietnam has continuously expanded institu-

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47. ASEAN Secretariat, 2010 Joint Communiqué of the 43rd ASEAN Foreign Ministers Meeting - "Enhanced Efforts towards the ASEAN Community: from Vision to Action", Ha Noi, 19-20 July 2010.

48. Koga, Kei. 2018. ASEAN's Evolving Institutional Strategy: Managing Great Power Politics in South China Sea Disputes. *The Chinese Journal of International Politics*.

tional ties between India and ASEAN by actively supporting India's Act East Policy<sup>49</sup>, and served as an important facilitator of ASEAN-Russia relations<sup>50</sup>. Recently, Vietnam actively promoted a free trade agreement between ASEAN and the Eurasia Economic Union<sup>51</sup>.

The combination of strategies of rallying ASEAN's support for Vietnam's stance on the South China Sea disputes and of enlarging ASEAN-led institutions and diversifying their partnerships can be explained by two reasons. First, Vietnam sees its national security as being increasingly aligned with regional security. Second, like other ASEAN states, Vietnam also faces a dilemma when managing the relationships with both the US and China. On the one hand, while Vietnam welcomes the role of the US in checking China's aggressive behaviours in the region, the country also understands that siding with the US will likely provoke further aggressiveness from China in the region. On the other hand, while Vietnam does not accept China's aggressive behaviours in the South China Sea, it also has concerns that directly countering China will trigger economic punishments from China. China's restricting of exports of rare earth to Japan after the Japan-China boat collision incident in the East China Sea and stopping the buying of the Philippines' bananas during the Scarborough stand-off intensify this concern of economic punishments. More importantly, the 1979 Sino-Vietnam border clash<sup>52</sup> reminds the country of the importance of balancing the relationships with major pow-

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49. Sarma, Sanghamitra. 2019. India-Vietnam Strategic Partnership and ASEAN. (<https://jgu-dev.s3.ap-south-1.amazonaws.com/Article-5-India-Vietnam-Strategic-Partnership-and-ASEAN-by-Sanghamitra-Sarma.pdf>).

50. Tass (Russian News Agency). 2016. Vietnam Ready to Back Russia in Cooperation with ASEAN – Ambassador. (<https://tass.com/world/875892>).

51. Devonshire-Ellis, Chris. 2021. Vietnam Suggests an ASEAN Free Trade Zone With The Eurasian Economic Union. Russia Briefing. (<https://www.russia-briefing.com/news/vietnam-suggests-an-asean-free-trade-zone-with-the-eurasian-economic-union.html/>)

52. The border war was launched by China in early 1979 as a retaliation against Vietnam due to two main reasons: first, the closer ties between Vietnam and the Soviet Union while the Soviet Union and China had a cold relationship in the mid-1970s. Second, Vietnam had decided to attack the Khmer Rouge regime that was backed by the Chinese government.

ers<sup>53</sup>, as mismanagement of the relationships with the US and China would push Vietnam to the forefront of the rivalry.

As the concerns of ASEAN member states about the South China Sea disputes have been growing, Vietnam's consistent attempts to call for an ASEAN common stand on the maritime disputes and to manage relationships with major powers through ASEAN-led multilateral fora have proved productive. Both ASEAN claimant and non-claimant member states have endorsed and considered the Code of Conduct on the South China Sea as a major step towards regional stability. The 2011 EAS marked the first attempt at including maritime security issues in the chair's statement and the EAS started to discuss the South China Sea issues from 2013 onwards<sup>54</sup>. Similar to the EAS, the first ADMM-Plus member states (US, Japan, Australia, South Korea, Malaysia and Singapore) discussed the South China Sea disputes despite China's rejection<sup>55</sup>. To prevent major powers like the US and China from diluting the ADMM-Plus agenda by promoting bilateral dialogues with ADMM members through ADMM+1 meetings, ADMM issued two official documents: the Additional Protocol on the Concept Papers for the Establishment of an ADMM and the ADMM-Plus, and Guidelines to Respond to the Request for Informal Engagements or Meetings by the ADMM+ Countries<sup>56</sup>. These documents "make ADMM+1 meetings informal" and "limit the decision-making authority of external powers"<sup>57</sup>.

Over its 27 years of ASEAN membership, Vietnam's regional strategies have evolved over time, from engaging for purely economic purposes to

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53. VNExpress. 2019. Bốn bài học từ cuộc chiến chống Trung Quốc xâm lược năm 1979 [Four lessons from Sino-Vietnam border war 1979]. (<https://vnexpress.net/bon-bai-hoc-tu-cuoc-chien-chong-trung-quooc-xam-luoc-nam-1979-3882107.html>).

54. ASEAN Secretariat. 2013. Chairman's Statement of the 3rd East Asia Summit Foreign Ministers' Meeting; ASEAN Secretariat. 2014. Chairman's Statement of the 4th East Asia Summit Foreign Ministers' Meeting; ASEAN Secretariat. 2015. Chairman's Statement of the 5th East Asia Summit Foreign Ministers' Meeting; ASEAN Secretariat. 2016. Chairman's Statement of the 11th East Asia Summit; ASEAN Secretariat. 2017. Chairman's Statement of the 12th East Asia Summit; ASEAN Secretariat. 2021. Chairman's Statement of the 16th East Asia Summit.

55. Koga, Kei. 2018. ASEAN's Evolving Institutional Strategy: Managing Great Power Politics in South China Sea Disputes. *The Chinese Journal of International Politics*.

56. *Ibid.*

57. *Ibid.*

shaping ASEAN's regional security agendas, particularly bringing the South China Sea disputes to the regional security fora and enlarging ASEAN-led institutions. This reflects Vietnam's perspective that its national interests are more attached to regional security. In the long run, the continuity of Vietnam's regional strategies will depend on its capacity to manoeuvre among major powers and ASEAN's common stand on not taking sides amid the US-China rivalry.

## **CAMBODIA: ASEAN AS A PLATFORM FOR NON-INTERFERENCE PRINCIPLES**

It has been nearly one year since US President Joe Biden took over the White House in January 2021, and yet the relationship between the world's two biggest economic and military powers – the United States and the People's Republic of China – have continued to spiral deeper into a more intense competition in a myriad of dimensions, from ideology and values to economics, technology, geopolitics, and military affairs. Concerning the increasing presence of Chinese military hardware and its regional and economic hegemony over the South China Sea region, ASEAN member states are working together to contain the increasing presence of the Chinese military in the region. Various studies on small states or developing countries have shown that states either choose to bandwagon or balance against the big powers to ensure both protection and political favours while also continuing to receive more and more economic benefits to advance country development. It is crucial to construct a theoretical framework that would serve as a means to study small states' behaviours and actions in the midst of the fast-evolving geopolitical rivalry between the major powers. Additionally, this theoretical framework can also be used to explore, study, and analyse other small states' strategies regarding any regional or global issue. A "Three Level Analysis" theoretical framework will be used for this study to build an integrating synthetic framework, in which its spectrum covers the factors that can thoroughly explain the complexities of interactions between rising powers and small states in general and Cambodia's foreign policy in regard to the South China Sea disputes in specific. The increasing tension between China and ASEAN over the South China Sea disputes and the disagreement between the claimant and non-claimant states among ASEAN member states are fuel-

ling insecurity in the region and will constitute a threat to global security and stability if a conflict materialises.

As a small and developing state, Cambodia's foreign policy is under the influence of various important factors, such as aid assistance, economic cooperation, and political and socio-cultural relations, which go beyond the ambit of regional organisations such as ASEAN. Various internal factors such as domestic stability and political unity are also key elements to consider when constructing a valid policy for Cambodia to be able to adapt and survive in the turbulence and uncertainty of the international system. The 2012 and 2016 incidents concerning the consensus on the Joint Communiqué of the ASEAN Foreign Ministers' Meeting caused controversial debates among scholars on how Cambodia can maintain its relations with both China and ASEAN. All fingers pointed to Cambodia for not agreeing on the Joint Communiqué for fear of losing China support in providing political, economic and security assistance. To counter Chinese aggression, a mechanism was established in 2002 between ASEAN and China called "2002 Declaration on the Conduct of Parties in the South China Sea". The main goals are to reduce the tension between ASEAN and China over the disputes and to look for common resolutions to enhance regional cooperation and confidence-building between the two parties. However, the resolution was difficult to be finalised and is still in deadlock until now due to divergent positions between the claimant states and non-claimant states among ASEAN member states and some disagreements from China. Mingjiang (2008) and Fravel (2011)<sup>58</sup> stated that China is playing a more aggressive game while also encouraging cooperation at the same time through the use of a delaying strategy and a conflict escalation preventive strategy. Another Chinese scholar, Wenjuan, advocated the idea of Premier Zhou Enlai's "Five Principles of Coexistence", which include the concept of *taoguang yanghui* (keep a low profile) and *gezhi zhengyi gongtong kaifa* (resolve the dispute and joint development), and which are considered as Chinese foreign policies in the early days of the PRC<sup>59</sup>. Over time, China gradually developed and considered the "Dual Track" approach, which is the

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58. Mingjiang, Li. Security in the South China Sea: Chinese Balancing Act and New Regional Dynamics. RSIS Working Paper 149; Fravel, Taylor. 2011. China's Strategy in the South China Sea. Contemporary Southeast Asia 33.

59. Wenjuan, Nie. 2016. Xi Jinping's Foreign Policy Dilemma: One Belt, One Road or the South China Sea? Contemporary Southeast Asia 38.

most effective way to solve the disputes that concern international laws and the most important provision in the DOC between ASEAN and China<sup>60</sup>. The approach would allow both China and the concerning parties of the South China Sea disputes to conduct peaceful navigation and to promote peace and stability in the region, which China sought to be more assertive in preparation for conflict amidst the disagreement over the DOC with ASEAN.

In 2013, after the 2012 incident regarding the failure to issue a Joint Communiqué at the Phnom Penh ASEAN Summit, the Cambodian government reiterated its stance when addressing the Philippines' decision to bring the South China Sea disputes to the International Court of Justice (ICJ). Prime Minister Hun Sen believed that the Philippines' decision was politically motivated and called it a conspiracy between China and the Philippines and the court. According to local newspaper *Khmer Times*, during the 65th Cambodia People's Party anniversary, Prime Minister Hun Sen called on non-claimant states to stop interfering in the South China Sea disputes and considered ASEAN as a hostage at the ASEAN-related meetings<sup>61</sup>. He endorsed his party's strong commitment to not supporting any international court arbitration or any ASEAN member state supporting the case relating to the South China Sea disputes. He meant that Cambodia's stance was non-interference and believed that the issue should be dealt with only by the countries involved. He stated that Cambodia had again and again become a victim of the South China Sea disputes due to unjust accusations. The Cambodian prime minister has, on several occasions, strongly emphasised that the most essential reasons for Cambodia joining ASEAN in the late 1990s were the principles of non-interference, consensus-based decision-making, economic integration and development and diplomatic outreach to the region and globally. Cambodia's stance toward China over the South China Sea issues is based on its national constitution and the ASEAN principles. Hence, Cambodia's strategy is more aligned to ASEAN's "Principle of Non-Interference" and China's "Dual Track Approach" and is the cornerstone of Cambodia's foreign policy and national interests.

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60. Ministry of Foreign Affairs of the People's Republic of China. 2014. Wang Yi: Handle the South China Sea issue through the "Dual Track" approach. ([https://www.fmprc.gov.cn/mfa\\_eng/zxxx\\_662805/t1181523.shtml](https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1181523.shtml)).

61. *Khmer Times*. 2016. Hun Sen: Enough on South China Sea. (<https://www.khmer-timeskh.com/25268/hun-sen-enough-on-south-china-sea/>).



In addition, the government of Cambodia repeatedly declared through its government spokesman and the media that Cambodia would remain neutral and be a friend to all and an enemy to none. Cambodia's firm endorsement of the "ASEAN Way", the consensus approach of agreement between ASEAN member states, gives Cambodia the power to reject or veto any joint statement that is either not aligned with or has a negative impact on Cambodia's sovereignty and benefits. The failure to achieve an agreement on the 2012 Phnom Penh ASEAN Joint Communiqué was due to Cambodia's vetoing of the tension between China and the Philippines on the Scarborough Shoal as the Cambodia government insisted on stopping the using of ASEAN as a tool to solve bilateral issues. Cambodia's main policy is to remain neutral within the sphere of international sovereignty disputes and conflicts through the core policies of diversification, self-reliance, and sovereignty.

Sino-US relations again became more tense during the 2022 Shangri-La Dialogue in Singapore. The US showed its strong commitment to the region by reiterating its roles and presence in the Asia-Pacific, through equipping and defending like-minded states with the military hardware necessary to defend and deter aggression, subtly pointing to China. On the second day of the Shangri-La Dialogue, Chinese Minister of Defence General Wei Fenghe responded to the US allegation of Chinese aggression, calling it a smearing accusation. Pointing to the multiple crises facing the world, Wei claimed that Asia should reject any attempts to contain, decouple, and disrupt supply chains and that the US's Free and Open Indo-Pacific (FOIP) strategy aimed to build exclusive small groups to encircle China. Hence, this aggressive rhetoric reflected that US-China relations remain tense as both countries are not showing any signs of compromise. Strategic distrust remains deep. The military competition between the two major powers will continue to be intensely complex, especially in the field of maritime power projection and emerging defence technology. Meanwhile, Cambodia was accused of allowing the Chinese military "exclusive use" of Ream Naval Base in a 6 June 2022 report by *The Washington Post*.<sup>62</sup> However, *The Washington Post* did not provide any

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62. The Washington Post. 2022. China secretly building naval facility in Cambodia, Western officials say. (<https://www.washingtonpost.com/national-security/2022/06/06/cambodia-china-navy-base-ream/>).

solid proof or concrete evidence that showed any information regarding the future Chinese military base at Ream Naval Base.

Concerned about the rumour and in response to this baseless claim by the US media, Cambodian Deputy Prime Minister and Minister of National Defence Samdech Pichey Sena Tea Banh firmly and clearly explained to foreign delegations the strategic rationale and peaceful intent of the modernisation of the Ream Naval Base as indicated in the 2022 Defence White Paper released on 12 May 2022, and stated that the effort also included improving the Kingdom's counter-terrorism and humanitarian assistance and disaster relief (HADR) capabilities. It was stated that Cambodia did not oppose any country's military interests but sought to promote national military modernisation so as to be able to operate effectively in the maritime security domain in safeguarding peace and strengthening stability in the region and that it hoped to receive the same response in return.<sup>63</sup>

For Cambodia, as the rotated chair of ASEAN in 2022, the need to achieve an expansive and inclusive regional architecture is even more important than before if the region is to arrive at a balance of influence instead of being beholden to the political objectives of any single major power. Beyond the US-China strategic competition, issues such as the acquisition of nuclear weapons (especially by North Korea), climate change and food security would also test the cohesiveness and competency of states in forging a working consensus on what a post-pandemic order might be and would require all stakeholders to work together on multilateral efforts regardless of the geopolitical competition. In this respect, the future of the region is likely to be characterised by greater contestation and debates, not just over what the rules of the international order ought to be, but also which countries should be allowed to write the rules.

The South China Sea disputes have become the testing ground for Cambodian loyalty: ASEAN, or China? It is quite a difficult position for Cambodia to act as a mediator between the two, while protecting its national interests. Prashanth pointed out that from Cambodia's perspective, the lateness of drafting the negotiating text between ASEAN and China is not caused by

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63. Cambodian Defence White Paper is an 80-page white paper released on 12 May 2022. It is the third policy document published, after the first two in 2000 and 2006 respectively. The paper can be retrieved from: (<https://dot.mod.gov.kh/dwp2022/>).

“bilateral” means, but by the “multilateral” mechanism of the binding of the COC and China’s intention for ASEAN-China maritime cooperation<sup>64</sup>. The COC would legally restrict China’s activities in the South China Sea area if China agreed to accept it. According to China’s perspective on the systematic approach, mutual ties are favoured by the Sino-Cambodia partnership in structural and leader’s perceptions. China has adopted the policy of “non-interference.” On the other hand, the newly established trilateral security pact between Australia, the United Kingdom, and the United States (AUKUS), led by the US, will certainly increase military tensions and the risk of confrontation between China, the US, and its allies in the Indian Ocean and the South China Sea, including over the Taiwan issue, which are key to regional and global trades. Legally, although the Treaty on the Non-Proliferation of nuclear weapons (NPT) bans non-nuclear-weapon states from acquiring nuclear weapons, it does not ban them from acquiring nuclear-powered submarines. With AUKUS, the US has exploited this legal loophole and set a dangerous precedent for the future proliferation of nuclear materials. Although it is uncertain whether Washington may allow other states such as North Korea, South Korea, Japan, Indonesia, Saudi Arabia, Iran, Israel, and others to follow suit in acquiring nuclear-powered submarines, Australia’s deal could potentially weaken the international nuclear non-proliferation regime and directly impact Cambodia’s security as well as stability in the Indo-Pacific.

To sum up, ASEAN Centrality has been strengthened and the relevance of the ASEAN-led mechanisms has been promoted in providing an open and inclusive forum for constructive dialogue to address common concerns, resolve the differences and de-escalate tensions. ASEAN is a cornerstone for Cambodia’s foreign policy as long as ASEAN protects each member state’s interests and sovereignty, while mitigating the influence from major powers. Together with the Indo-Pacific Quadrilateral Dialogue (QUAD), AUKUS puts ASEAN Centrality at risk in two ways. First, it will certainly provoke an arms race and greater tensions with China, undermining ASEAN’s ideals of peaceful resolution of conflicts, confidence-building, and preventive diplomacy. Moreover, since AUKUS has elicited divergent reactions from ASEAN mem-

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64. Prahsanth, P. 2015. Cambodia: A new South China Sea mediator between China and ASEAN? (<https://thediomat.com/2015/07/cambodia-a-new-south-china-sea-mediator-between-china-and-asean/>).

ber states, as stated above, it sheds light on ASEAN's lack of internal cohesion in regard to speaking in one voice when responding to external powers' strategic manoeuvres in its own backyard. Second, although AUKUS adds more deterrence against China's military in the South China Sea, ASEAN risks allowing outsiders to interfere deeper in its region and becoming a spectator. Cambodia is moving in a fast-approaching manner toward regional and global integration; hence, the need for infrastructure development is a core objective for the Cambodian government in promoting the country's logistics system. Additionally, the changing balance of power in the Asia-Pacific region forces Cambodia to look to China as a source of protection, development, and strategic cooperation.

## CONCLUSION

As the US-China rivalry escalates and the pressures to take sides grow, many EU and ASEAN countries have sought different strategies of maintaining an independent foreign policy to pursue their national interests. By focusing on countries' national interests and strategies of engaging with or leveraging regional organisations in balancing the relationships with major powers, we can draw the following tentative conclusions and discussions:

First, many EU and ASEAN countries have adopted various strategies of engaging with and leveraging the respective regional organisations. While countries like Hungary and Greece in Central and Eastern Europe and Cambodia in ASEAN have selectively blocked their respective regional organisations' consensus so as to attract China's investments, the Philippines has pushed for specific agendas. Some, like Poland and Vietnam, have acted as bridge builders between the EU and ASEAN and major powers.

Second, the variations on strategies of engaging with or leveraging the EU and ASEAN can be explained by national interests, which largely are linked with security assurances from the US and economic benefits from China.

Third, such variations on strategies of engaging with and leveraging the EU and ASEAN have led to different impacts on regional development. Selectively blocking joint statements and pushing for specific agendas require more negotiations and concessions among member states. Whereas bridging the EU and ASEAN with major powers strengthens their important role in managing regional stability.

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# 05

## **Technological Regionalism**

How the EU and ASEAN can  
Steer a Third Path Between  
the US-China Rivalry

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**Jefferson Ng | Patrycja Pendrakowska**

## **Abstract**

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This paper examines the emerging US-China technological competition through the prism of regional organisations, conducting a comparative study of both actual and potential responses undertaken by the EU and ASEAN to advance their interests. We argue that both the EU and ASEAN face both direct (direct economic pressure) and indirect risks (exclusion from technological cooperation and interoperability problems) from the US-China technological competition. To respond effectively, both regional organisations must re-assess their respective relationships with both superpowers and develop regional strategies that are tailored to each region's economic and institutional capabilities.

The world is currently experiencing a major wave of technological innovation popularly known as the Fourth Industrial Revolution (4IR). Many emerging and foundational technologies that will define the industries of the future are being developed now, primarily in artificial intelligence (AI) and machine learning, quantum computing and information systems, robotics, energy storage, semiconductors, next-generation communications, and hypersonics (Capri 2020). These technologies are primarily “dual-use” technologies with both civilian and military applications, and countries able to dominate and harness these emerging technologies will enjoy major advantages over their rivals.

The emerging technological landscape will and has already begun to shape the growing geopolitical competition between the United States (US) and China. First, the anarchical structure of the international order means that great powers are driven to pursue regional hegemony to maximise their own security (Mearsheimer 2021). Second, technology plays a key role in shaping power transitions and achieving hegemonic ambitions, as economic innovation is deeply linked to war-making capability and world leadership (Modelski and Thompson 1996). Third, technological development exacerbates competition and rivalry, because innovation activities pursued by the rising power create either “negative security externalities” (i.e., a deteriorating security environment) or “negative order externalities” (i.e., undesirable changes to the existing international order and rules) for the incumbent power (Kennedy and Lim 2018).

The potential that the US-China technological competition will exacerbate mutual tensions is growing. Many Americans believe that China intends to eventually dislodge American global leadership and dominate cutting-edge technologies through China’s Vision 2035 strategy (Harjani 2021; Rasser et al. 2019) or the “Made in China 2025” strategy (Van den Abeele 2021). The American consensus on the Chinese technological threat extends beyond elites to ordinary Americans. A 2021 Pew Research Centre poll highlighted that the percentage of adult Americans who see China’s growing technological power as a threat increased from 41 per cent in 2020 to 47 per cent in 2021 (Silver et al. 2021).

This realisation has created tremendous knock-on consequences for both US-China relations and the rest of the world. The first development is the growing embrace of techno-nationalism in the Western world whereby technology is increasingly securitised, and technological innovation and capabilities are seen to be critical to a state’s national security and economic

prosperity (Capri 2019). Second, American techno-nationalism has altered the tenor of the American economic model from a private-led enterprise approach to an incipient state-led industrial approach to reconfigure supply chains and to reduce American over-reliance on foreign sources of factor inputs. Third, techno-nationalism appears to drive both the United States and China to develop independent technological ecosystems and solutions designed to minimise their reliance on each other.

If this eventually leads to the creation of competing technological blocs, it is crucial for countries to band together to preserve the multilateral order as we know it today and to manage and anticipate this problem. We use as case studies two of the most successful regional groupings in the world, the European Union (EU) and the Association of Southeast Asia Nations (ASEAN). The EU is a significant economic and industrial powerhouse as well as an influential shaper of global norms. On the other hand, ASEAN is a regional organisation comprising of many dynamic and developing states that is largely a price taker and importer of advanced technologies from overseas. For both regional groupings to thrive in a world where technology is increasingly securitised and contested, it is important for both groups to develop their own distinctive brand of technological regionalism that is aligned with the needs of their respective member states.

The rest of the article will be divided into four sections. The first section provides a survey of the US-China technological competition and examines the current situation. The second section provides an assessment of where and how the two superpowers are jostling for competitive technological advantage in the EU and ASEAN regions. The third section seeks to illuminate the general approach to technology policy taken by the respective regional blocs and their coping strategies in regard to the US-China tech competition. Finally, the paper will flesh out its recommendations.

## **BACKGROUND: THE INTENSIFYING US-CHINA TECHNOLOGICAL RIVALRY**

The US-China tech rivalry has its roots in longstanding American concerns about widespread intellectual property theft from Chinese state-backed hackers turning over stolen commercial intelligence to private companies (Martina 2013). Similarly, concerns about the security risks of using Chinese

technology from ZTE and Huawei in American telecommunications networks predated the Trump administration (Arthur 2012).

Nonetheless, US-China tech competition and conflict took off during the Trump administration when China was designated as a strategic rival and the first of multiple waves of import tariffs was slapped on Chinese goods in 2018. While American goals were initially confined to reducing the US trade deficit, the trade war quickly broadened into a larger tech and economic war reflecting grievances about unfair Chinese technology practices. The United States government also grew concerned about the potential espionage risks of using Chinese-made technologies and became increasingly suspicious of the links between Chinese companies and the Chinese government (Olson 2019).

These developments have triggered an increasing cascade of American regulatory actions against Chinese companies and technology. As shown from the table below, the US-China tech rivalry has been marked by the growing intensity and breadth of regulatory measures targeted at Chinese private and state-owned companies deemed to constitute a national security threat to the US.

**Figure 1. Timeline of US regulatory actions against Chinese companies.**

Year	Action	Company
2016	Commerce Dept Entity List	ZTE
2018	NDAA prohibiting federal purchases of communications equipment	ZTE, Huawei, Hytera Communications, Hikvision, Dahua
2019	Commerce Dept Entity List	Huawei and affiliates
2020	FCC Universal Service Fund Ban	ZTE and Huawei
2020	Executive Order prohibiting American transactions with affected companies	Tik Tok and WeChat
2020	Defence Dept Listing of Communist Chinese Military Companies	Aviation Industry Corporation of China, China Aerospace Science and Technology Corporation, etc.
2021	Executive Order prohibiting American transactions with affected companies	Alipay, Tencent QQ, WeChat Pay etc
2021	Treasury Dept Chinese Military-Industrial Complex Companies List	Aero Engine Corporation of China, Aviation Industry Corporation of China, Huawei, etc.
2021	FCC Revocation of Operating License	China Telecom

This is accompanied by increasing sensitivity about the acquisition of American technologies by Chinese companies with potential links to the Chinese government. The recently passed Foreign Investment Risk Review Modernisation Act of 2018 gives the Committee on Foreign Investment more powers to scrutinise foreign investments into critical infrastructure or technologies.

American techno-nationalism has already spilled over to third countries, as the US enlists allies and partners to create an ecosystem of trusted technology providers and suppliers (Webster and Sherman 2021). The US is currently promoting the decoupling, reshoring, and ring-fencing of critical sectors deemed to be nationally strategic. Decoupling envisions the reduction of technological and economic interdependence between the US and China, especially visible in the Biden administration's efforts to review supply chains and reduce America's dependence on Chinese inputs. Reshoring is premised on the relocation of critical technological sectors to the US, such as in the push to bring back semiconductor production facilities to the US. For instance, Congress passed the CHIPS Act in July 2022 which provides US\$52 billion in manufacturing grants and research investments to semiconductor companies, as well as a 25 per cent investment tax credit to incentivise semiconductor manufacturing in the United States.

Ring-fencing seeks to prevent technological leakage and enhance control of critical technologies in American or friendly hands through technology controls and "friend-shoring" (Sullivan and Deese 2021). For instance, a Quadrilateral Security Dialogue (commonly known as the Quad) meeting in September 2021 sought to foster technological cooperation and leverage synergies between Japan, Australia, and India (Chahal and Luong 2021). Similarly, AUKUS aims to integrate supply chains and pool resources for emerging technologies such as artificial intelligence, quantum computing, and cyber technology (Tarapore 2021). There are also increasing indications that American allies share similar concerns. Recently, Japan also imposed stricter requirements and scrutiny of foreign students studying critical technologies and researchers obtaining foreign funding in Japanese universities to prevent the outflow of technologies tied to national security (Nikkei Asia 2021).

Outside of the Quad, the US has also kept a close eye on US allies such as South Korea to prevent the leakage of sensitive and cutting-edge technologies to China. For instance, South Korea is both a US treaty ally and a country which shares strong economic and trade ties with China. Cognisant of these risks, the United States has sought to restrict the transfers of advanced man-



ufacturing equipment to China's semiconductor industry. In late 2021, South Korean semiconductor giant SK Hynix was barred from installing advanced semiconductor manufacturing equipment (extreme ultraviolet lithography machines) in its China-based foundry in Wuxi (Che and Park 2021). During the US-South Korea Summit in May 2021, a joint statement released by the two leaders also highlighted that the two countries would cooperate on "careful screening of foreign investments" and "export controls on critical technologies" (White House 2021a). Taken together, these measures seek to strengthen technological integration between the United States and its allies while slowing the advance of Chinese technological development.

## **ASSESSING US-CHINA TECHNOLOGICAL COMPETITION IN THE EU AND ASEAN**

Techno-nationalism and the US-China tech competition is a harbinger of things to come for the rest of the world. If the world becomes re-organised into exclusive technological blocs for certain key technologies and there is growing protectionism of technological know-how, this is likely to be disastrous for developing countries around the world who are trying to move up the technological ladder. Even other developed economies with strong economic and industrial bases will also find it hard to compete with the US and China in developing the most advanced cutting-edge technologies.

As US-China technological competition heats up, European and South-east Asian countries could start to face greater diplomatic and economic pressure to ease off or even sever technological cooperation with either great power. More countries could experience a substantial reduction in their diplomatic manoeuvring space, creating a more uncertain environment for foreign policymaking.

This has serious consequences for the foreign policies of most countries around the world without the technological capabilities or technical know-how. Many countries could face the unpleasant prospects of choosing between having no access to new technologies or being forced to join one or the other technological bloc to gain access. This problem is multiplied if neighbouring countries and trade partners choose to join different technological blocs, creating compatibility problems between economies and economic partners, as well as disastrous consequences for regional integration.

In our opinion, there are three main risks for the EU and ASEAN arising from this impending technological division.

- The direct risk of diplomatic and economic pressure from the United States and/or China for individual member states and/or the regional grouping to adopt technological policies or technology products that are in line with American/Chinese preferences.
- The indirect risk of being unable to pursue technological cooperation with either China or the United States if a country is already adopting technologies from the other superpower.
- The indirect risk of experiencing interoperability problems arising from countries in the region adopting technologies with different technical standards as a result of technological bifurcation.

We substantiate our analysis of these three main risks by scoping them in the context of the operating environments of these two regional groupings.

## European Union

The European Union is a significant industrial and economic powerhouse. As an economic bloc, it is the third largest economy in the world after the United States and China. EU member states are among the world leaders in the automotive, aerospace, defence, and chemicals industries. It also has a vibrant tech entrepreneurial space, even though European tech companies are much smaller than the American tech giants.

**Figure 2. Top 10 EU tech companies.**

EU Tech Companies	Market Cap	Business
SAP	US\$158 billion	Enterprise Software
ASML	US\$108 billion	Semiconductors
Dassault	US\$40 billion	Aerospace
Amadeus	US\$31 billion	Travel technology
Ericsson	US\$31 billion	Telecommunications
Nokia	US\$30 billion	Telecommunications
Infineon	US\$23 billion	Semiconductors
Spotify	US\$21 billion	Music streaming
Ayden	US\$21 billion	E-commerce
Capgemini	US\$20 billion	IT and consulting

As highlighted from the diversity and strength of the top EU tech companies above, the EU has the resources and industrial/knowledge base to compete in the emerging core technologies of the Fourth Industrial Revolution, alongside the US and China. Ericsson and Nokia are among the top five companies in the 5G infrastructure market, while ASML has a monopoly on the critical extreme ultraviolet lithography technology needed to produce cutting-edge semiconductor chips. According to a 2018 study, when considered as a single economic bloc, the EU produced the second largest number of AI start-ups in the world (Lemaire and Lucazeau 2018). The European Commission has also pledged to invest €1 billion per year in AI, with a goal of mobilising additional investments from the private sector (European Commission 2021). Besides AI, President of the European Commission Ursula von der Leyen also highlighted the importance of developing European mastery and ownership of emerging technologies such as quantum computing, blockchain, and semiconductor technologies (European Commission 2019).

The case of Huawei stands out as a reminder of the need for the EU to forge a stronger consensus and develop a regional position on its technology relations with the US, as it could be increasingly buffeted by direct diplomatic and economic pressure from the US to conform to its preferences. For instance, following the 2018 decision to place Huawei on the Commerce Department's Entity List, President Trump's administration sought to convince European countries to ban Huawei from their domestic 5G telecommunications networks. The Trump administration warned European governments about the potential espionage risks from Huawei equipment, since these 5G networks will power future applications such as self-driving cars and Internet of Things (IoT) sensors and high-speed downloads.

European countries are divided on the use of Huawei equipment in their 5G infrastructure. Countries that had most enthusiastically supported the Trump administration's push to cut Huawei out of their networks had been smaller Eastern European and Baltic countries. Estonia, Poland, Romania, Bulgaria, the Czech Republic, Latvia, Slovakia, Slovenia, and Lithuania signed joint declarations with the United States on 5G security, declaring that they would only use trusted and reliable suppliers for 5G networks (Makowska 2022). In addition, countries such as Poland, the UK, France, and Norway by and large excluded Huawei from their networks. Finally, the remaining countries were divided over whether to implement partial restrictions (e.g., Portugal, Denmark, Germany, Italy, etc.) or no restrictions (e.g., Luxembourg, Austria, Hungary, etc.).

There are three main reasons for this patchwork of different responses. First, the European Commission recommended that countries utilise a 5G cybersecurity toolbox that formed the basis of a “coordinated approach” for risk assessment. It included “(applying) relevant restrictions for suppliers considered to be *high risk* (emphasis ours)”, a term understood as referring to Chinese 5G companies. However, as per customary EU practice, implementation and interpretation of the risks were left to individual member states (European Commission 2020). Second, countries’ responses were tempered by their degree of economic ties with China. For instance, Germany was most reluctant to take a stronger stance on Huawei because it could have affected close bilateral economic cooperation (Murphy and Parrock 2021). Third, that many EU members were North Atlantic Treaty Organisation (NATO) allies and therefore security partners of the US also meant that they could not ignore America’s security concerns about Huawei.

The possibility that EU countries would not be able to pursue technology cooperation with China in sensitive technologies if they had already been cooperating with the United States was also brought to the forefront under the Trump administration. In 2018, the Dutch government gave the green light for ASML, the semiconductor equipment company, to sell its most advanced extreme ultraviolet equipment to a Chinese company, Semiconductor Manufacturing International Corp. As the US was seeking to slow down China’s semiconductor development, the Trump administration successfully lobbied the Dutch government to block the sale (Alper and Sterling 2020).

Such occurrences could become more common as technology becomes increasingly securitised in the context of US-China tech competition. Under the US Export Control Reform Act of 2018, the Commerce Department can control exports of “emerging and foundational technologies” as well as “dual-use technologies” with potential military and commercial applications. US companies are required to obtain a license before exporting/transferring any of these 14 categories of technologies (Everstream Analytics 2020). Even for non-US companies/countries, the US possesses a *de minimis* export control rule which allows it to require a license or block the export of high-tech products shipped to China if US-made components made up more than 25 per cent of the value of the product (Alper and Freifeld 2020).

The indirect risk posed to the EU as a result of aggressive American-led anti-China export controls is significant as the bloc’s high-tech exports to China have almost tripled from €15 billion to €41 billion between 2008 to 2018 (Barkin 2020). If more technology products are subjected to US export

controls, this could impede technological cooperation with China. This is because China's foreign anti-sanctions law makes it impossible for a business entity to do business with China if its home country has enforced foreign sanctions on China. There is a need for EU member states to develop a strategy on this issue and anticipate potential American export bans and what this means for the EU's relations with China.

The second indirect risk to the EU is the potential of technological interoperability problems arising from the difficulty of communicating and interfacing between technologies of different standards and specifications. This can occur when member states in the EU adopt different positions on technology adoption. For instance, Hungary is one of the few countries in the EU that has to a large extent embraced technological cooperation with Huawei. In 2019, Hungary announced that it would involve Huawei in its 5G infrastructure rollout (Reuters 2019). In 2021, Hungary signed a Memorandum of Understanding (MOU) on long-term cooperation with Huawei on digital education, 5G development, and smart city solutions (Budapest Business Journal 2021). The presence of Huawei equipment in Hungary's 5G network could potentially be deemed as a security risk by its American or European partners. In 2019, US Secretary of State Mike Pompeo warned that Huawei's equipment could make it harder for the US to "partner alongside them" (Wroughton and Szakacs 2019). This could lead to restrictions being imposed on 5G networks deemed to be insecure and prone to espionage risks, creating interoperability problems with fellow European states.

## **ASEAN**

The situation in ASEAN is very different from that in the EU. Unlike the EU, which is an economic and industrial powerhouse, most ASEAN countries are developing economies and recipients of foreign direct investment (FDI) inflows from American and Chinese companies. As a result, the pattern of technology adoption in Southeast Asia has been heterogeneous and diverse, largely dependent on the national policies of individual ASEAN states.

As seen from the table below on selected technologies, ASEAN countries have been highly inclusive in accommodating 5G technologies, as well as hosting data centres and smart city infrastructure, from both the United States and China. Furthermore, there is a diversity of approaches taken by individual governments – in terms of 5G adoption, ASEAN countries vary be-

tween total dependence on Chinese companies such as Huawei to build their 5G networks, to a reluctance to partner with Chinese companies on sensitive telecommunications infrastructure as in the case of Vietnam.

**Figure 3. Selected technologies and adoption in Southeast Asia.**

Selected Technologies	Adoption*
5G	<p>Cambodia – Huawei to build 5G network.</p> <p>Indonesia – Huawei to construct 5G network in Jakarta, ZTE as the telecommunications equipment vendor, Ericsson to deploy cloud and network technologies in East Indonesia.</p> <p>Malaysia – Ericsson to design and develop 5G network.</p> <p>Philippines – Local companies to partner with Huawei for equipment supply, while Ericsson, Huawei, and Nokia are 5G vendors.</p> <p>Thailand – Local companies partnering with Ericsson, Nokia, ZTE, and Huawei to develop different parts of the 5G rollout.</p> <p>Myanmar – A Qatar company (Ooredoo) is partnering with ZTE for 5G development.</p> <p>Brunei – Pilot 5G project involved foreign partners such as Huawei.</p> <p>Laos – Local companies working with Thai and Vietnamese companies for 5G.</p> <p>Singapore – to work with Ericsson and Nokia to build 5G infrastructure.</p> <p>Vietnam – A local telecom company Viettel to work with Ericsson and Nokia on 5G development.</p>
Data Centres (Number of current centres)	<p>Indonesia – Alibaba Cloud (3), Amazon Web Services (1), IBM Cloud (1), Tencent Cloud (1), Microsoft (1), ST Telemedia (1).</p> <p>Singapore – Baidu Cloud (1), CenturyLink Technologies (2), Equinix (5), Facebook (1), Google (3), Iron Mountain (1), LinkedIn (1), Zoom (1).</p> <p>Malaysia – Huawei Cloud (1), Microsoft (1), Royal Orion (1).</p>
Smart City Infrastructure	<p>Malaysia – Alibaba’s City Brain project in Kuala Lumpur, export of whole range of cloud-based solutions and Alipay.</p> <p>Singapore – Huawei’s 5G Artificial Intelligence Lab.</p> <p>Vietnam – Cisco and Smart Utilities project in Hanoi.</p>

\*Collated by the authors from various sources.

The direct risks for the region in terms of great-power technological competition can arise from ASEAN countries' position as an intermediary in global supply chains and as an important source of raw materials and natural resources. The threat of direct diplomatic pressure from the US for ASEAN states to conform to its preferences is not one that can be discounted.

It is now clear that the US is keen to reconfigure its supply chains to reduce reliance on China and to protect itself in the event of an all-out trade war with China. The Biden administration's supply chain review identified several vulnerabilities in the production of key industrial products such as semiconductor manufacturing and advanced packaging, electric batteries, critical minerals and materials, and pharmaceuticals and active pharmaceutical ingredients (White House 2021b). The review indicated a growing desire for the United States to rely only on reliable allies and partners, the so-called "friend-shoring", to ensure that it will always have the secure supply chain that it needs for domestic technological development.

American sensitivities with regard to the supply chain are likely to be more prominent in the semiconductor sector in Southeast Asia. The role played by ASEAN in semiconductor manufacturing can be seen from the fact that of the US\$874 billion of global exports of electronic components in 2019, about 22 per cent came from ASEAN-6 countries (Ma 2021). The Biden administration's review had identified the semiconductor assembly, testing, and packaging (ATP) stage of chipmaking, where semiconductor chips are assembled into finished components, tested, and packaged, as a point of vulnerability for American supply chains. As most of the semiconductor industry's ATP capacity are concentrated in China, Taiwan, and Southeast Asia, ASEAN countries could be asked to do more to support the resilience of American supply chains. For instance, the Indo-Pacific Economic Framework, which was recently launched by President Biden in Tokyo, has supply chains resilience as one of its key pillars.

**Figure 4. Some of the semiconductor companies operating in ASEAN countries.**

ASEAN Countries	Semiconductor Companies
Singapore	Micron (US), GlobalFoundries (US), UMC (Taiwan), ASE (Taiwan), JCET (China)
Malaysia	Intel (US), Micron (US), Texas Instruments (US), ASE (Taiwan), TFME (China)
Vietnam	Intel (US), Daewoo (South Korea)

In addition, the supply chain review also identified the United States’ lack of domestic capacity to produce and refine the raw materials needed for lithium-ion batteries, with battery grade nickel, or class 1 nickel sulfate, needed for making nickel cathodes, facing significant global shortages for the next three to seven years. From the American perspective, the class 1 nickel sulfate situation is complicated by the fact that Indonesia is expected to dominate nickel ore production for the next twenty years, and it has banned nickel ore exports.

With new nickel sulfate facilities funded by Chinese companies such as CATL coming online in Indonesia over the next few years, a significant portion of the nickel sulfate produced in Indonesia looks to be geared towards meeting the lithium-ion battery needs of Chinese companies (Ng and Dinarso 2021). As national security narratives regarding energy and technology sovereignty intensify in the United States and China, Indonesia’s role in supporting Chinese lithium-ion battery needs could be perceived as being unfriendly to American interests in the longer term. This is one key reason why Indonesia is so interested in getting Tesla to set up an electric battery factory in Indonesia as insurance against such a scenario.

Beyond ASEAN countries’ embeddedness in global supply chains and their role as a producer of raw materials, the US-China technological competition can also produce indirect risks. For one, ASEAN countries could experience difficulties in pursuing technological cooperation with one bloc if they are already adopting technologies from another bloc. The Western world is in the process of developing a “strategic partnership approach” to 5G, whereby only companies from allied countries are entrusted with sensitive digital infrastructure (Clarke 2021). This means that in future the United States could refuse to enhance technological cooperation with countries us-



ing Chinese 5G technology in areas that it deems to be nationally strategic. As highlighted in Figure 3, many Southeast Asian countries are working with Chinese companies to develop 5G infrastructure. This could make it harder for ASEAN member states to partner with the US.

ASEAN also risks being an unfortunate casualty of US-China competition. The Biden administration's recent announcement to waive tariffs on solar panel imports from Southeast Asia for two years was a case in point. For instance, Malaysia is a major producer of solar panel components, with several Chinese companies based in Malaysia, including Risen Energy, Jinko Solar, and Longi Solar. This effectively allows these companies to circumvent American tariffs on Chinese goods. The risk that American tariffs may be reimposed if US-China relations deteriorate highlights that technology cooperation with Chinese companies could also make it harder for ASEAN countries to work with the US.

Finally, the simultaneous adoption of technologies with different technical standards threatens to fragment ASEAN's economic integration and split ASEAN unity if technological decoupling precludes cross-compatibility between technological standards used by either technology bloc. China has been working to export its own technological model through the Digital Silk Road, where it seeks to incentivise and widen adoption of Chinese home-grown technologies spearheaded by prominent domestic tech companies. This is evident in the Chinese companies that are working to develop 5G infrastructure, build data centres, and provide smart city infrastructure solutions to tap into the growing Southeast Asia market. Chinese technology giants such as Alibaba and Tencent have also made significant inroads into Southeast Asia. Malaysia's adoption of Alibaba's City Brain technology, representing a whole suite of technology solutions from smart traffic management to Alipay, is another sign of strong Chinese technological influence (Naughton 2020). As a result, ASEAN countries using Chinese technologies could experience difficulties in being able to attract companies from the US to set up shop in the country, especially if the presence of these technologies becomes seen as a security and intellectual property risk.

## **EU-ASEAN RESPONSES TO US-CHINA TECHNOLOGICAL COMPETITION**

Given the challenges associated with US-China technological competition as explained above, the European Union and ASEAN will need to respond to and find ways to mitigate the three risks highlighted above arising from US-China technological competition. The specifics of managing and responding to the competition will differ depending on the characteristics of each region. Nonetheless, we argue that it is possible for both regions to develop a form of technological regionalism suited for their needs. In this section, we examine the general approach that has been used by each region, before zooming into the details.

### **European Union**

The EU's main challenge in the context of the burgeoning US-China tech competition is to develop a regional technology foreign policy that will enable it to find an appropriate balance between cooperation and competition with the US and China. It will need to decide as a regional grouping whether to position itself as an independent technology powerhouse competing and cooperating selectively with China and the US, or to pursue close technological alignment with the US.

On one hand, many of the EU member states share historical and transatlantic relations with the US. The core of the transatlantic partnership/alliance was historically anchored in NATO and economic cooperation going back to the Marshall Plan and Lend Lease, but also founded on common democratic values. On the other hand, the transatlantic relationship came under serious strain because of the Trump administration's policies, which famously led to German Chancellor Angela Merkel's remarks in 2017: "We Europeans have to take our fate into our own hands". In recent years, the discourse of European strategic autonomy has taken on new importance in the context of growing US-China competition. The term reflects a growing realisation that the EU needs to assert its sovereign interests in international relations to shape its future, embark on a more equal partnership with the US, and engage with China in ways consistent with its own values and interests (Grevi 2019).

To strengthen its strategic autonomy and agency, the EU has sought to proactively shape the emerging technology agenda through regulation. The coordination and bureaucratic work related to the development of guidelines and reports, and new regulations on emerging technologies have been voluminous, and are summarised in the table below.

**Figure 5. Selected regional technology documents in the EU.**

Document	Discussion/Recommendation
The EU Approach to AI (2021)	Proposed a risk-based regulatory approach for high-risk AI use cases, while minimising regulatory requirements for other AI uses.  Promote EU global leadership on AI through the coordination of AI policy and investments in infrastructure and research.
EU Cybersecurity Strategy (2020)	Strengthen cyber-resilience of critical public and private sectors through security measures and AI-enabled early warning solutions.  Bolster intra-EU cooperation and coordinate investment/funding.
Digital Compass 2030 (2021)	Promote Europe's digital transformation by developing digital skills, infrastructure, and the digitalisation of the businesses/public sector. Formulation of six basic digital rights for citizens.
Digital Services Act (2022)	Establish a pan-EU regulatory regime governing the obligations and responsibilities of digital intermediary services with provisions to promote transparency and protect consumers and business users.
Digital Markets Act (2022)	Establish a pan-EU regulatory regime governing the obligations of digital gatekeepers to promote competitive and fair digital markets.

As shown above, the EU is in the process of developing a response to digital and emerging technologies through regulation and the coordination of strategies across national governments to bolster technology development in ways aligned with European preferences. However, there is also a realistic expectation that the EU cannot shape the global technology landscape through its regulatory powers and intra-EU cooperation alone. This is where the EU has sought to work with the US as part of its foreign technology policy.

To reduce the risk that the US would again resort to Trump-era diplomatic and economic pressure to shape the EU's tech policies, the EU-US Trade and Technology Council (TTC) was set up in 2021 to coordinate approaches on global technology issues. While not explicitly directed at China, the council constitutes a coordination mechanism to strengthen technology cooperation and address points of differences. In its latest statement, both partners agreed to promote coordination on technology export controls and investment screening tools to address national security risks, develop more resilient supply chains, and deepen cooperation in AI and in other technology working groups (US-EU Trade and Technology Council 2022). The TTC is likely to become an important mechanism for transatlantic technological cooperation moving forward, as it enables foreign technology policy to be coordinated and negotiated between the two partners, rather than through use of brute force sanctions or tariffs.

The EU is also cognisant of the risk that working with the US could preclude economic and technological cooperation with China to its detriment. As a result, the EU has formulated a calibrated approach with regard to China that will enable it to compete more effectively with China but also promote cooperation with China, such as in global health and climate change issues. This general approach is evident from the EU's Indo-Pacific Strategy, which seeks to encourage China to play a constructive role in the region, and rejects the idea of containment or decoupling from China (Lin 2021). That said, the EU shares certain national security concerns with the US in the technological and economic domain. For instance, the EU Parliament's 2021 Report on EU-China relations called for the EU to strengthen its digital and technological sovereignty. It called for developing competitive industries in key sectors to decrease the EU's reliance on China, especially in the semiconductor and rare earth industries (European Parliament 2021). As a result, this strategy aims to enhance the EU's strategic autonomy while maintaining EU-China cooperation where practicable.

Lastly, to minimise the risk of future technology interoperability problems, the EU is currently working with the US through the US-EU Strategic Standardisation Information mechanism. This enables information sharing on international standards development and seeks to promote a collaborative approach in international standards activities for emerging technologies. The overall EU approach therefore appears to be relatively systematic and well thought out. In formulating an EU technology policy in an era of great-power competition, the EU has anchored its approach on calibrated

alignment with the US in terms of technology policy, strengthening strategic autonomy through regulation and encouraging technology development within the EU, and defining areas of cooperation with China wherever it is in the EU's interests to do so.

## ASEAN

In contrast, it is hard to make the argument that there has been any kind of a coordinated ASEAN strategy with regard to technology policy that accounts for the growing US-China technological competition. First, disparities in levels of technological development among ASEAN member states make it incredibly difficult to develop a common ASEAN position on technological developments. ASEAN's consensus principle necessarily means that a common regional technology policy will default to the technology capability of the least advanced member state. Second, ASEAN member states disagree fundamentally on their perceptions of China and how the region should respond to China's rise (if at all). In 2019, ASEAN developed the ASEAN Outlook on the Indo-Pacific as an alternative to the American vision of a "Free and Open Indo-Pacific", eschewing American efforts to exclude China. Despite this effort to rescue the Indo-Pacific concept, in the 2021 ASEAN Regional Forum Security Outlook, all ASEAN countries (except for Philippines) avoided using the term "Indo-Pacific" to refer to the region. This highlights that the American vision for the Indo-Pacific is fundamentally incompatible with ASEAN preferences.

For the EU, the challenge is developing a calibrated regional position on China that outlines clear areas of competition and cooperation. For ASEAN, due to the gross power imbalance, the default regional position is to cooperate with China. ASEAN's goal is to promote pragmatic cooperation with both the US and China, maintain regional unity, and avoid becoming over-dependent on China. ASEAN's regional planning documents related to technology also reflect its distinctive approach to regional integration – stressing national sovereignty and non-binding norms of responsible state behaviour as the basis for cooperation within ASEAN and with external partners. Several selected regional documents are summarised below.

**Figure 6. Selected regional technology cooperation documents in the ASEAN.**

Document	Discussion/Recommendation
Consolidated Strategy on the 4th Industrial Revolution for ASEAN (2021)	Improving tech governance, promoting digital innovation, and inclusion of the digitally underprivileged (ASEAN digital community). Other 4IR technologies under-emphasised; recommends an ASEAN 4IR Task Force Group to coordinate national 4IR policies.
ASEAN Cybersecurity Cooperation Strategy 2021-2025 (2022)	To promote a rules-based multilateral order for cyberspace through norms-building and cooperation with ASEAN member states and dialogue partners. To strengthen cooperation among national computer emergency response teams, develop regional cybersecurity policies for 5G, IoT, and smart cities.
ASEAN Digital Masterplan 2025 (2021)	To promote ASEAN as a leading digital community and economic bloc through eight desired outcomes to grow intra-regional digital services, promote economic growth, and support digital inclusion.
ASEAN Smart Cities Framework (2018)	To facilitate cooperation on development of smart and sustainable cities by leveraging new technological/digital solutions as well as through cooperation with external partners.

The above regional planning documents offer a roadmap for ASEAN-style regional technological cooperation that aims to supplement and support national-level initiatives, making each ASEAN member state more resilient and more competitive. At the same time, they articulate broad ASEAN principles on inclusiveness, sovereignty, norms-building, a rules-based multilateral order, and pragmatic regional cooperation with dialogue partners.

In addressing the direct risk of diplomatic and economic pressure from the United States and/or China for individual member states, the best means of minimising the risk is through sustained technological and economic cooperation and maintaining geopolitical relevance. The US exemption on investigations into solar panel imports from Southeast Asia is most likely due to ongoing negotiations concerning the Indo-Pacific Economic Framework for Prosperity (IPEF). If ASEAN countries are unable to demonstrate their strategic value for the US, then it is likely that these exemptions will be lifted. Unfortunately, only seven out of the ten ASEAN member states have agreed

to participate in the IPEF negotiations, precluding the development of an ASEAN response to the IPEF as a strategy to avoid future American sanctions and pressure. In dealing with the indirect risks of technology cooperation and interoperability issues, most ASEAN states have pursued diversification and engagement with both the US and China as a hedge.

However, what is lacking is a coordinated regional approach to guide regional responses to the three direct and indirect risks arising from US-China technological competition proposed in this paper. ASEAN needs to intensify and deepen discussions on formulating common technology principles and norms that all ASEAN member states (AMS) can agree to on issues relating to artificial intelligence, digital and communication technologies (e.g., 5G and IoT), and other emerging technologies of the Fourth Industrial Revolution. As the ASEAN approach starts at the national level and moves up to the regional level, it is important that all ASEAN member states should first develop national-level strategies and articulate national positions on emerging technologies by a certain regional deadline. Subsequently, an ASEAN-level approach can be built based on the existing national positions.

To address the indirect risk of cooperation with one power precluding cooperation with another power, it is important that ASEAN retains its broadly inclusive character, even as member states tilt towards one or the other technology bloc. ASEAN should agree as a regional grouping that no ASEAN member state should be locked into the ecosystem of only one technology bloc, as this limits national options and can be very damaging for economic integration and unity. By extension, such a situation will also reduce ASEAN's economic and diplomatic strength as a meeting point for West and East, as well as its credibility as a neutral regional convenor. Even as various AMS tilt towards one or the other technology bloc, the grouping needs to be able to establish baseline points of reference anchored on technological inclusivity. The ASEAN Smart Cities Network is a good example of this broad inclusivity. Even as cities within individual AMS choose to engage with their preferred partners of choice, ASEAN as a whole is reaching out and bolstering economic and technological cooperation with many regional powers at the same time (Martinus 2020).

To address the indirect risk of technology interoperability problems, technological neutrality needs to be an important part of a common regional technology policy. This means to say that a degree of technological agnosticism is needed because ASEAN is generally a passive adopter of tech-

nologies from more advanced countries. ASEAN cannot afford to adopt a values-driven narrative on technology beyond what is explicitly specified by the ASEAN Charter. It simply needs to adopt a position of technological neutrality, whereby individuals, businesses, and countries should be able to decide which technology is most appropriate and suitable to meet their needs, as well as other points of commonality that all AMS can agree on. Thus far, ASEAN as a regional grouping has not yet addressed this issue. Even though the ASEAN Outlook on the Indo-Pacific provides a common starting point, it needs to be further developed with a set of common norms specific to the technology sector. In addition, concrete measures need to be envisioned and planned to deal with potential technology interoperability issues, including moral suasion to forestall one country from adopting exclusively technology from one technology bloc only.

## **CONCLUSION AND RECOMMENDATIONS**

Our paper makes three main arguments or recommendations for both regional groupings. First, ASEAN and the EU must develop and clearly articulate first principles that will guide how they view technological competition and cooperation in a “Regional Technology Strategy”. Second, as supporters of multilateralism and a global rules-based order, ASEAN and the EU should work together on both intra-regional and international technology initiatives that will facilitate global cooperation and minimise conflict and confrontation. Third, they must work proactively to shape their respective regional environments in favour of their vision.



**Figure 7. Mitigation strategies of both regional groupings (greyed highlights refer to proposed strategies).**

Risks	European Union	ASEAN
Diplomatic/Economic Pressure (Direct Risk)	US-EU Trade and Technology Council	Sustaining engagement and relevance Developing common technology principles/norms
Exclusive Technology Cooperation (Indirect Risk)	EU Indo-Pacific Strategy EU Strategy on China	Technological Inclusivity
Interoperability Issues (Indirect Risk)	US-EU Strategic Standardisation Information	Technological Neutrality

Figure 7 summaries the article's core argument as well as highlights the differences in approach between the EU and ASEAN. While it is more feasible in the EU to develop clear strategies and institutions to cope with the US-China rivalry, ASEAN is at a far lower level of regional integration. The preferred response within ASEAN is therefore to develop guiding principles that provide flexible frameworks for coping. In doing so, we believe that ASEAN and the EU can develop regional solutions to steer a third path between the US-China rivalry.

ASEAN also needs to work on developing common technology principles and norms as part of a larger regional technology strategy in an "ASEAN Ministerial Statement on Emerging Technologies of the Fourth Industrial Revolution". The goal would be to articulate common and jointly acceptable positions on national technology policies, stress the need for multilateral technological collaboration, promote technological openness, and anticipate the potentially corrosive effects of technological interoperability problems arising from the decoupling of American and Chinese technologies.

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# 06

## **The EU and ASEAN Centrality in the Indo-Pacific Era**

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## Abstract

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The article discusses the growing trend of great-power rivalry in international relations and its implications for international regimes and intergovernmental organisations like the Association of Southeast Asian Nations (ASEAN) and the European Union (EU). This rivalry reflects significant changes in the global balance of power and leading notably to the de-universalisation of norms and an increase in tension between nominal principles and the actual practice of the international order. The article discusses the place of the EU and ASEAN in this emerging order, and argues in favour of a more realistic and targeted approach from the EU when it comes to foreign policy in the Indo-Pacific region. To be specific, the article suggests that the EU should focus on uncovering synergies with ASEAN and distinguishing the geopolitical dynamics of the eastern and western halves of the Indo-Pacific region. While a new EU approach may not be able to stop great-power rivalry, it can contribute to shaping the emerging multipolarity in a way that aligns with the interests of each organisation and preserves the EU's image as a trusted and independent partner.



## 1. INTRODUCTION

One of the most visible features in international relations in recent years has been the deepening of great-power rivalry. Even before Russia's full-blown invasion of Ukraine, this trend had already become salient in several ways. Under the Obama administration, a policy of pivoting to Asia was nominally pursued, at the same time as Russia-West relations breaking down and the beginning of Moscow challenging the West outright. Russia and China were formally designated as "rival powers" in the Trump administration's National Security Strategy and the emphasis on "strategic competition" has been preserved by the Biden administration. Even the newfound notion of the "Indo-Pacific", embraced by both Presidents Trump and Biden, reflects a naval-centric paradigm and containment-type logic toward China.

This new great-power rivalry is bringing about change in the international order. One of the core facets of this change is that the emerging order will not conform entirely to the principles and practices envisaged by Western liberals in the 1990s. Adversarial relations between great powers have led to the de-universalisation of norms, resulting in an increase in the tension between the nominal principles and the actual practice of international order (Watson 1992, 275-6). Although states do largely respect international law, or at least often attempt to couch their violations of international law in legal justifications, the contrast between the premise of a "rules-based international order" and the reality of asymmetric competition is becoming more and more visible.

The de-universalisation of norms, in turn, raises questions about the place of the European Union (EU) and the Association of Southeast Asian Nations (ASEAN) – strategic partners which both prize multilateralism – in the new order. Indeed, the lead-up to Russia's invasion of Ukraine saw the EU sidelined from the high diplomatic table, raising questions over how much influence one can have in the emerging order without possessing a sufficient modicum of hard power. Invoking the need to preserve the "rules-based international order" is well and good, but the reality is that the rules are contested in today's world: agreement is not always evident regarding what – and whose – rules apply (Lo 2021).

Today, the great powers are unlikely to compromise in any fundamental fashion on the norms that they currently promote, as all still feel justified in believing that time (and history) is on their side. While the structure

and competencies of the EU may leave it well equipped to address certain global multilateral challenges of the future such as trade and climate change (Gowan and Dworkin 2019), rivalry between the great powers makes it increasingly difficult for Brussels to shape the global order in a decisive fashion, especially given that the EU's ability to exert influence in its own neighbourhood is currently contested.

When it comes to EU foreign policy in the "Indo-Pacific" region, then, the situation therefore calls for a more realistic and targeted approach that is conscious of the limits of European influence, rather than a laundry list of principles and nice-to-haves. While the United States (US) and China will inevitably remain the region's two primary powers, the EU can still target its efforts toward uncovering synergies with ASEAN which may bear fruit over the longer term. Specifically, this would involve an effort to distinguish the geopolitical dynamics of the eastern and western halves of the Indo-Pacific region, so as to maximise ASEAN's room for preserving the regional forces and mechanisms which underscore its Centrality.

While it should not be expected that a new EU approach will arrest the world's descent into great-power rivalry, especially given the EU's growing dependence on the US after the Ukraine war, a more mature relationship between the EU and ASEAN can nonetheless contribute to shaping the emerging multipolarity in a way commensurate with the interests of each organisation, while to a degree also providing some space for the EU to preserve its image as a trusted and independent partner.

## 2. THE EU'S INDO-PACIFIC VISION AND ITS LIMITS

The EU's Indo-Pacific strategy, released in 2021, builds on the concepts of "maritime multilateralism" and "rules-based governance". The aim is to foster cooperation with states and institutions in the Indo-Pacific region and to protect the internationalist principles ingrained in the United Nations Convention on the Law of the Sea (UNCLOS). ASEAN holds a special place in the EU's outlook on the Indo-Pacific precisely because of its internationalist approach. As put by Josep Borell, the EU's High Representative for Foreign Affairs and Security Policy, "At heart, the EU and ASEAN are 'partners in integration' working together for multilateral solutions". Moreover, although the logic underpinning ASEAN regionalism has historically differed from that

of the EU, focusing instead on the preservation of national sovereignty in the face of great-power pressures, these are also beginning to converge as the EU highlights the need for strategic sovereignty in an era of weaponised interdependence.

However, there are two principal shortcomings of the EU Indo-Pacific strategy which limit EU-ASEAN cooperation from reaching its full potential. First, the EU's Indo-Pacific vision is internally incongruent among its various member states. This is not only the case due to the Netherlands, France and Germany each possessing their own individual Indo-Pacific strategies. Some EU member states may be relatively disinterested in regional affairs due to their economic or diplomatic priorities lying elsewhere. Other EU members such as Lithuania have an incentive to take a hard line against China, given that the core interest of Vilnius is to preserve good relations with Washington in the context of the Russian security threat. While this has had certain unexpected benefits for EU integration, such as the development of a unified anti-coercion instrument, it also reveals the extent to which member states acting alone can undermine the cohesion of EU foreign and security policy. Lithuania's decision to pursue closer relations with Taiwan has not only produced a threat to the integrity of the European single market due to Chinese countermeasures, but also threatens to shift – without consultation with other member states – the dynamic of EU relations with the “Indo-Pacific” region's most powerful state, with an inevitable knock-on effect for the EU's policy options in the wider region.

Second, the EU's Indo-Pacific strategy does not fully take into account ASEAN's regional ordering vision for the Indo-Pacific region, which builds on the “ASEAN Way” and “ASEAN Centrality” as two core principles of regional cooperation. Only two short paragraphs in the strategy are dedicated to discussing ASEAN Centrality and what it implies for the EU's overall regional approach. This shortcoming is in line with the document's other limitations. Much of the newly launched strategy goes through a laundry list of issues in fields such as trade, the environment and digital governance. Although hard security and defence as well as human security feature among the strategy's foci, a strategy that does not rank priorities or list tradeoffs is not a veritable strategy. Strategy is ultimately about making choices, not merely outlining one's ideal preferences. By embodying the collective, lowest-common-denominator preferences of member states, the EU risks once again coming across more as a vehicle for enhancing the influence of its members than as a genuine actor. In turn, this runs the risk of deepening the perception in the

region that the EU is too heavily dependent on the US – a negative given the desire of most Southeast Asian states not to choose between Washington and Beijing.

To illustrate: In 2014, the Council of the European Union adopted the European Union Maritime Security Strategy (EUMSS, COUNCIL 11205/14 2014) together with the EUMSS Action Plan (COUNCIL 10494/18 2018; COUNCIL 17002/14 2014). The EUMSS describes the EU as a “global security provider” that aims to contribute to a “stable and secure global maritime domain” (COUNCIL 11205/14 2014, 2). The EUMSS reflects the Union’s stated core values – human rights, freedom and democracy – and operates under the principle of “maritime multilateralism”. In support of a multilateral approach to maritime security, the EU’s strategy respects existing maritime domain regulations such as the United Nations Convention on the Law of the Sea and calls for “rules-based good governance at sea” and a peaceful settlement of disputes. As maritime issues by their very nature cross borders, dealing with them requires cooperation among states, as well as regional and international organisations. For example, regarding Southeast Asia, the EU accentuates the need for regional maritime confidence building measures that preserve the “uninhibited access to the high seas areas” (COUNCIL 10494/18 2018, 29).

This access is important for the uninterrupted network of seaborne logistic supply chains that connect Europe to other continents. Here, strategic value for maritime security arises from commercial interests. EU-based ship owners manage 30 per cent of the vessels operating worldwide and 42 per cent of seaborne trade value (EUROPEAN COMMISSION 2016). An escalation of tensions in the disputed territories of the South China Sea alone would adversely affect approximately €4.67 trillion worth of global maritime trade (CSIS 2018; EUROPEAN COMMISSION 2016). In addition, the EU backs an “ASEAN-led process and regional mechanisms such as the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia” and “the swift conclusion of the talks on a code of conduct [for the South China Sea] which will further support the rules-based regional and international order” (COUNCIL 10494/18 2018, 29). Here the EU foresees “capacity-building” activities and “exchange of best practices” with ASEAN. As exemplified in the 2018-2022 ASEAN-EU Plan of Action, these activities and practices encompass training on the rule of law in maritime governance, criminal justice and maritime law enforcement, port transport security, border management and the combating of illegal fishing. Furthermore, re-

spect for UNCLOS, open sea lines and peaceful dispute resolution are core to ASEAN's and the EU's common engagement in maritime security (ASEAN SECRETARIAT 2017a).

Notwithstanding this, the EU's external action is dependent to a significant extent on convergence of 27 member states' political interests, but these interests have not always aligned. For example, the EU found it difficult to issue a common response to the July 2016 Permanent Court of Arbitration's ruling in favour of the Philippines's sovereignty claims against China concerning their territorial dispute in the South China Sea. While EU member states ardently defend international law in the EU maritime strategy, Croatia, Greece and Hungary repeatedly blocked a common EU statement on the matter (NORMAN 2016).<sup>[1]</sup> The EU eventually issued a tepid statement (EEAS 2016), which signified neutrality on the dispute and failed to mention sovereignty, a surprising reaction for a bloc that otherwise represents vocal support for international law. Another case that appears to contradict EU maritime multilateralism is France's position presented at the Shangri-La Dialogue forum on regional security held in Singapore in May 2019. Here French Defence Minister Florence Parly stressed a hard-power stance, which stands seemingly at odds with the EUMSS.

What these examples illustrate is that the EUMSS to some extent presents a "smoke screen" of unitary EU action. The EUMSS conveys a multilateral strategy, but beneath it lies an internal split among member state approaches, even if interest in the Indo-Pacific is growing across Europe. This risks a European approach rooted, at least to an extent, in the lowest common denominator among member states, leaving the EU as a collective actor less attuned to regional priorities.

The intellectual starting point for a durable European approach to the Indo-Pacific should be a sober analysis of which players are present on the ground and what *their* interests are. This will help Brussels to not only be seen as a constructive and engaged regional player, but also to develop deeper and more detailed parameters for cooperation with specific actors. To do this, a detailed analysis of ASEAN's regional vision is required first.

### 3. THE ASEAN-CENTRED VISION OF REGIONAL ORDER IN THE INDO-PACIFIC

ASEAN's vision of regional order in the Indo-Pacific builds around a core collective regional interest, as well as two regional diplomatic principles that provide the backbone for this interest. The collective "ASEAN regional interest" is ASEAN states aiming to build a regional order that allows them to develop free from external interference in both "Southeast Asia" and the wider Indo-Pacific theatre. This idea can be summarised under the notion of achieving "national development through the region and regional cooperation". ASEAN regionalism aims to create a measure of political cohesion between heterogeneous national interests and values that persist between ASEAN states at the national level.

Two fundamental regional principles embedded into ASEAN-style regional diplomacy allow the ASEAN states to create, maintain and legitimise the foundations for their vision of regional order in the Indo-Pacific era. First, the "ASEAN Way" fosters a diplomatic code of conduct that defines regional order aligned with respect for sovereignty and independence, a right to freedom from external interference, non-intervention in the internal affairs of states, the peaceful settlements of disputes, the renunciation of the threat or use of force, and cooperation through consensus decision-making. The ASEAN Way principle gives ASEAN states a foundation through which they can reinforce their common interest in nation-building and economic development. But importantly, the ASEAN Way also serves as a means to limit these interests – that is, to prevent ASEAN national interests (e.g., in economic development) from becoming too expansive and encroaching on the territories and national affairs of other states.

Second, "ASEAN Centrality" places ASEAN at the institutional centre of regional ordering mechanisms. ASEAN Centrality offers ASEAN states the power to convene important regional forums (e.g., ASEAN Region Forum, Asia-Pacific Telecommunity, East Asia Summit) and thereby tie non-ASEAN powers to the principles of the ASEAN Way. By embedding the principle of ASEAN Centrality into all important regional diplomatic meeting formats, ASEAN states can reinforce the idea that regional ordering processes beyond "Southeast Asia" should respect the *modus operandi* of ASEAN diplomacy.

However, the ASEAN-centred regional order is challenged by interests and principles external to ASEAN. Two alternative "visions" of regional order

stand out. On the one hand, Australia, Japan and the United States – under the “free and open” Indo-Pacific vision – support a model of regional order designed, to varying extents, to cement liberal interests and principles in the region to the detriment of a potentially more inclusive regional order (Summers 2016; Wirth 2019; Koga 2020). On the other hand, China supports a more non-Western or Western-resistant vision of regional order designed to prevent the dominance of liberal interests and principles in the region (Zhang and Chang 2016; Zhang and Feng 2019; Zhao 2019).

These opposite visions take more concrete form in fora such as the Quadrilateral Security Dialogue (Quad), AUKUS and Five Eyes in the case of the former and the Belt and Road Initiative in the case of the latter, all of which conceive of a centre of diplomatic and geopolitical gravity in the region separate from ASEAN. These two visions are embedded within a growing Sino-US confrontation in the region and should be distinguished from other initiatives of wider geographic scope such as the Regional Comprehensive Economic Partnership (RCEP) and (to a lesser extent) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) trade pacts, in which ASEAN or its members play a more significant role. Consequently, in the modern context of regional order in Southeast Asia and the Indo-Pacific, ASEAN states face pressure to position themselves – as individual nations or as a regional bloc – in the contest over whether an ASEAN-centred regional order will be preserved. This contest has occurred against the backdrop of a new regional imaginary being deployed: the Indo-Pacific.

### **3.1. The ASEAN Outlook on the Indo-Pacific**

The concept of the “Indo-Pacific” had been under discussion in ASEAN states prior to their official response in June 2019. Already in 2013, Indonesia’s (former) Minister for Foreign Affairs Marty Natalegawa talked about Indonesia’s perspective on the “Indo-Pacific” (Natalegawa 2013). In 2016, Rizal Sukma, formerly Indonesia’s ambassador to the United Kingdom (UK), argued that ASEAN should strengthen East Asia Summit cooperation in the maritime domain in order to address the growing Sino-US confrontation in the Pacific and Indian Ocean (PACINDO) region (Sukma 2016). By November 2018, the Indonesian Cabinet Office had published a statement that ASEAN states were working on an “Indo-Pacific Cooperation Concept” centred on maritime security, infrastructure development and connectivity (Pamungkas 2018). In

June 2019, after the US had begun to outline its Indo-Pacific vision (US-DoD 2019), ASEAN states finally acted hastily under Indonesian shuttle diplomacy to complete the *ASEAN Outlook on the Indo-Pacific* (AOIP) (ASEAN Secretariat 2019).

How does the AOIP aim to preserve the ASEAN regional interest in the Indo-Pacific era? Here it helps to quote from the introductory remarks of the AOIP:

*“It is in the interest of ASEAN to lead the shaping of their economic and security architecture and ensure that such dynamics will continue to bring about peace, security, stability and prosperity for the peoples in the Southeast Asia as well as in the wider Asia-Pacific and Indian Ocean regions or the Indo-Pacific.”* (ASEAN Secretariat 2019, 1; emphasis added)

This passage is in line with the autonomy and freedom from external interference that Southeast Asian states have sought ever since the inception of ASEAN as a bulwark to shield against external influence into their national affairs. The key political purpose articulated in the AOIP is for ASEAN states to remain at the centre of the region. This remains the case regardless of whether the “region” that requires ordering is coined “Asia-Pacific”, “Indian Ocean region”, or “Indo-Pacific”. The Outlook attests that ASEAN seeks to reinforce “the ASEAN-centred regional architecture”, and “ASEAN Centrality as the underlying principle for promoting cooperation in the Indo-Pacific region, with ASEAN-led mechanisms, such as the East Asia Summit (EAS), as platforms for dialogue and implementation of the Indo-Pacific cooperation” (ASEAN Secretariat 2019, 1). ASEAN states’ interest in fostering and maintaining the ASEAN-centred regional order is here resolutely illustrated in their response to the Indo-Pacific shift. The principles through which the AOIP justifies the continued relevance of this order are,

*“the principles of [...] openness, transparency, inclusivity, a rules-based framework, good governance, respect for sovereignty, non-intervention, [...] equality, mutual respect, mutual trust, mutual benefit and respect for international law, such as [the] UN Charter, the 1982 UN Convention on the Law of the Sea, [...] the ASEAN Charter and various ASEAN treaties and agreements”.* (ASEAN Secretariat 2019, 2–3)



Unsurprisingly, the AOIP also reiterates those regional principles that built the normative foundations of the ASEAN-centred regional order. For example, ASEAN states' vision for the Indo-Pacific region

“would be guided by the purposes and principles contained in the TAC [Treaty of Amity and Cooperation in Southeast Asia], which, among others, encompass peaceful settlement of disputes, renunciation of the threat or use of force and promotion of rule of law, with a view to further promoting amity and cooperation among countries in the Indo-Pacific region.” (ASEAN Secretariat 2019, 3)

The way that the AOIP is written made one senior officer interviewed at the ASEAN Secretariat remark that the AOIP is “old wine in a new bottle”<sup>[2]</sup>, whereas another ASEAN expert referred to the AOIP as a “recycling of old concepts”<sup>[3]</sup>. Yet this recycling of concepts in the AOIP, such as the ASEAN Way and ASEAN Centrality, is a necessary if insufficient step for ASEAN states to preserve their autonomy in the face of a resurgence in great-power confrontation. The ASEAN Secretariat officer also emphasised the idea of inclusivity within the AOIP, such as the importance of not alienating China. The aim is to buttress the regional status quo that seeks to draw external powers into ASEAN's existing security regionalism architecture. In this status quo, ASEAN functions as the “honest broker within the strategic environment of competing interests” (ASEAN Secretariat 2019, 1).

However, there is a subtle but key difference underlying the AOIP that differentiates it from previous attempts by ASEAN states to foster an ASEAN-centred regional order beyond Southeast Asia. This difference relates to the economic logic underlying the AOIP's areas of cooperation. Three of the four AOIP pillars focus on economic ends. These pillars concentrate on connectivity and infrastructure development, economic cooperation and 2030 United Nations Sustainable Development Goals. Only the maritime cooperation pillar mentions topics more central to ASEAN regional security, such as unresolved maritime disputes, adhering to UNCLOS, illegal fishing, piracy and armed robbery at sea, drug and people trafficking, environmental degradation and the management of natural resources (ASEAN Secretariat 2019, 3).

The similarity between the AOIP and the above-mentioned priorities listed in Indonesia's Global Maritime Fulcrum (e.g., connectivity, economic development, infrastructure) is striking. An interview with the AOIP author from the Indonesian Ministry of Foreign Affairs confirms:<sup>[4]</sup> Instead of tak-

ing sides in the Sino-US confrontation, ASEAN states should prioritise their economies. One remark by the AOIP author is particularly indicative of the economic logic underlying the AOIP:

“The principal aim of the Outlook is economic development. Economic development as the pillar for regional security governance is to propel ASEAN forward. [...] The good thing about the trade war between the US and China are economic refugees. Companies operating in China, for example US companies, come to ASEAN because they do not want to pay sanctions. This is why connectivity and infrastructure is important.”<sup>[4]</sup>

There is some evidence to suggest that this logic is working. For example, market reports from mid-to-late 2019 (DHL Global Trade Barometer 2019; Hoshi, Nakafuji and Cho 2019) through to April 2020 (Littlewood 2020) indicated that certain manufacturing industries had moved, or planned to move, production from China to Southeast Asia. If manufacturing industries such as in the footwear and textile sectors move production to Southeast Asian countries, this would provide economic gains primarily for Vietnam, Thailand and Malaysia, but also for Indonesia (Yeung 2019). Nevertheless, since ASEAN-wide growth generally depends on Chinese imports from and exports to ASEAN states, the AOIP’s economic development logic must strike a balance between zero-sum economic benefits flowing from the Sino-American trade war and the need for an inclusive regional trading architecture (see Aslam 2019). Continued differences in infrastructure standards between China and ASEAN also point in this direction.

### **3.2. Consequences of the “Indo-Pacific” Discursive Shift for ASEAN**

The reconceptualisation of the region that requires ordering from the “Asia-Pacific” to “Indo-Pacific” implies that for an ASEAN regional order to remain central, ASEAN security mechanisms must now address an even bigger geographic area. As Medcalf (2018) argued, the Indo-Pacific may be understood as a maritime “super-region” that signifies a strategic reorientation of two oceans (Indian and Pacific), with the geographical centre in Southeast Asia. In contrast to the regional concepts of Asia-Pacific that excludes India, and East Asia, which excludes Caucasian Asians, the Indo-Pacific “region” includes four

major regional powers (China, India, Japan, US), three middle powers (Australia, New Zealand, South Korea), the ten ASEAN states and various micro- and island-states. He and Feng (2020), as well as Anwar (2020), suggested that India and Japan's conception of the Indo-Pacific may be even wider to include the east coast of Africa – a conception that is in line with a European understanding as well, given the prominence of the EU's Operation ATALANTA. Another consequence of the Indo-Pacific discursive shift is that maritime security and the ordering of maritime spaces present a perhaps more daunting task for ASEAN security regionalism when it comes to pulling external powers into an ASEAN-centred regional order, especially in an era of contested rules.

As a consequence, ASEAN risks losing its relative term-setting capability in regional ordering processes. Alternative visions of regional order such as the Free and Open Indo-Pacific (FOIP) praise inclusivity but the related Quad forum does not include the ASEAN states or China. As Ng has argued, “the Quad's present structure bypasses what ASEAN considers its crucial mechanism that balances contending interests.” (2018, 3). Yet ASEAN states remaining at the centre of regional ordering processes remains, to a significant extent, a key driver of regional security writ large. This is because ASEAN Centrality allows ASEAN states to steer regional ordering processes in ways that are inclusive of the diversity of interests. A decline of ASEAN Centrality in the Indo-Pacific region hardens the policy and security imperatives of individual ASEAN member states vis-à-vis the great powers, thus producing a vicious cycle in which ASEAN Centrality is further eroded – a process exacerbated by ASEAN members' differing degrees of dependence on China.

These developments present a major problem for ASEAN states as they shift who defines what counts as legitimate political action in the region away from ASEAN. Explicit support for ASEAN Centrality in the plethora of Indo-Pacific strategies released to date aside, the very use of the term and its associated impact on great-power relations endanger rather than buttress ASEAN Centrality. The ongoing Indo-Pacific re-ordering has the potential to normatively restructure regional diplomacy away from those ASEAN principles defined under the ASEAN Way code of conduct, in favour of a more West-centric, liberal, “free and open” vision of regional order or its Chinese alternative.

## 4. A NEW VISION FOR ASEAN-EU COOPERATION IN THE “INDO-PACIFIC” ERA

The emergence of rigid geopolitical blocs – now a reality on the European continent and possibly something which (to a degree) could emerge in Asia as well – threatens the integrated character of the global economy, as the recent sanctions on Russia have shown. Changing regional balances of power can also threaten state sovereignty, as we have seen in the case of Ukraine and as may become a reality in East Asia with China’s rise as well. Combined, these developments call into question the future of rules-based multilateralism, upon which both the EU and ASEAN depend.

Given the deep level of economic integration between ASEAN and China and the general desire of ASEAN states not to choose between Washington and Beijing, ASEAN represents a key partner with which to build an inclusive Indo-Pacific concept. This would contrast with Washington’s approach, which is effectively to use the term “Indo-Pacific” to blunt the effects of China’s rise. Irrespective of the difficulties that divisions among its member states pose, ASEAN remains an important regional partner for the EU – one which embodies a middle ground between accommodating inevitable change in the regional power balance and buttressing the existing rules-based nature of regional order.

While the EU’s hard-power capabilities may be limited, its discursive abilities are not. From the “Brussels effect” to its neighbourhood policy and free trade agreements, the EU has come to be known as one of the world’s premier normative term-setters, even if this term-setting ability has at times run up against the realities of power and geopolitics. A major discursive contribution that the EU could make to shaping the Indo-Pacific region would be to split the region in two, along east-west lines. EU policy imperatives in the western Indo-Pacific differ from in the eastern part of the mega-region. In the former, the EU faces a theatre composed of the Horn of Africa, the Middle East and an EU-India partnership. This lends itself more to an EU role shaped by hard power or strategic considerations, not only through operation ATALANTA but also due to India’s desire to balance in a calibrated fashion against China.

This would leave an eastern Indo-Pacific region with not only a focus centred more on inclusive trade, but also partly more receptive to ASEAN Centrality given its reduced geographic scope. A similar approach was recently

undertaken by Canada in its newly released Indo-Pacific strategy, carving out a “neighbourhood” role in the more proximate Northern Pacific where Ottawa is pursuing deeper military cooperation with Tokyo, even as the focus for the rest of the region is more trade-centric (Government of Canada 2022).

While acknowledging that immediate geopolitical dynamics in the region are most likely to be determined by Washington and Beijing, this newfound and clarified vision – once outlined – could act as a magnet for other regional actors over time. If the EU also develops more significant capacities to contribute to its own security over time, this approach could also nourish the foundations of EU strategic autonomy beyond the European continent by banding together with and empowering those forces in the eastern Indo-Pacific region who do not wish to choose unambiguously between Washington and Beijing. Outlining a new understanding of Indo-Pacific geography would help to transform the EU into a “geopolitical actor” in the more literal sense of the term and demonstrate an understanding of the increasingly geopolitical nature of trade. Only by adjusting to and smoothing the path toward change can the EU and ASEAN help to preserve crucial parts of an eroding status quo.

Although rules-based multilateralism is the sine qua non of the EU’s own internal functioning and its vision for international order, the term “rules-based international order” is strongly rooted in American policy discourse and does not find much appeal in the Indo-Pacific region, where respect for international law and the UN Charter are the preferred terms. The EU should therefore focus on the ways in which it can discursively shape the region in a unique fashion – one that also happens to reflect an interests-based understanding of the region’s geography as seen from Europe.

## 5. RECOMMENDATIONS

The EU should undertake limited efforts to preserve its room for manoeuvre and independent image in Southeast Asia. The east-west discursive distinction on the Indo-Pacific should be outlined in High Representative / Vice-President Josep Borrell’s speeches and communiqués as an initial testing ground. If positively received, it can be incorporated into analyses of the EU’s strategic environment in revisions of the Strategic Compass, clearing the way

for the terms “eastern” and “western” Indo-Pacific to become more habitual parlance across Brussels institutions.

Beyond this, the EU needs to deepen its engagement with Southeast Asia to demonstrate its seriousness in contributing to the regional architecture in a positive-sum fashion – something which Freedom of Navigation Operations cannot accomplish. The EU is already present in ASEAN-led regimes such as the Asia-Europe Meeting (ASEM) and ASEAN Regional Forum (ARF) but needs to increase its footprint even further. The EU should seek to join the East Asia Summit and become a member of the ASEAN Defence Ministers’ Meeting-Plus (ADMM-Plus) and attempt to shape discussions there in a fashion that reflects an inclusive regional logic. Given the increasingly militarised nature of regional dynamics, providing alternative perspectives in such fora has become crucial.

Moreover, to deepen the strategic partnership between ASEAN and the EU, both blocs need to forge a free trade agreement (FTA). A FTA is geoeconomically important because it will not only shape trade agreements and investment rules, but it would also integrate supply chains and cross-border networks – things that are crucial for diversification or the lessening of dependence on China and the US. Given Washington’s inward turn in the realm of trade, the EU represents an indispensable partner for ASEAN in terms of buttressing its economic clout and modernisation. Moreover, the EU’s eastern Indo-Pacific engagement should underscore connectivity with ASEAN Community-building efforts (e.g., Master Plan on ASEAN Connectivity) and subregional groupings such as the Brunei Darussalam–Indonesia–Malaysia–Philippines East ASEAN Growth Area (BIMP-EAGA), the Greater Mekong Subregion and the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS).

## Endnotes

[1] At the time, Croatia itself faced a maritime dispute with Slovenia handled by the Permanent Court of Arbitration, which may explain its cautious position (Dumitru 2017). Hungary and Greece, on the other hand, have reportedly been lobbied by China to block the statement in return for lucrative investment contracts (Emmott 2016; *The Economist* 2018).

[2] Interview with senior officer of the ASEAN Secretariat, Jakarta, 18 July 2019.

[3] Interview with a senior researcher of the ASEAN Studies Program at the Habibie Centre, Jakarta, 23 July 2019.

[4] Interview with senior official of the Ministry of Foreign Affairs (Kemlu), Jakarta, 17 July 2019.

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- Council 17002/14. 2014. European Union Maritime Security Strategy - Action Plan. Available at: ([https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/body/20141216-action-plan\\_en.pdf](https://ec.europa.eu/maritimeaffairs/sites/maritimeaffairs/files/docs/body/20141216-action-plan_en.pdf)).
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# 07

## **Adrift in the Indo-Pacific**

Structuring EU Engagement  
with ASEAN and Regional  
Partners

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**Dylan M. Crosson | Ivano di Carlo |  
Natalia Martín**

## Abstract

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This paper argues that the European Union (EU) should recalibrate how it structures its engagement in the Indo-Pacific region, particularly in its relations with the Association of Southeast Asian Nations (ASEAN) and its members. Over the years, the Indo-Pacific has become the epicentre of global value chains and key economic and demographic trends and the stage for increasing strategic competition between China and the United States. Within this vast region, the importance of Southeast Asia stands out as the crossroads between the Indian and Pacific Oceans and the maritime link between East Asian powerhouses, rapidly growing economies in Southeast Asia, and Europe. The Association of Southeast Asian Nations represents the most established regional organisation in Southeast Asia, as well as the EU's preferred multilateral partner in the region. As the intensification of Sino-American competition progresses in the region, ASEAN members and other regional actors are concerned about how this might affect peace and prosperity.

As effective multilateral cooperation is becoming more difficult, ASEAN seeks increased cooperation with the EU to guard against uncertainty. In turn, the EU is concerned about its lack of influence in the Indo-Pacific, a region closely linked with Europe's economic interests, and seeks to develop more fruitful cooperation at different levels. By showcasing how the EU interplays with actors in the region in different policy domains (e.g., maritime security, crisis management), this paper aims to assess the state of the current multilateral, bilateral and minilateral cooperation systems. Concretely, it argues how multilateral frameworks are becoming engulfed by geopolitical antagonism whereas smaller and more practical arrangements are developing into more attractive schemes for regional and global actors. Thus, the paper examines the EU's ability to navigate partnership options in an efficient manner while safeguarding its interests, upholding international law, and defending common values and principles.

## 1. CONTEXTUALISING SOUTHEAST ASIA IN THE INDO-PACIFIC

Although the war in Ukraine has once again drawn attention to questions of pan-European security, the Indo-Pacific region is continuing to rise in strategic importance. As a vast region spanning from the east coast of Africa to the Pacific Island states, the Indo-Pacific is a node for global value chains and is key to trade routes. Demographically, 60 per cent of the world's population lives there.<sup>1</sup> Economically, the Indo-Pacific produces two-thirds of global economic growth and 60 per cent of global gross domestic product. Politically, the region is home to competing techno-autocratic and democratic systems of internal governance as well as conservative and revisionist visions for the international order. Against this backdrop, the Indo-Pacific region is becoming the epicentre for great-power competition between the United States (US) and China.

Within the vast Indo-Pacific region, one area of strategic importance is Southeast Asia. At the maritime crossroads of the Indian and Pacific Oceans, most of the countries of Southeast Asia are member states of the Association of Southeast Asian Nations (ASEAN), a regional organisation at the centre of the Indo-Pacific's multilateral security and economic architecture. ASEAN leaders are no strangers to their region's growing importance and the sensitivities surrounding flashpoints in the Indo-Pacific, such as contested maritime borders in the East and South China Seas, Taiwan's disputed legal status, and nuclear proliferation in North Korea. Southeast Asian countries are also increasingly aware of their limited capacity to meaningfully engage and balance against increasing tensions in the region spurred by US-China strategic competition.

Southeast Asia is particularly affected not only by overlapping sovereignty claims but also by piracy, illicit trafficking, the fragility of its cyber infrastructures, and a lack of preparedness for non-traditional security threats such as natural disasters, pandemics, and competition over resources. ASEAN members observe with increasing preoccupation the intensification

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1. UNFPA, Asia and the Pacific. What we do. Population Trends. (<https://asiapacific.unfpa.org/en/populationtrends>).

of Sino-American antagonism and instead vouch for neutrality based on rules-based interactions, good governance (as well as inclusivity, openness, and transparency), and respect for sovereignty/non-intervention in others' internal affairs, with the regional grouping at the centre of this normative framework. As such, ASEAN seeks to chart a third way that underscores the importance of addressing less-politicised cross-border regional challenges such as maritime security, cybersecurity, and crisis management.

Contrasting interests between the US and China, however, has thus far largely impeded effective multilateral cooperation on major security challenges. As such, in response to growing geopolitical and geoeconomic tensions, ASEAN, the European Union (EU), Australia, India, Japan, and the Republic of Korea (South Korea – ROK), among others, have enhanced their engagement in an effort to influence and give nuance to norms and values that they perceive as being increasingly structured along competitive lines. In other words, they hope to affect how (perceived) challenges and threats are addressed in cooperative terms.

In this sense, ASEAN views increased cooperation with the EU as a way to enhance its position and hedge against uncertainty<sup>2</sup>. In turn, the EU, as the world's largest trading bloc and the top trading partner of many East and Southeast Asian powerhouse economies, is vitally dependent on maritime traffic in the area and is invested in the safety and stability of its sea routes<sup>3</sup>. In 2020, the EU and ASEAN agreed to upgrade their relationship to a "Strategic Partnership"<sup>4</sup>. This upgrade emphasised the importance of their increasing economic ties, connectivity, and their shared interest in bringing stability to a region increasingly defined by a great-power rivalry. This rapprochement was also evident during the last EU-ASEAN Summit in December

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2. The State of Southeast Asia 2022. Survey Report. ([https://www.iseas.edu.sg/wp-content/uploads/2022/02/The-State-of-SEA-2022\\_FA\\_Digital\\_FINAL.pdf](https://www.iseas.edu.sg/wp-content/uploads/2022/02/The-State-of-SEA-2022_FA_Digital_FINAL.pdf)).

3. European Commission. 2021. Joint Communication to the European Parliament and the Council : the EU strategy for cooperation in the Indo-Pacific. ([https://www.eeas.europa.eu/sites/default/files/jointcommunication\\_2021\\_24\\_1\\_en.pdf](https://www.eeas.europa.eu/sites/default/files/jointcommunication_2021_24_1_en.pdf)).

4. European Union External Action. 2020. EU-ASEAN Strategic Partnership. The Diplomatic Service of the European Union. ([https://www.eeas.europa.eu/eeas/eu-asean-strategic-partnership\\_en](https://www.eeas.europa.eu/eeas/eu-asean-strategic-partnership_en)).



2022<sup>5</sup>, when leaders reaffirmed their “shared interest in a peaceful, stable and prosperous region where international law and the rules-based international order are respected and upheld”.

In response to the region’s growing importance, the EU has adopted an “EU Strategy for Cooperation in the Indo-Pacific”<sup>6</sup> grounded in rules-based multilateralism, regional cooperation, and diplomacy that complements its historical support to ASEAN’s efforts to enhance its regionalism and centrality. As the top global investor in the region, the largest development cooperation aid provider, and a massive trading partner<sup>7</sup>, the EU has become increasingly worried by growing competition and emerging threats unfolding in the region. As such, the EU has also produced a set of initiatives and strategies intended to upgrade its role in Asia from an economic and political point of view. The EU’s recent strategy for the Indo-Pacific, the EU-Asia Connectivity Strategy<sup>8</sup>, the 2019 Strategic Outlook on China<sup>9</sup>, the newly established Global Gateway<sup>10</sup>, and the appointment of an EU Special Envoy for the Indo-Pacific are just some examples of how the EU has broadened its foreign policy horizons over the last years.

Global political and economic governance is a challenging endeavour, which is further weakened when multilateral frameworks and regional fora find themselves engulfed by geopolitical antagonism and competing nation-

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5. European Council. 2022. EU-ASEAN commemorative summit, 14 December 2022. International Summit. (<https://www.consilium.europa.eu/en/meetings/international-summit/2022/12/14/#:~:text=The%2520EU%2520and%2520the%2520ASEAN,and%2520effective%2520and%2520sustainable%2520multilateralism>).

6. European Union External Action. 2022. EU Strategy Cooperation in the Indo-Pacific. The Diplomatic Service of the European Union. ([https://www.eeas.europa.eu/eeas/eu-strategy-cooperation-indo-pacific\\_en](https://www.eeas.europa.eu/eeas/eu-strategy-cooperation-indo-pacific_en)).

7. Delegation of the European Union to the association of the southeast Asian Nations (ASEAN). 2021. The European Union and ASEAN, a strategic partnership. ([https://www.eeas.europa.eu/asean/european-union-and-asean\\_en?s=47](https://www.eeas.europa.eu/asean/european-union-and-asean_en?s=47)).

8. European Commission. 2018. Connecting Europe and Asia - Building blocks for an EU Strategy. ([https://www.eeas.europa.eu/sites/default/files/joint\\_communication\\_-\\_connecting\\_europe\\_and\\_asia\\_-\\_building\\_blocks\\_for\\_an\\_eu\\_strategy\\_2018-09-19.pdf](https://www.eeas.europa.eu/sites/default/files/joint_communication_-_connecting_europe_and_asia_-_building_blocks_for_an_eu_strategy_2018-09-19.pdf)).

9. European Commission. 2019. EU-China - A Strategic outlook. European Commission and HR/VP contribution to the European Council. (<https://commission.europa.eu/system/files/2019-03/communication-eu-china-a-strategic-outlook.pdf>).

10. European Commission. 2022. Global Gateway. ([https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/stronger-europe-world/global-gateway\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/stronger-europe-world/global-gateway_en)).

al interests. This lack of effectiveness fosters the establishment of separate, smaller arrangements to further cooperation on a limited range of topics. While minilateral fora can be more effective, these newer organisations, whether *de jure* or *de facto*, are more exclusive by nature. Due to treaty constraints, limited resources, and sheer distance, the EU's presence in the Indo-Pacific notably depends on its ability to efficiently partner up with other players in the region. In this sense, and while looking for partners, the EU seeks to mostly address non-traditional security issues such as violent extremism, maritime security, cybersecurity, and crisis management (e.g., peacekeeping and hybrid threats).

At a time when multilateralism is needed more than ever, it is therefore crucial to assess the role of the EU and ASEAN vis-à-vis the changing landscape of partnerships occurring in the Indo-Pacific. Due to ASEAN's long tradition of multilateral centrality<sup>11</sup>, Southeast Asia is a natural starting point. Ultimately, this policy paper seeks to piece together these multilateral, bilateral, and minilateral relations and puts forth a vision of how to structure the EU's presence in Southeast Asia while pursuing the shared goal of conflict prevention, enhanced resilience, and better conflict management<sup>12</sup>.

## 2. THE MALAISE OF MULTILATERALISM

At a time when global powers are recalibrating their attention towards the Indo-Pacific, it remains unclear what role the EU should play in the future, how the constellation of partnerships it has established in the region may help it pursue its objectives, and how it may support ASEAN countries' resilience against undue external influence. For many years, multilateralism has been the preferred avenue to include regional powers, developing countries,

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11. Swaran Singh, Reena Marwah. 2022. *Multilateralism in the Indo-Pacific. Conceptual and Operational Challenges*. Routledge. (<https://www.routledge.com/Multilateralism-in-the-Indo-Pacific-Conceptual-and-Operational-Challenges/Singh-Marwah/p/book/9781032244693>).

12. Council of the European Union. 2022. *A Strategic Compass for Security and Defence for a European Union that protects its citizens, values and interests and contributes to international peace and security*. (<https://data.consilium.europa.eu/doc/document/ST-7371-2022-INIT/en/pdf>).

and superpowers in often de-politicised platforms that balance their respective interests and values and where (gradual) solutions are found diplomatically. Indeed, the EU has traditionally identified the promotion of multilateralism as an overarching principle of its Indo-Pacific strategy and has carefully selected policy areas of common interest with regional actors to ensure its inclusivity.

Maritime security is one area that has attracted the EU's interest and has been an entry point for its cooperation with multilateral organisations in the region, particularly the ASEAN Regional Forum<sup>13</sup> (ARF). Both the EU and ASEAN have extensively portrayed maritime security as one of the top priorities for cooperation in the region. Concretely, the EU Strategy for Cooperation in the Indo-Pacific and the ASEAN Outlook on the Indo-Pacific<sup>14</sup> both claim that ensuring a safe and secure maritime environment is a shared priority and pillar of cooperation between the EU and ASEAN in the region. Indeed, the complementarity of visions between the EU's Indo-Pacific Strategy and ASEAN's Outlook has strengthened EU-ASEAN ties in the broader context of the Indo-Pacific, with maritime security developing into one of its primary areas of focus and interest.

Examples of the EU's promotion of maritime multilateralism are to be found on both the institutional and operational levels. In Southeast Asia, the EU's engagement is primarily institutional rather than operational and occurs through a variety of ASEAN-plus mechanisms. For instance, the EU co-chaired the ARF Inter-Sessional Meeting on Maritime Security<sup>15</sup> along with Australia and Vietnam in 2018-2021. Their priorities were implementing the 1982 United Nations Convention on the Law of Sea (UNCLOS), enhancing maritime law enforcement cooperation, maritime domain awareness, ferry safety, and dispute resolution. On the operational side, the best example of cooperation remains the Critical Maritime Routes in the Wider Indian Ocean

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13. Asean Regional Forum. Promoting Peace and security through dialogue and cooperation in the Asia Pacific. (<https://aseanregionalforum.asean.org>).

14. "ASEAN OUTLOOK ON THE INDO-PACIFIC". Final. ([https://asean.org/asean2020/wp-content/uploads/2021/01/ASEAN-Outlook-on-the-Indo-Pacific\\_FINAL\\_22062019.pdf](https://asean.org/asean2020/wp-content/uploads/2021/01/ASEAN-Outlook-on-the-Indo-Pacific_FINAL_22062019.pdf)).

15. ASEAN Regional Forum Work Plan For Maritime Security. 2018-2020. (<https://aseanregionalforum.asean.org/wp-content/uploads/2019/01/ARF-Maritime-Security-Work-Plan-2018-2020.pdf>).

(CRIMARIO<sup>16</sup>) initiative that aims to collaborate with Western Indian Ocean regional partners (including India) to enhance maritime domain situational awareness, encourage information-sharing, jointly plan and coordinate maritime operations, and build up their capacities.

Crisis management is another area the EU has prioritised for multilateral security cooperation with ASEAN and other partners in the Indo-Pacific region, notably since the 2004 Indian Ocean tsunami. Crisis management is a vast area that offers multiple opportunities for engagement, ranging from terrorism to pandemic preparedness, humanitarian aid and disaster relief. As such, it has emerged as a prime area of cooperation in Southeast Asia, one of the most disaster-prone regions in the world. The EU actively cooperates on these issues with ASEAN, through the ARF, and regional partners such as Australia and Japan. Together with the EU, these countries played a key role in pushing for an ASEAN Agreement on Disaster Management and Emergency Response<sup>17</sup> that institutionalised the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management. More recently, the EU stepped up its support to ASEAN by coordinating a regional response to the COVID-19 pandemic by creating a €20 million programme to support ASEAN's pandemic preparedness and response capacity, as well as its economic development and refugee management capacities.

Inclusive multilateralism has its benefits, the most notable being that all relevant regional stakeholders sit around the same table. In the Indo-Pacific area, for instance, the ARF is an inclusive forum that includes competing visions such as those of China, the United States, the EU, Australia, India, Japan, the ROK, Russia, and the Democratic People's Republic of Korea (DPRK). The EU continues to believe in inclusive multilateralism in the region, as declared by the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the European Commission Josep Borrell in

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16. EU CRIMARIO. Indian Ocean region south and southeast Asia. La plateforme Ioris. (<https://www.crimario.eu/partage-de-l-information/la-plateforme-ioris/>).

17. ASEAN AGREEMENT ON DISASTER MANAGEMENT AND EMERGENCY RESPONSE (AADMER). 2017. (<https://ahacentre.org/publication/asean-agreement-on-disaster-management-and-emergency-response-aadmer/>).

his visit to Jakarta in June 2021<sup>18</sup>, where he highlighted the EU's commitment to "inclusive forms of multilateralism" in the Indo-Pacific and the belief that ASEAN should be at the centre of the different inclusive forms of regional cooperation. These regional multilateral formats span from being of a highly political nature at the leaders' level, such as the East Asia Summit<sup>19</sup> (EAS), to being highly operational at the staff level, such as the working groups within the ASEAN Defence Ministers' Meeting-Plus (ADMM+) format.

The EAS convenes the leaders of ASEAN members, key regional actors, and global powers, with the noticeable absence of the EU, and is the Indo-Pacific's main forum for strategic dialogue on political, security and economic challenges facing the region. It plays a key role in advancing closer regional cooperation. Another forum that would benefit from the EU's participation is ADMM+. This structure has proven invaluable in addressing specific non-traditional security challenges, such as maritime security in the context of the ADMM+. As a result, the EU should continue to push for full membership of both formats and would provide value-added to the latter with its focus on concrete capacity-building initiatives.

Despite the EU's efforts to promote and be involved in multilateral initiatives in the region, there is currently a lack of confidence in the effectiveness of these frameworks, particularly in an era of great-power competition centred on the Indo-Pacific. Both the EU and ASEAN and their partner countries are currently confronted with the need to strike a balance between devoting resources to the promotion of inclusive multilateralism (through the aforementioned formats, among others) and pursuing more realistic and exclusive partnerships with individual or groupings of (like-minded) countries. On the one hand, the EU supports inclusive multilateralism in the Indo-Pacific and portrays itself as a success story of regional integration. On the other

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18. European Union External Action. 2021. Why I went to Jakarta and why the Indo-Pacific matters for Europe. The Diplomatic Service of the European Union. ([https://www.eeas.europa.eu/eeas/why-i-went-jakarta-and-why-indo-pacific-matters-europe\\_en](https://www.eeas.europa.eu/eeas/why-i-went-jakarta-and-why-indo-pacific-matters-europe_en)).

19. Australian Government. Department of Foreign Affairs and Trade. 2022. East Asia Summit (EAS) (<https://www.dfat.gov.au/international-relations/regional-architecture/eas/east-asia-summit-eas#:~:text=The%2520East%2520Asia%2520Summit%2520>).

hand, it struggles to frame its commitment<sup>20</sup> to promoting human rights, fundamental freedoms and democracy while engaging with countries that do not prioritise them the same way.

Furthermore, multilateralism itself is struggling to deliver on its objectives of bringing all parties to the table to tackle shared challenges. Formats like the ARF would normally allow states to decongest the thickening constellation of bilateral and minilateral arrangements (cf. Sections 3 and 4 below) and streamline diplomatic engagement amongst countries with strongly diverging interests. The most challenging aspect of effective multilateralism in the Indo-Pacific region, however, remains diverging national interests and differing attitudes towards the US-China rivalry rather than differences in political regimes or approaches to governance. The EU has responded by strengthening relations with like-minded countries.

This policy direction, however, has added to the malaise of multilateralism in addressing challenges of mutual interest, thereby opening the door to even more bilateral and minilateral dialogue formats.

### **3. POWER IN PARTNERSHIPS? THE EU'S BILATERAL ENGAGEMENTS**

While the EU acknowledges the value of multilateralism, it has adapted to the Indo-Pacific context by bolstering its bilateral cooperation with countries in the region that either place a premium on rules-based governance or share significant (economic) interests, or both. Indeed, multilateralism has been progressively complemented by bilateral partnerships intended to manage specific issues or threats. This has also helped address a challenge faced by the EU itself in rallying a unanimous consensus among its member states on the very nature and extent of the EU's contribution to the security of the Indo-Pacific.

The EU has five strategic partners in the region: China, India, Japan, the ROK and, most recently, ASEAN. Renewed tensions following Russia's inva-

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20. Simon, Luis. 2021. The Geopolitics of Multilateralism: What Role for the EU in the Indo-Pacific? The Brussels School of Governance. (<https://csds.vub.be/the-geopolitics-of-multilateralism-what-role-for-the-eu-in-the-indo-pacific>).

sion of Ukraine further underscore how Europe and Asia are strongly interconnected. In this fluid international context, the EU has been seeking not only to preserve its interests and priorities in the area, but also to shape the international and regional system. This can be seen in the maritime domain, where the EU's strategic interests lie. As a major trading power, safe and secure seas are a prerequisite to its prosperity. This is especially true in the Horn of Africa and Western Indian Ocean<sup>21</sup>, where the EU has been focusing on safeguarding commercial maritime routes, tackling transnational crimes at sea, and building maritime capacities in developing countries.

The EU has held joint naval exercises with several countries in the region and is enhancing bilateral dialogue and defence consultations with them. For instance, the EU held exercises with India<sup>22</sup> in the Gulf of Aden in June 2021 and engages with India on these matters through the EU-India Maritime Dialogue. Prior to that, in 2020, the Japanese Maritime Self-Defence Force (JMSDF) and the EU NAVFOR ATALANTA operation held joint exercises<sup>23</sup> off the coast of Somalia. The EU, Japan and Djibouti also conducted a trilateral joint naval exercise in the Gulf of Aden for the first time in May 2021, which came after a previous EU-Japan joint naval exercise<sup>24</sup> and joint port call on Djibouti. However, EU-Japan and EU-India maritime security cooperation has, if not exclusively, focused on the Western Indian Ocean. In August 2022, the EU and Indonesia also conducted a joint naval exercise<sup>25</sup> for the first time,

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21. EU Naval force, Operation Atlanta. 2022. Mission. (<https://eunavfor.eu/mission>).

22. European Union External Action. 2021. EU-India Joint Naval Exercise. ([https://www.eeas.europa.eu/eeas/eu-india-joint-naval-exercise-0\\_en#:~:text=On%252018%252D19%2520June%25202021,in%2520the%2520Gulf%2520of%2520Aden.](https://www.eeas.europa.eu/eeas/eu-india-joint-naval-exercise-0_en#:~:text=On%252018%252D19%2520June%25202021,in%2520the%2520Gulf%2520of%2520Aden.)).

23. EU Naval Force, Operation Atlanta. 2020. EU NAVAL FORCE SOMALIA OPERATION ATALANTA AND THE JAPANESE NAVY HAVE BEEN DEVELOPING FURTHER THEIR COOPERATION IN THE INDIAN OCEAN IN ORDER TO STRENGTHEN MARITIME SECURITY IN THE REGION. (<https://eunavfor.eu/news/eu-naval-force-somalia-operation-atalanta-and-japanese-navy-have-been-developing-further-their>).

24. European Union External Action. 2021. Maritime security: EU and Japan carry out joint naval exercises. ([https://www.eeas.europa.eu/eeas/maritime-security-eu-and-japan-carry-out-joint-naval-exercise-0\\_en](https://www.eeas.europa.eu/eeas/maritime-security-eu-and-japan-carry-out-joint-naval-exercise-0_en)).

25. European Union External Action. 2022. EU-Indonesia - Joint press release on First Joint Naval Exercise. ([https://www.eeas.europa.eu/eeas/eu-indonesia-joint-press-release-first-joint-naval-exercise\\_en#:~:text=On%252014%252D15%2520August%25202022,exercise%2520in%2520the%2520Arabian%2520Sea.](https://www.eeas.europa.eu/eeas/eu-indonesia-joint-press-release-first-joint-naval-exercise_en#:~:text=On%252014%252D15%2520August%25202022,exercise%2520in%2520the%2520Arabian%2520Sea.)).

using the Critical Maritime Route Wider Indian Ocean (CRIMARIO)-developed Indo-Pacific Regional Information Sharing Platform for communications.

The EU has also established a series of Framework Participation Agreements<sup>26</sup> (FPAs) with Australia (2015), New Zealand (2012), the ROK (2014), and Vietnam (2019) to allow for their participation in EU common security and defence policy (CSDP) missions and operations. In the future, the EU should further explore the possibility of concluding FPAs with ASEAN members and ASEAN dialogue partners<sup>27</sup>. This could also translate into their inclusion in the types of live exercises in the maritime, cyber, and crisis management domains that are called for by the Strategic Compass.

Regardless, absent significant progress made on implementing the EU's Strategic Compass for Security and Defence<sup>28</sup>, a threat assessment and roadmap towards reinforcing the EU as a security and defence actor, the EU itself has little to offer in terms of military capabilities, notwithstanding increased engagement by some member states (i.e., France, Germany, and the Netherlands). Aware of its shortcomings as a fully-fledged military provider, the EU aims to project European naval power in the region through the EU Coordinated Maritime Presences (CMP) concept. After initially establishing a Maritime Area of Interest in the Gulf of Guinea, a second one has recently been established in the North-western Indian Ocean<sup>29</sup>. As stated in the EU Strategy for Cooperation in the Indo-Pacific, the EU will also explore further ways to ensure enhanced naval deployments by its member states in the region.

In this vein, there is also a clear trend towards greater cooperation between key EU member states and countries in the Indo-Pacific. EU member

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26. Crisis management — Framework for participation agreements. (<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:ps0013>).

27. CEPS. 2022. A pillar of stability in an unstable world. (<https://www.ceps.eu/ceps-publications/a-pillar-of-stability-in-an-unstable-world/>).

28. Council at the European Union. 2022. A Strategic Compass for Security and Defence For a European Union that protects its citizens, values and interests and contributes to international peace and security. (<https://data.consilium.europa.eu/doc/document/ST-7371-2022-INIT/en/pdf>).

29. European Council. 2022. Coordinated Maritime Presences: Council extends implementation in the Gulf of Guinea for two years and establishes a new Maritime Area of Interest in the North-Western Indian Ocean. (<https://www.consilium.europa.eu/en/press/press-releases/2022/02/21/coordinated-maritime-presences-council-extends-implementation-in-the-gulf-of-guinea-for-2-years-and-establishes-a-new-concept-in-the-north-west-indian-ocean/>).



states have also expanded their own maritime activities in Southeast and East Asia. For example, EU member states have underscored their commitment to UNCLOS by taking part in Freedom of Navigation deployments<sup>30</sup> in the Taiwan Strait. However, while bilateral initiatives driven by single member states are often easier to establish and more flexible, these separate endeavours may undermine efforts to strengthen the regional security architecture of the region if not coordinated through a broader “Team Europe” perspective.

The EU’s bilateral cooperation goes beyond joint military exercises to include crisis management and cybersecurity. The EU aims to address maritime security and crisis management through the recent “Enhancing Security Cooperation in and with Asia” (ESIWA) project, through cooperation with Indonesia, Malaysia, Singapore, Thailand and Vietnam, ASEAN dialogue partners India, Japan, and the ROK, as well as Sri Lanka and Fiji. The initiative includes the establishment of capacity-building projects in Southeast Asia in the fields of maritime and cyber security, counterterrorism/preventing violent extremism, and crisis management. On paper, the project is well-placed to leverage the EU’s understanding of cooperative security into synergies with ASEAN dialogue partners to address root causes of maritime insecurity in Southeast Asia and build the preparedness and response capacities of their partners, but implementation has only just begun.

In its Conclusions on enhanced EU security cooperation in and with Asia<sup>31</sup>, the European Council recognised the importance of deepening tailor-made, interest-based security cooperation with Asian strategic partners. The idea of strengthening the EU and member states’ presence in the region through multilateral *and* bilateral dialogue was reiterated during the Ministe-

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30. ISPI Italian Institute for International Political Studies. 2021. Europe’s Policy in the Indo-Pacific: Good but Not Good Enough. (<https://www.ispionline.it/en/publication/europes-policy-indo-pacific-good-not-good-enough-31345>).

31. Council of the European Union. 2018. ENHANCED EU SECURITY COOPERATION IN AND WITH ASIA. (<https://www.consilium.europa.eu/media/35456/st09265-re01-en18.pdf>).

rial Forum for Cooperation in the Indo-Pacific<sup>32</sup> held in Paris on 22 February 2022 and, most recently, in the Strategic Compass.

In exploring ways to further bolster its importance as an international actor in areas of security more broadly defined, the EU has sought to engage with Asia on cybersecurity and crisis management. For example, the EU and the ROK have stepped up their bilateral security cooperation in four areas that have spill-over effects for the entire region: nuclear non-proliferation and disarmament, space policy and technology, preventive diplomacy and crisis management, and cybersecurity.

The digital transformation is not without challenges for the EU and its partners in Southeast Asia. Collective resilience and the protection of critical infrastructures are increasingly important in the Indo-Pacific due to the absence of general overarching digital regulation. However, there is a lack of trust in the information-sharing infrastructure, which hampers the establishment of any efficient multilateral arrangement or any binding multilateral agreement. Digital cooperation depends on bilateral regulatory agreements, thereby hampering the creation of an overarching set of best practices or rules for the Indo-Pacific. In this context, the EU has promoted bilateral dialogues to share best practices in the cyber domain and to discuss cybersecurity, cybercrime, and capacity-building issues. For example, Japan and the EU concluded an EU first-ever Digital Partnership<sup>33</sup> during their May 2022 summit. Another Digital Partnership was launched in November 2022 with the ROK<sup>34</sup>, with an in-principle agreement reached<sup>35</sup> with Singapore in December 2022.

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32. Ministère de l'Europe et des Affaires étrangères. 2022. Ministerial Forum for Cooperation in the Indo-Pacific. (<https://www.diplomatie.gouv.fr/en/french-foreign-policy/europe/the-french-presidency-of-the-council-of-the-european-union/article/ministerial-forum-for-cooperation-in-the-indo-pacific-paris-22-feb-2022>).

33. European Commission. 2022. EU-Japan Summit: strengthening our partnership. (<https://digital-strategy.ec.europa.eu/en/news/eu-japan-summit-strengthening-our-partnership>).

34. European Commission. 2022. Republic of Korea - European Union Digital Partnership. (<https://digital-strategy.ec.europa.eu/en/library/republic-korea-european-union-digital-partnership>).

35. European Commission. 2022. Joint statement by President von der Leyen and Prime Minister Lee on the EU-Singapore Digital Partnership. ([https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT\\_22\\_7743](https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_22_7743)).

## 4. MINILATERALISM: FROM “NEW KID ON THE BLOCK” TO “NEW NORMAL”

In recent years, the multi-layered security architecture co-constructed by ASEAN, including the EAS, ARF, the Asia-Europe Meeting<sup>36</sup> (ASEM) and ADMM+, is encountering difficulties in maintaining its relevance in an increasingly complex geostrategic picture.

The remodelling of the regional security architecture is primarily due to the rise of China as a global power and strategic competitor to US hegemony. This geostrategic picture favours the creation of flexible, multi-layered, and solution-driven cooperation schemes. This preference towards minilateral groupings of three to six participants in Asia is characterised by targeted, flexible and functional approaches to addressing a particular challenge. While it is still too early to tell how EU cooperation with third countries in Southeast Asia will play out, groupings formed on an *ad hoc* and informal basis may offer a more effective framework to strengthen cooperation on specific security needs.

The very nature of the Indo-Pacific geopolitics, defined by its changing balance of power, favours the establishment of this sort of output-oriented and flexible cooperation. Furthermore, minilateral formats can be seen as a first step to building coalitions on more specific issues that can gradually be taken to larger and more formalised multilateral platforms. Thus, minilateralism is seen as a complement<sup>37</sup> to the existing US-led hub-and-spoke bilateral alliance system in East Asia, creating a more fluid regional security architecture that reflects the diverse viewpoints and the increasing interconnectivity of the region.

The Indo-Pacific, and Southeast Asia in particular, currently hosts a constellation of multilateral, bilateral and minilateral partnerships that shape the complex security framework of the region. Preoccupation over the inten-

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36. Asia Europe meeting. 2023. Cambodia celebrates ASEM Day 2023. (<https://aseminfoboard.org>).

37. Fiott Daniel and Simon Luis. Brussels School of Governance. 2022. Centre of Gravity: Security and Defence in the Indo-Pacific - What Role for the European Union. (<https://brussels-school.be/publications/other-publications/centre-gravity-security-and-defence-indo-pacific-what-role-european>).

sification of Sino-American rivalry is leading EU and ASEAN countries to seek avenues of cooperation with third partners to avoid aligning themselves with or becoming dependent on one or the other. In this context, ASEAN partners and regional middle powers – namely the EU, Australia, India, Japan, and the ROK – appear as options to cooperate with on security concerns present in Southeast Asia without obliging ASEAN members to pick sides between the two strategic competitors. This “third way” approach also proves effective in taking forward initiatives to address security concerns that would not be adopted in existing multilateral groupings often including China, the US, or both.

It remains challenging to overcome the constraints associated with multilateral groupings that include members with divergent and often conflicting interests. For this reason, ASEAN-led configurations have generally underdelivered<sup>38</sup> in achieving specific objectives on the ground. However, ASEAN nations remain open to advancing cooperation on smaller groupings that may or may not include other regional states or strategic partners (Table 1).

**Table 1. Minilateral groupings including ASEAN members.**

Name	Topic	Members
Malacca Strait Patrols	Countering piracy in international straits	Malaysia, Indonesia, and Singapore
Sulu Sea Trilateral Patrols	Strengthening border control and combating terrorism	Indonesia, Malaysia, and the Philippines
ASEAN Our Eyes Initiative	Information-exchange initiative on violent extremism, radicalisation, and terrorism	Brunei, Indonesia, Malaysia, the Philippines, Singapore, and Thailand

Beyond ASEAN member-exclusive minilateral formats, there are others that include ASEAN dialogue partners and other external actors. Minilateralism has been particularly favoured by these players in recent years to manage security challenges in the region (Table 2).

38. ORF Observer research foundation. 2021. Is the ASEAN Regional Forum still relevant? (<https://www.orfonline.org/expert-speak/is-the-asean-regional-forum-still-relevant/>).

**Table 2. Minilateral groupings in the Indo-Pacific involving ASEAN dialogue partners and global partners.**

Name	Topic	Members
Malabar exercise	Interoperability between naval forces to uphold freedom of navigation and open seas, unimpeded lawful commerce in international waters, respect for international law and humanitarian assistance and disaster relief	US, Japan, and India (permanent members) with the participation of Singapore and Australia in some exercises.
Australia-Japan-US trilateral	Military interoperability and information sharing to enable high spectrum exercises and operations	US, Japan, and Australia
US-Japan-India trilateral	Promotion of connectivity and maritime capacity building	US, Japan, and India
India-France-Australia trilateral dialogue	Maritime safety and security, marine and environmental cooperation, and multilateral engagement	India, France, and Australia
La Pérouse	France's naval exercises in the Pacific and Indian oceans in support of a free and open Indo-Pacific	Japan, France has invited Australia, India, and the US to participate in these exercises.
AUKUS	Cooperation in defence information and technology sharing	US, Australia, and the UK
Quad	Maritime domain awareness, vaccines, clean energy, and space	US, Australia, Japan, and India
Quad Plus (Quad +)	Practical non-security issues like vaccine diplomacy or supply chain resilience	Quad members (above) as well as Vietnam, New Zealand and the ROK.
Quad Plus Plus (Quad ++)	Economic cooperation and trade, upholding the values of freedom of trade, navigation, and rule of law	Quad Plus members as well as France, Taiwan, Singapore, Indonesia, and the Philippines. Global partners like Brazil and Israel have also been invited to join more informally.

Despite the efficiency, flexibility, and practicality of minilateral cooperative groupings, both the EU and ASEAN should also be aware of their potential disadvantages. Minilateralism should not replace multilateral fora, as each format is complementary and serves different purposes. Hence, the EU and ASEAN must reiterate the importance of maintaining multilateral fora as spaces for discussion, consensus building and coordination, as well as arenas to exert peer pressure.

## 5. CREATING EU MARGIN FOR MANOEUVRE BY DESIGN

The EU has clearly signalled its interest in strengthening its Indo-Pacific engagement and will continue establishing practical cooperative arrangements with regional partners in multilateral, bilateral or minilateral formats. Growing concerns in Europe following Russia's invasion of Ukraine, however, are likely to trigger changes in EU decision-making mechanisms as well as further highlight differences among member state preferences when it comes to engagement in the Indo-Pacific.

It is therefore crucial that the EU and ASEAN strengthen their partnership by design, not by accident, while still favouring EU-ASEAN dialogues or minilateral initiatives that are at once inclusive, flexible, and interest-driven. It is in this framework that EU and ASEAN countries may at once pursue their goals without being drawn into the gravitational pull of Sino-American competition. As such, an approach that favours alternative and more flexible forms of cooperation neither centred on bilateralism nor on multilateralism could be more effective in addressing issues of common concern.

Recently, a growing trend in the Indo-Pacific has been the strengthening of minilateral cooperation formats. These arrangements ease cooperation in specific areas of common interest and their informality provides the necessary flexibility for concrete implementation. Yet, despite the appetite and the potential advantages offered by minilateralism, ASEAN members are still very absent in groupings amongst major and middle powers. The few exceptions mentioned above do not constitute enough proof of engagement with Southeast Asian countries, something that will need to be carefully assessed to facilitate their engagement and buy-in.

A starting point to further develop the minilateral dimension could be by making use of reinforced EU-ASEAN relations and adding *ad hoc* engage-

ments with “like-minded” partners, such as Japan, the ROK, India, or Australia. Thus, the multilateral dimension (EU-ASEAN) could benefit from the EU’s strong bilateral network of regional partners.

In adapting to a new reality characterised by increased minilateralism, the EU and its member states should take the initiative and identify minilateral formats that might be worth leading and investing in. By building on these bilateral relationships, partners could easily identify areas of shared interests and consider the creation of minilateral cooperation schemes. Topics such as sustainable connectivity, infrastructure projects, the resilience of supply chains or maritime capacity building in Southeast Asian nations are fields of common interest for ASEAN, the EU, and regional partners.

Concretely speaking, the ESIWA project appears to be a good entry point for the EU to include ASEAN members and regional middle powers in cooperation initiatives in key areas of concern. Additional value-added lies in the fact that five ASEAN members are already an integral part of the ESIWA initiative. Thus, with its formalisation as an institution and with the participation of the EU, ESIWA could become a minilateral setting that could prove successful as additional ASEAN members and regional powers (e.g., Australia and New Zealand) might consider joining the project and developing additional streams.

Importantly, multilateralism and frameworks such as ASEAN are key in the already fragmented Southeast Asian security architecture, as they support a system where political dialogue is possible between all regional countries. One should not forget that the emergence of minilateralism might intensify the cleavage in the engagement or the lack of it among regional countries, as in the end it is a symptom of growing power conflict in the region and not its cause. For this reason, minilateral cooperation schemes should be viewed as a practical tool for concrete matters rather than as the new security paradigm for the region.

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ISPI Italian Institute for International Political Studies. 2021. Europe's Policy in the Indo-Pacific: Good but Not Good Enough. (<https://www.ispionline.it/en/publication/europes-policy-indo-pacific-good-not-good-enough-31345>).

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ORF Observer research foundation. 2021. Is the ASEAN Regional Forum still relevant? (<https://www.orfonline.org/expert-speak/is-the-asean-regional-forum-still-relevant/>).

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# 08

## **Don't Rule Out the R2P Just Yet**

How the EU Should  
Approach the Human Rights  
Crisis in Myanmar through  
R2P and the Framework of  
Respect, Protect and Fulfil/  
Remedy

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**Thanapat Pekan**

## Abstract

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Human rights conventions and declarations, such as the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 1949 and their Additional Protocols, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of Persons with Disabilities, have all been violated by the military junta in Myanmar. The civil war and the thorny matter of sovereignty (i.e., who controls the country) prevent Myanmar from exercising its sovereign rights at home and abroad, making it impossible for the government to execute any human rights accords it has ratified. The European Union has so far responded to the horrific crimes committed by the Myanmar military and its collaborators through diplomatic, political, and economic means. Yet, however, the European Union's efforts to curb violence in the nation have fallen short. Thus, this paper contends that the EU should use the Responsibility to Protect (R2P) in tandem with the framework of "Respect, Protect, and Fulfil/Remedy" to deal with the problem in Myanmar.

## INTRODUCTION

The European Union (EU) should still consider the Responsibility to Protect (R2P) as an ultimate card for bringing about an end to the ongoing massacres that have been taking place in Myanmar since the troubled country's latest military coup.

The Myanmar military, known as the Tatmadaw, has embarked on a harsh national crackdown aimed primarily at silencing civilian resistance to its authority since the Myanmar junta took over the country in February 2021.<sup>1</sup> In April 2021, civilian parliamentarians, ethnic minority members of parliament (MPs), and civil society activists established the National Unity Government to challenge the junta. In August of that year, Min Aung Hlaing prolonged the one-year period of emergency established by the junta on 1 February 2021 until 2023.<sup>2</sup>

Since the coup, warfare and turmoil have uprooted over 400,000 people, mostly in the northwest and southeast, with approximately 32,000 refugees escaping to India and Thailand.<sup>3</sup> In contravention of international humanitarian law, the junta has purposefully prevented humanitarian assistance from reaching the millions of people in need. Soldiers have attacked aid workers, damaged supplies, and blocked access routes and assistance convoys in places where junta control is opposed, ostensibly as a disguised form of collective retaliation against the people.<sup>4</sup>

So far, the European Union (EU) has attempted to redress the mass killings committed by the Myanmar junta and its cronies by using diplomatic, political, and economic means. A special envoy has been specifically assigned to deal with the crisis in Myanmar, while the EU has also assured the international community that it will submit a resolution to the Human Rights

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1. Human Rights Watch. 2022. Myanmar: Urgent Action Needed to Block Foreign Revenue. (<https://www.hrw.org/news/2022/01/25/myanmar-urgent-action-needed-block-foreign-revenue>).

2. Ibid.

3. Ibid.

4. Ibid.

Council to guarantee that the “human rights situation in Myanmar remains high on the international community’s agenda”.<sup>5</sup>

Equally important are the recent sanctions which have been imposed on 22 individuals, including government ministers and high-ranking officials of Myanmar’s armed forces.<sup>6</sup> The sanctions also cover four organisations, including state-owned enterprises such as the Myanmar Oil and Gas Enterprise (MOGE), which have been discovered to be supplying the regime with “substantive resources” (Martin 2022).<sup>7</sup>

In addition to the €65 million aid package sent to Myanmar, the EU has also contributed an additional €1 million to the UN Independent Investigative Mechanism for Myanmar, a body established by the UN Human Rights Council in 2018 to gather evidence of human rights crimes, according to comments made by Věra Jourová, the European Commissioner for Values and Transparency (Hutt 2022).<sup>8</sup>

When all is said and done, however, these measures still fall some way short of bringing an end to the atrocities committed by Min Aung Hlaing’s authoritarian regime. The ongoing damage being inflicted on the lives of Myanmar’s people far outweighs the effects of any of these attempts to put an end to the crisis.

This paper contends that any human rights conventions signed by Myanmar are unable to be implemented due to the country’s civil war and the tricky issue of sovereignty – who actually governs Myanmar – which result in the country’s failure to uphold its sovereign rights both domestically and internationally. This paper suggests that the EU should thus approach the

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5. David Hutt. 2022. Myanmar’s Message to the EU amid Ukraine Crisis: “Don’t Forget Us”. euronews. (<https://www.euronews.com/my-europe/2022/03/15/myanmar-s-message-to-the-eu-amid-ukraine-crisis-don-t-forget-about-us>).

6. Sebastian Strangio. 2022. EU Announces Fourth Round of Sanctions on Post-Coup Myanmar. The Diplomat. (<https://thediplomat.com/2022/02/eu-announces-fourth-round-of-sanctions-on-post-coup-myanmar/>).

7. Nik Martin. 2022. Myanmar: How the EU Could Cripple the Military Junta. DW. (<https://www.dw.com/en/myanmar-how-the-eu-could-cripple-the-military-junta/a-60661440>).

8. David Hutt. 2022. Myanmar’s Message to the EU amid Ukraine Crisis: “Don’t Forget Us”. Euronews. (<https://www.euronews.com/my-europe/2022/03/15/myanmar-s-message-to-the-eu-amid-ukraine-crisis-don-t-forget-about-us>).



Myanmar crisis by using the concept of the Responsibility to Protect in tandem with the Respect, Protect and Fulfil/Remedy Framework.

This paper is divided into four sections: Failure to comply with international conventions and declarations, the “Protect, Respect and Fulfil/Remedy” Framework, the Inability of Human Rights Conventions to address the Myanmar crisis, and Protect, Respect, Fulfil/Remedy.

The first section lays down the explanation of how the Myanmar junta has been violating human rights conventions. The second section introduces the framework of “Respect, Protect and Fulfil/Remedy”. The third section argues that Myanmar’s sovereignty has been thrown into question due to a lack of clarity on who the governing party is. It further argues that the EU should use the concept of R2P in conjunction with the framework of “Protect, Respect and Fulfil/Remedy” to end the human rights crisis in Myanmar.

## **FAILURE TO COMPLY WITH INTERNATIONAL CONVENTIONS AND DECLARATIONS**

Myanmar’s military junta has created a situation in which the country, especially the democratically elected government, is unable to meet many of its obligations under international treaties. This covers the fundamental obligations requiring the civilian government to govern the country and to hold the military junta accountable for its atrocities, such as those mandated by the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 1949 and their Additional Protocols, and the Convention on the Rights of the Child.<sup>9</sup>

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9. General Assembly resolution 44/25. Convention on the Rights of the Child. OHCHR, 20 November 1989. (<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>); ICRC. The Geneva Conventions of 1949 and Their Additional Protocols – ICRC. International Committee of the Red Cross, 29 October 2010. (<https://www.icrc.org/en/doc/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm>); The General Assembly. Convention on the Prevention and Punishment of the Crime of Genocide Approved and Proposed for Signature and Ratification or Accession by General Assembly Resolution 260 a (III) of 9 December 1948 Entry into Force: 12 January 1951, in Accordance with Article XIII. The United Nations, 9 December 1948. ([https://www.un.org/en/genocideprevention/documents/our-work/Doc.9\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/our-work/Doc.9_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)).

Human rights violations are evident in Myanmar's inability to comply with the international conventions to which it is obligated as a signatory party to these conventions. For instance:

1. According to the Convention on the Prevention and Punishment of the Crime of Genocide, General Assembly resolution 260 A (III) of 9 December 1948, any signatory states must, according to Article I, be able to prevent and punish any wrongdoers involved in genocide, which "whether committed in time of peace or in time of war, is a crime under international law".<sup>10</sup> In this particular instance, the Myanmar junta has murdered over 1,400 people and detained more than 11,000 others, with over 8,000 of these still in custody.<sup>11</sup> The horrifying brutality is part of a long history of international law violations targeting ethnic minorities in Myanmar, including the Kachin, Shan, and Rohingya. On a daily basis, the UN Human Rights Office has recorded grave human rights abuses, the great majority of which are perpetrated by security personnel.<sup>12</sup>
2. According to the Geneva Conventions of 1949 and their Additional Protocols, the signatory party must safeguard individuals who do not engage in the war or fighting (ordinary people, healthcare workers, and aid workers) as well as those who are unable to

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10. The General Assembly. Convention on the Prevention and Punishment of the Crime of Genocide Approved and Proposed for Signature and Ratification or Accession by General Assembly Resolution 260 a (III) of 9 December 1948 Entry into Force: 12 January 1951, in Accordance with Article XIII. The United Nations, 9 December 1948. ([https://www.un.org/en/genocideprevention/documents/our-work/Doc.9\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/our-work/Doc.9_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)).

11. Amnesty International. 2022. Myanmar: World Must Act Now to Prevent Another Year of Intolerable "Death and Misery". Amnesty International. (<https://www.amnesty.org/en/latest/news/2022/01/myanmar-coup-one-year-anniversary/>).

12. OHCHR. 2022. OHCHR | Myanmar: One Year into the Coup, Bachelet Urges Governments and Businesses to Heed Voices of the People, Intensify Pressure on the Military. The Office of the High Commissioner for Human Rights. (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28069&LangID=E>).

fight.<sup>13</sup> The Geneva Conventions and their Additional Protocols are at the heart of international humanitarian law, the body of international law that governs and strives to mitigate the impacts of armed warfare. The conventions are in place to ensure that the signatory parties safeguard and defend civilians, health professionals, and humanitarian workers who are not engaging in the conflicts, as well as combatants who become injured, ill, shipwrecked or prisoners of war. However, the Myanmar junta has been acting with complete disregard for such conventions. From 1 February to 30 September 2021, state security agents are accused of killing at least 29 healthcare professionals and arresting 210 others, with 580 warrants issued for doctors and nurses.<sup>14</sup> There have been 297 recorded assaults on healthcare workers, almost all of which have been carried out by security services, including during 87 incursions into and 56 military takeovers of healthcare facilities.<sup>15</sup>

3. According to the Convention on the Rights of the Child, children have the right to particular care and support. The family should be provided with sufficient protection and support so that it can completely contribute its roles and responsibilities to the community.<sup>16</sup> The convention calls on signatories to acknowledge that the child should be allowed to thrive in a safe and friendly family environment, an environment of good wellbeing, love, and acceptance, for the complete and joyful growth of his or her character. In contrast, such fundamental rights of children have been violated by atrocities committed by the Myanmar junta.

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13. ICRC. 2010. The Geneva Conventions of 1949 and Their Additional Protocols – ICRC. International Committee of the Red Cross. (<https://www.icrc.org/en/doc/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm>).

14. Human Rights Watch. 2021. Myanmar: Junta Blocks Lifesaving Aid. Human Rights Watch. (<https://www.hrw.org/news/2021/12/13/myanmar-junta-blocks-lifesaving-aid>).

15. Ibid.

16. General Assembly resolution 44/25. Convention on the Rights of the Child. OHCHR, 20 November 1989. (<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>).

At least 290 people have been killed in captivity, with many of their deaths possibly a result of torture.<sup>17</sup> Approximately 3,000 minors have been uprooted from Mindat, but local aid groups say they have been unable to access educational facilities due to security inspections and the possibility of detention.<sup>18</sup> Some children perished as a result of starvation or skin conditions.<sup>19</sup> In particular, they died as a result of not receiving timely medical assistance. There is a scarcity of medicine and medical resources in the camps.<sup>20</sup> There are doctors who have gone to the Chinland Defense Force (CDF) territory to provide health treatment to internally displaced persons, including children, but they have been unable to do much since there are insufficient medical resources for them to work with (Human Rights Watch 2021).<sup>21</sup>

## THE “PROTECT, RESPECT AND REMEDY” FRAMEWORK

In 2008, United Nations (UN) Secretary-General Kofi Annan appointed Professor John G. Ruggie as a UN special representative of the secretary-general to investigate human rights concerns and transnational corporations and other business organisations, in response to increasing concerns about the negative effect of economic expansion and the impact of multinational firms’

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17. OHCHR. 2022. OHCHR | Myanmar: One Year into the Coup, Bachelet Urges Governments and Businesses to Heed Voices of the People, Intensify Pressure on the Military. The Office of the High Commissioner for Human Rights. (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28069&LangID=E>).

18. Human Rights Watch. 2021. Myanmar: Junta Blocks Lifesaving Aid. Human Rights Watch. (<https://www.hrw.org/news/2021/12/13/myanmar-junta-blocks-lifesaving-aid>).

19. Ibid.

20. Ibid.

21. Ibid.

operations on developing nations.<sup>22</sup> The United Nations Human Rights Council overwhelmingly approved a resolution praising Professor John Ruggie's Framework of "Protect, Respect and Remedy".<sup>23</sup>

Ruggie concluded from his research that the three obligations of states are the obligation to respect, the obligation to protect, and the obligation to fulfil, as laid out in the Universal Declaration of Human Rights and the two international covenants that followed: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.<sup>24</sup> Since globalisation has changed economic circumstances throughout the world and the private sector's impacts have grown progressively negative, the study highlighted the importance of nonstate players.<sup>25</sup> In other words, governments are not the only players who have a responsibility to ensure the implementation of rights; nonstate actors also have a responsibility to mitigate the negative effects of their development operations.<sup>26</sup>

Navi Pillay, the United Nations High Commissioner for Human Rights, endorsed the idea of the International Coordination Committee of National Human Rights Institutions (ICC) completely embracing the framework. The fundamental duties of National Human Rights Institutions (NHRIs), according to her, are to address important human rights concerns at the national level by promoting the rule of law and guaranteeing accountability.<sup>27</sup> As a result, the ICC released "The Edinburgh Declaration" during its 10th Biennial Confer-

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22. Pongsapich, Amara. 2015. Protecting Vulnerable People, Building ASEAN Identity, and Narrowing the Development Gap. In *Beyond 2015: ASEAN-Japan Strategic Partnership for Democracy, Peace, and Prosperity in Southeast Asia*. Tokyo: Center for Cultural Exchange, pp. 257-80.

23. Pongsapich, Amara. 2011. *The Current State of Women's Children and Migrant Workers Rights in Southeast Asia: An Assessment of an Independent Body* (the 18th International Colloquium on Human Rights, Manila).

24. Pongsapich, Amara. 2015. Protecting Vulnerable People, Building ASEAN Identity, and Narrowing the Development Gap. In *Beyond 2015: ASEAN-Japan Strategic Partnership for Democracy, Peace, and Prosperity in Southeast Asia*. Tokyo: Center for Cultural Exchange, pp. 257-80.

25. Ibid.

26. Ibid.

27. Pongsapich, Amara. 2011. *The Current State of Women's Children and Migrant Workers Rights in Southeast Asia: An Assessment of an Independent Body* (the 18th International Colloquium on Human Rights, Manila).

ence in Edinburgh on 8 October and 10 October 2010, in which NHRIs vowed to be attentive in exploring the promotion and safeguarding of human rights as they pertain to business, depending on their responsibilities under the Paris Principles.<sup>28</sup>

The aim of this section is to show how Professor John Ruggie's "Protect, Respect and Remedy" Framework, particularly the aspect of "Protect", is compatible with the concept of the Responsibility to Protect (R2P). Before arguing so, this paper will touch upon why conventions on civil and political rights, such as the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social, and Cultural Rights (ICESCR), Committee on the Elimination of Racial Discrimination (CERD), Committee Against Torture (CAT), and Committee on Enforced Disappearances (CED), are inapplicable in the case of the acts of violence committed by the Myanmar junta. Therefore, the concept of the Responsibility to Protect and John Ruggie's framework of "Respect, Protect Fulfil/Remedy" should be used to address the crisis complementarily.

## **THE INABILITY OF HUMAN RIGHTS CONVENTIONS TO ADDRESS THE MYANMAR CRISIS**

Apart from the aforementioned conventions and declarations, Myanmar is also a party state of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD). The former is an international legal tool that demands that countries remove all types of discrimination against women and encourages equal rights for women.<sup>29</sup> According to Article 3 of CEDAW, each state party is obligated to make efforts to eliminate all forms of discrimination against women and girls, including enacting laws and initiatives to safeguard women and girls from discrimination and incorporating the

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28. Ibid.

29. UN Women. 2016. CONVENTION on the ELIMINATION of ALL FORMS of DISCRIMINATION against WOMEN (CEDAW) for YOUTH. (<https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2016/CEDAW-for-Youth-Brief.pdf>).

principle of equality into constitutions and other domestic laws.<sup>30</sup> Therefore, states must take all necessary steps to ensure that women and girls can exercise their human rights and fundamental freedoms in all aspects of society.<sup>31</sup> Likewise, as for the latter convention, each state party's obligation to this Convention is to encourage, protect, and make sure that people with disabilities have "full and equal enjoyment of all human rights and fundamental freedoms," as well as to advocate for respect for their inherent worth.

However, human rights atrocities, which have been consistently committed by the Myanmar junta since the military coup in 2021, have also breached the main principles of the two conventions. On the one hand, Myanmar has not been able to implement policies related to CEDAW due to the civil war and the lack of sovereignty – the question of who governs the country – and even whether the country could be considered as a sovereign nation at all. Women and gender minorities face unjust opportunities to be as healthy as possible, outlining socioeconomic health scarcity and inequality.<sup>32</sup> At a mass demonstration in Yangon, security personnel struck a group of female medics. The women were simply doing their jobs, but that did not deter Myanmar soldiers from torturing and killing them.<sup>33</sup> Women were giving birth in Internally Displaced Persons (IDP) camps assisted only by inexperienced caregivers. This is extremely dangerous for both the mother and the child.<sup>34</sup> Without the relevant appliances, there are risks, such as unsanitary conditions and difficulties with safe transport.<sup>35</sup>

With regard to the CRPD, Myanmar is likewise unable to protect people with disabilities even though Myanmar, as a state party, is obligated according to Article 7 under the section titled "Children with disabilities", to ensure that disabled children have the liberty and rights to express their opinions on

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30. Ibid.

31. Ibid.

32. Maggi Quadrini. 2021. Myanmar's Coup Has Put Women in Harm's Way. The Diplomat. ([https://thediplomat.com/2021/09/myanmars-coup-has-put-women-in-harms-way/?fbclid=IwAR0\\_FzCThUYQyppT2ZU3qwhl30NOBZWFUjw5PbCZK5PHRGmU7T6HUdpJrYw](https://thediplomat.com/2021/09/myanmars-coup-has-put-women-in-harms-way/?fbclid=IwAR0_FzCThUYQyppT2ZU3qwhl30NOBZWFUjw5PbCZK5PHRGmU7T6HUdpJrYw)).

33. Ibid.

34. Ibid.

35. Ibid.

all issues pertaining to them, with their opinions given appropriate weight in compliance with their age, on a basis of equality with other children, and to receive disability and age-appropriate assistance to realise that right.<sup>36</sup>

The cremated bodies of 11 people have been discovered in rural Myanmar, with children and a disabled man among those killed. They were first beaten and shot before being burnt alive by the Myanmar soldiers.<sup>37</sup> According to Vice World News, “....The victims included a man with paraplegia and five people under 18....”<sup>38</sup>

Worst of all, a disabled person was raped by Myanmar soldiers, viciously killed, and dumped into a bush.<sup>39</sup> Another instance is the case of the Myanmar junta imprisoning a disabled student and not allowing him to be treated properly.<sup>40</sup>

From all these incidents and contraventions of human rights conventions and declarations, it can be concluded that Myanmar is a failed state with a lack of commitment to be a sovereign nation. Sovereign nations must, by definition, have a population, territory, government, and the ability to connect with sovereign peers abroad. The Myanmar junta suffers from flaws in every one of these categories.<sup>41</sup>

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36. Sixty-first session of the General Assembly by resolution A/RES/61/106. Convention on the Rights of Persons with Disabilities. OHCHR. The United Nations, 13 December 2006. (<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>).

37. Alastair McCready. 2021. Disabled Man and Teenagers among 11 Shot and Burned in Horrific Massacre. Vice, 8 December 2021. (<https://www.vice.com/en/article/z3n44x/myanmar-military-massacre?fbclid=IwAR2jQsBt8gy4158mmHrNlzVIMAKUBc7z03Zg16NqFV8g6LWzrwKtawU-gM>).

38. Ibid.

39. Chindwin. 2022. Myanmar Army Rapes a Disabled Person, Brutally Murdered and Thrown in the Bush. THE CHINDWIN. ([https://www.thechindwin.com/myanmar-army-rapes-a-disabled-person-brutally-murdered-and-thrown-in-the-bush/?fbclid=IwAR2yQF5NP DYXIfkx9Ngr5kuLK9xjYw183sqd9C2B7fVpD\\_MVqPZ6V9RGVQ](https://www.thechindwin.com/myanmar-army-rapes-a-disabled-person-brutally-murdered-and-thrown-in-the-bush/?fbclid=IwAR2yQF5NP DYXIfkx9Ngr5kuLK9xjYw183sqd9C2B7fVpD_MVqPZ6V9RGVQ)).

40. The Irrawaddy. 2021. Myanmar Junta Jails Disabled Student, Denies Him Medical Treatment. The Irrawaddy. ([https://www.irrawaddy.com/news/burma/myanmar-junta-jails-disabled-student-denies-him-medical-treatment.html?fbclid=IwAR1dLwXiC\\_bmKbR0ZCwgh QREIU5vmPUxvpfDie3iDVcNuT-22ej53Z1pnOM](https://www.irrawaddy.com/news/burma/myanmar-junta-jails-disabled-student-denies-him-medical-treatment.html?fbclid=IwAR1dLwXiC_bmKbR0ZCwgh QREIU5vmPUxvpfDie3iDVcNuT-22ej53Z1pnOM)).

41. Pongsudhirak, Thitinan. 2022. Myanmar Military Fails Sovereignty Test. Bangkok Post. (<https://www.bangkokpost.com/opinion/opinion/2258375/myanmar-military-fails-sovereignty-test>).



To begin with, the Myanmar junta governs a populace that is engaged in a widespread armed insurrection against a military government.<sup>42</sup> In this respect, Myanmar's military, known locally as the Tatmadaw, lacks the consent and approval of the people it seeks to dominate. The outcomes of the last two general elections – which overwhelmingly brought the civilian-led National League for Democracy (NLD) under Aung San Suu Kyi back to power, defeating the military-backed Union Solidarity and Development Party by huge margins – provide evidence of the Tatmadaw's lack of popular acceptance.<sup>43</sup> As their voices have been silenced and their democratic rights have been stripped from them, it is no surprise that the great majority of civilians are fighting back to restore what was once theirs.<sup>44</sup>

Second, Myanmar may not face foreign hostilities or challenges to its territorial integrity. However, it does not control a large portion of its own territory.<sup>45</sup> The anti-military opposition alliance, which includes the Committee Representing Pyidaungsu Hluttaw, the Civil Disobedience Movement (CDM), ethnic armed organisations (EAOs), and the People's Defence Force (PDF), has maintained control in many areas under the auspices of the National Unity Government (NUG).<sup>46</sup> The EAOs and the PDF, as armed opposition wings, have fought back and gained some territory, including through open battle successes and targeted killings of junta-linked government leaders and military commanders.<sup>47</sup>

Third, the Myanmar junta's international legitimacy remains in doubt. Myanmar's UN ambassador is still the NLD-led government's Kyaw Moe Tun.<sup>48</sup> The United Nations has not recognised the post-coup regime.<sup>49</sup> The Association of Southeast Asian Nations (ASEAN), which is currently chaired by Prime Minister Hun Sen of Cambodia, also barred the junta's head, Sen-

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42. Ibid.

43. Ibid.

44. Ibid.

45. Ibid.

46. Ibid.

47. Ibid.

48. Ibid.

49. Ibid.

ior General Min Aung Hlaing, from attending last year's ASEAN conference.<sup>50</sup> Finally, the Myanmar junta will have challenges to overcome in fostering connections with other governments across the world.<sup>51</sup> The United States and Europe are unlikely to sit at the same table as Myanmar's military leadership.<sup>52</sup> The United States has placed sanctions on the regime in Nay Pyi Taw.<sup>53</sup> As a result, while the junta has diplomats and people at its disposal, it will not always have a place at international summits.

## **RECOMMENDATION FOR THE EU: APPROACHING THE MYANMAR CRISIS THROUGH R2P AND "PROTECT, RESPECT AND FULFIL/REMEDY" FRAMEWORK.**

There are a number of ways in which the EU could be more effective in bringing about an end to the human rights crisis in Myanmar. As a first step, it should start by resorting to R2P in conjunction with adhering to Professor John G. Ruggie's framework of "Protect, Respect and Fulfil/Remedy".

### **Respect**

Respect: Encouragement of respect for rights and freedoms through progressive local and global initiatives.<sup>54</sup> With regard to the first pillar, "respect", the EU should begin by laying down exactly what is expected of Myanmar's

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50. Ibid.

51. Ibid.

52. Ibid.

53. Ibid.

54. Pongsapich, Amara. 2014. Human Rights and Environment: The Case of Maptaphut Industrial Estate and the People Chair, National Human Rights Commission of Thailand. In Regional Consultation on Environment and Human Rights Defenders and Good Practices with a Focus on Asia. (Convened by the UN Independent Expert on Human Rights and Environment, the UNEP, and OHCHR).

junta in this regard. Respect must be shown to the people of Myanmar in the form of implementing the following initiatives:

1. Respect the election results by allowing the NLD government to function and fulfil the human rights obligations of each convention to which Myanmar is a party state.
2. Willingly allow the international community to implement tools related to R2P without resistance or retaliation.
3. Allow the international community to send various kinds of aid which would help strengthen Myanmar to be a sovereign state.
4. Ensure there is an agreement to stop the war in order to achieve a “democratic peace that respects human rights”.<sup>55</sup>

## R2P as a means to protect

A failure to satisfy the expectations under “respect”, the first pillar, would necessitate the EU to immediately move on to the second pillar, which would include deploying the concept of R2P to safeguard the people of Myanmar. The importance of efficient law enforcement is stated in the Preamble, while Article 7 of the Universal Declaration of Human Rights (UDHR) emphasises that all people are equal before the law and are entitled to equal protection under the law without discrimination.<sup>56</sup> Everyone has the right to equal protection against any discrimination that violates this Declaration, as well as against any instigation of discrimination.<sup>57</sup>

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55. Pongsapich, Amara. 2012. Human Rights for All: Fostering Integration and Social Cohesion Chair, National Human Rights Commission of Thailand. In International Conference of the Royal Institute of Thailand. (The Roles of the Learned Societies in Improving the Quality of Life in the Context of Globalization, 2012).

56. Pongsapich, 2014. THE ‘HUMAN RIGHTS’ and ‘JUSTICE’ PARADIGMS for TRANSITIONAL SOCIETY 1. Journal of Political Sciences, Chulalongkorn University, no. 2 (December 2014): 7-20.

57. Ibid.

It is undeniable that what is occurring in Myanmar now, before and since the military coup, such as the military's violent attack on the Rohingya in 2017, goes against everything that the Responsibility to Protect stands for. Having been unanimously endorsed by all UN member states and embraced by the United Nations General Assembly at its 60th anniversary World Summit in 2005, the principles of R2P have been supported by the UN Security Council on multiple occasions since then.<sup>58</sup>

R2P promotes the idea that state sovereignty encompasses a government's responsibility to protect its citizens against crimes of mass atrocity and human rights abuses.<sup>59</sup> When a country fails to fulfil its obligations, R2P gives the "international community" the legal authority to act.<sup>60</sup> The concept allows for the employment of a variety of coercive methods, with military involvement reserved as the final option.<sup>61</sup>

Forces opposed to the Myanmar coup and its generals know full well of the existence of R2P, particularly its third pillar: that if a country "manifestly fails" to fulfil its obligation to its own people, the international community must start taking joint action in a prompt and precise way, which would include the most extreme level of response – via military intervention – albeit only if this is supported by the UN Security Council.<sup>62</sup>

At the very heart of this new norm is the principle that states, with the aid of the international community, must act to prevent mass atrocities.<sup>63</sup> Equally central is the idea that concerned outsiders should help states prevent these gross abuses through what the UN document characterises as

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58. Gareth Evans. 2021. Applying R2P to Myanmar. Global Centre for the Responsibility to Protect. (<https://www.globalr2p.org/publications/applying-r2p-to-myanmar/>); Pongsapich, Amara. 2014. THE 'HUMAN RIGHTS' and 'JUSTICE' PARADIGMS for TRANSITIONAL SOCIETY 1. *Journal of Political Sciences*, Chulalongkorn University, no. 2 (December 2014): 7-20.

59. Sebastian Strangio. 2022. EU Announces Fourth Round of Sanctions on Post-Coup Myanmar. *The Diplomat*. (<https://thediplomat.com/2022/02/eu-announces-fourth-round-of-sanctions-on-post-coup-myanmar/>).

60. *Ibid.*

61. *Ibid.*

62. Gareth Evans. 2021. Applying R2P to Myanmar. Global Centre for the Responsibility to Protect. (<https://www.globalr2p.org/publications/applying-r2p-to-myanmar/>).

63. UN General Assembly. 2008. "2008 PARLIAMENTARY HEARING at the UNITED NATIONS New York, 20-21 November," 2008, <http://archive.ipu.org/splz-e/unga08/s1.pdf>.

“diplomatic, humanitarian and other peaceful means”.<sup>64</sup> This could include strengthening state capacity through economic assistance, rule-of-law reform, the building of political institutions, and the like, alternatively, when violence has begun or seems imminent, through direct acts of mediation.<sup>65</sup> The intense diplomatic engagement following the disputed election in Kenya or the work of neighbours and of the UN to support the government of Burundi both demonstrate the imperative of cooperative efforts to prevent atrocities.<sup>66</sup>

The current crisis in Myanmar, like the early phases of one-sided suppression of nonviolent opposition in Libya and Syria, must be addressed as an R2P situation.<sup>67</sup> The Tatmadaw and the various security personnel under its command have committed and continue to commit atrocities against humanity. As a consequence, more rigorous UN Security Council action is required than just statements of concern, as useful as they have been.<sup>68</sup> Moreover, the situation calls out for more determined, decisive action from every state and organisation, including ASEAN, capable of making even a modest difference in upholding the ideals to which they all agreed in 2005.<sup>69</sup>

Pro-democracy activists and ethnic minorities in Myanmar must be protected by the international community.<sup>70</sup> Furthermore, it is true that this obligation can be carried out in a way that balances commitments to other values, such as peace and security.<sup>71</sup>

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64. Ibid.

65. Ibid.

66. Ibid.

67. Gareth Evans. 2022. The Responsibility to Protect the People of Myanmar. Australian Institute of International Affairs. (<https://www.internationalaffairs.org.au/australianoutlook/the-responsibility-to-protect-the-people-of-myanmar/>).

68. Ibid.

69. Ibid.

70. Cristina Stefan. 2021. The Responsibility to Protect in Myanmar: European Centre for the Responsibility to Protect (ECR2P). European Centre for the Responsibility to Protect. (<https://ecr2p.leeds.ac.uk/the-responsibility-to-protect-in-myanmar/>).

71. Ibid.

## COMPLEMENTARITY OF THE ASEAN CHARTER AND THE PRINCIPLES OF R2P

R2P normatively seeks to protect the people of ASEAN member states from mass killings while materially offering mechanisms and capacities for ASEAN to jointly prevent and respond to atrocity crimes.<sup>72</sup> It does not contradict the ASEAN Charter's principles; in fact, it reinforces them.<sup>73</sup> R2P is a step-by-step method to ending mass atrocities in society, as outlined in paragraphs 138 and 139 of the 2005 World Summit Outcome Document.<sup>74</sup> This is accomplished through three pillars:

(1) Every country has the responsibility to protect its populations from four types of mass atrocity crimes: genocide, war crimes, crimes against humanity, and ethnic cleansing; (2) the global community as a whole has the responsibility to promote and facilitate the achievement of that responsibility by individual states; and (3) if a state is manifestly failing to protect its populations, the international community must be ready to intervene with appropriate measures.<sup>75</sup>

A widespread misunderstanding of the norm is that a militarised intervention is unavoidable if diplomatic avenues are not explicitly explored first. In reality, however, the norm is attained by using numerical order, diplomacy, and non-lethal involvement (arms embargo, no-fly-zone, freezing of monetary assets).<sup>76</sup>

Having said that, the EU should not rule out the possible use of military force to bring an end to the crisis. It is possible for the EU to stick to the R2P principles without reaching the point of regime change, as happened in Libya. To achieve this, it must be made completely clear from the very beginning that the EU would be prepared to use military force to end the civil war if necessary.

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72. Peireira Maurice. 2021. How ASEAN Can Best Respond to Resolve the Myanmar Crisis - Khmer Times. Khmer Times. (<https://www.khmertimeskh.com/50979506/how-asean-can-best-respond-to-resolve-the-myanmar-crisis/>).

73. Ibid.

74. Ibid.

75. Ibid.

76. Ibid.

## TRANSNATIONAL TRIBUNAL AND REFUGEE PROTECTION AS REMEDIES

### Remedy/Fulfil

The third pillar of John Ruggie's proposal to the UNHRC is "Remedy/Fulfil". In detail, according to Article 8 of the UDHR, everybody has the right to an adequate remedy before competent national tribunals for actions that violate his constitutional or legal basic rights.<sup>77</sup>

Economic, social, and cultural (ESC) rights, such as the right to an adequate standard of living and the right to the best healthcare available, comprise the second generation of rights. International law states unequivocally that all human rights are inseparable and mutually reinforcing, and many scholars agree on this.<sup>78</sup>

As for this pillar, the EU's remedies should include advocating for, and pushing forward, a transnational tribunal, ensuring refugee protection, and targeting more private enterprises and individuals who have been either directly or indirectly financing the junta regime. In other words, both state and non-state actors must be held accountable for committing violations against human rights in the Myanmar crisis.<sup>79</sup> The traditional implication that states are the only ones who breach civil rights is no longer valid.<sup>80</sup>

There are many private sector entities which are still doing business with Myanmar. The EU must put pressure on these private companies to stop dealing with the junta and support human rights initiatives instead. Private enterprises such as Dynasty International, Grob Aircraft SE, Miya Win International Limited, among others should be subject to investigations and ap-

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77. Pongsapich, Amara. 2014. THE 'HUMAN RIGHTS' and 'JUSTICE' PARADIGMS for TRANSITIONAL SOCIETY 1. *Journal of Political Sciences*, Chulalongkorn University, no. 2 (December 2014): 7-20.

78. Pongsapich, Amara. 2011. *The Current State of Women's Children and Migrant Workers Rights in Southeast Asia: An Assessment of an Independent Body* (the 18th International Colloquium on Human Rights, Manila, 2011).

79. *Ibid.*

80. *Ibid.*

propriate punishments.<sup>81</sup> These private enterprises have been responsible for acquiring weapons for the Myanmar military. More importantly, some of them have links with European countries, particularly Austria, Belarus, Germany and Russia. A list of other private companies accused of similar dealings can be found at [www.justiceformyanmar.com](http://www.justiceformyanmar.com), [Myanmar-now.org](http://Myanmar-now.org), and <https://globalmayday.net/bloodmoneymyanmar/blacklisted-companies/>.

Another approach for the EU to consider is the use of “universal jurisdiction”. The exercise by any state in the international society of the universal jurisdiction accessible to it under the purview of international law in the case of crimes that can be defined not just as local in nature but as severe as “crimes against all” poses a much more instant legal threat to the Myanmar generals.<sup>82</sup> In reality, jurisdictional authority is exercised when suspects travel overseas and put themselves in danger of being apprehended.<sup>83</sup>

The EU should immediately conduct countermeasures against the junta and its economic endeavours by implementing sanctions or arms embargoes and bringing international criminal justice to bear on the regime and relevant private entities.<sup>84</sup> In this perspective, let us recall how one small state, The Gambia, honoured its obligation to protect by battling injustice in Myanmar in relations to the genocide perpetrated against the Rohingya, whose systematic persecution was carried out with impunity.<sup>85</sup> On 11 No-

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81. Justice for Myanmar. [www.justiceformyanmar.org](http://www.justiceformyanmar.org), accessed 6 July 2022. (<https://www.justiceformyanmar.org/>); Justice for Myanmar. Arms Broker with Links to Belarus, Russia and Germany Supplied Myanmar Junta since Coup Attempt | Justice for Myanmar. [www.justiceformyanmar.org](http://www.justiceformyanmar.org), 1 March 2022. (<https://www.justiceformyanmar.org/stories/arms-broker-with-links-to-belarus-russia-and-germany-supplied-myanmar-junta-since-coup-attempt>); Justice for Myanmar. Myanmar Military Arms Broker Supplied UAV Parts from Austria since Coup Attempt | Justice for Myanmar. [www.justiceformyanmar.org](http://www.justiceformyanmar.org), 14 March 2022. (<https://www.justiceformyanmar.org/stories/myanmar-military-arms-broker-supplied-uav-parts-from-austria-since-coup-attempt>).

82. Gareth Evans. Applying R2P to Myanmar. Global Centre for the Responsibility to Protect. (<https://www.globalr2p.org/publications/applying-r2p-to-myanmar/>).

83. Ibid.

84. Cristina Stefan. 2021. The Responsibility to Protect in Myanmar: European Centre for the Responsibility to Protect (ECR2P). European Centre for the Responsibility to Protect. (<https://ecr2p.leeds.ac.uk/the-responsibility-to-protect-in-myanmar/>).

85. Ibid.



vember 2019, The Gambia filed a case with the International Court of Justice (ICJ), accusing Myanmar of breaching the Genocide Convention.<sup>86</sup>

Since World War II, over fifteen governments have used this tactic, most prominently in respect to Rwandan genocide offenders, and it would have been a major influence if more of Myanmar's worried neighbours had followed suit.<sup>87</sup> To quote Simon Adams, Director of the Global Centre on the Responsibility to Protect: "It's unlikely these people are going to Disneyland for a vacation, but they do want to be allowed to move freely over Southeast Asia. They shouldn't feel comfortable doing so".<sup>88</sup>

EU countries should follow The Gambia's noble lead and the examples from World War II. More importantly, the EU should lobby ASEAN states to do likewise.

## The role of international and regional institutions

The tangible initiatives that the EU can take in the future are clear.<sup>89</sup> The EU, and other regional bodies such as ASEAN, should acknowledge Myanmar's National Unity Government (NUG) as the country's legitimate representation.<sup>90</sup> They must carry through their declared promise to aid in the ending of the bloodshed in Myanmar and achieving a resolution of the conflict. Until then, the EU should aim, and lobby other ASEAN states to do the same, to isolate the junta financially through targeted penalties, such as putting gas earnings in escrow until democracy is returned, as well as depriving the military of its weaponry via arms embargoes.<sup>91</sup> If the EU carries out this task and

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86. Ibid.

87. Gareth Evans. 2021. Applying R2P to Myanmar. Global Centre for the Responsibility to Protect. (<https://www.globalr2p.org/publications/applying-r2p-to-myanmar/>); Cristina Stefan. 2021. The Responsibility to Protect in Myanmar: European Centre for the Responsibility to Protect (ECR2P). European Centre for the Responsibility to Protect. (<https://ecr2p.leeds.ac.uk/the-responsibility-to-protect-in-myanmar/>).

88. Ibid.

89. Vanessa Chong and Tanyalak Thongyoojaroen. 2021. Beyond the Coup in Myanmar: The ASEAN Way Must Change. Just Security. (<https://www.justsecurity.org/76126/beyond-the-coup-in-myanmar-the-asean-way-must-change/>).

90. Ibid.

91. Ibid.

successfully convinces ASEAN to do the same, these moves would preserve ASEAN's declared commitment to "democratic principles and constitutional government" as well as to the protection of human rights, bringing ASEAN in line with R2P as well as the practices of a large number of countries throughout the world.<sup>92</sup>

In this case, R2P would also include safeguards for Myanmar refugees. The EU should use its own human rights mechanisms and request ASEAN to use its current regional human rights mechanism, the ASEAN Intergovernmental Commission on Human Rights, as well so as to offer advice on guaranteeing refugee protections that are equal to international standards, such as creating clearly defined asylum guidelines, deterring refoulement and border rejections, and ensuring the right to work.<sup>93</sup> At the absolute least, ASEAN states may provide the hundreds of thousands of Myanmar migrants currently in their countries a lifeline by providing them with a temporary legal status similar to TPS in the United States.<sup>94</sup>

## CONCLUSION

Since the military coup took place in Myanmar in 2021, the military junta has continuously breached human rights conventions and declarations, such as the Universal Declaration of Human rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 1949 and their Additional Protocols, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of Persons with Disabilities. Any human rights conventions ratified by Myanmar are unable to be implemented due to the civil war in the country and the daunting question of sovereignty – who actually governs the country – which lead to Myanmar's inability to exercise sovereign rights domestically and internationally.

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92. Ibid.

93. Ibid.

94. Ibid.

Thus far, the EU has used diplomatic, political, and economic tools to address the mass atrocities perpetrated by the Myanmar junta and its allies. However, the EU's measures are still inadequate to stop the killings in the country. Therefore, this paper argues that the EU should use the concept of R2P in conjunction with the framework of "Respect, Protect and Fulfil/Remedy" to address the crisis in Myanmar.

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09

# **Human Security in Myanmar After the 2021 Military Coup**

What Role for  
the European Union?

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**Saw Kyaw Zin Khay | Francesca Manenti |  
Kristina Simion**

## Abstract

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In the last two decades, the European Union (EU) has forged an international role for itself as a “force for good” and a champion for democracy, human rights, and security. At the same time, the international security environment has deeply changed. In order to respond successfully to a new comprehensive concept of security, comprehensive solutions aiming at human sustainable development and human security need to be sought. In this paper, we focus on the case of Myanmar post the 2021 military coup, where people have returned to a life characterised by brutality and force in the hands of state security actors who repeatedly violate fundamental human rights. The support by foreign donors, such as the EU, to Myanmar’s democratic transition after 2011 should be examined. For this paper, we draw on a desk study review of EU-related policy and implementation documents, research papers, and previous empirical work. To highlight human security threats facing civilians in Myanmar, one of the authors also draws on his own lived experiences from this situation, thus contributing with ethnographic insights to this paper. To illustrate EU approaches to working on human security we use three cases of EU intervention in Myanmar: police reform, justice reform and peacebuilding. We conclude that the EU has the tools for handling the crisis in Myanmar, thus giving application to its human security doctrine for dealing with international crises.

*The EU's approach towards Myanmar does not seem to factor in the possibility of backward steps and is based on a scenario of ongoing, linear political and economic reforms. (Dosch and Sidhu 2015, 106)*

## 1. INTRODUCTION

In the last two decades, the European Union (EU) has forged an international role for itself as a “force for good” and a champion for democracy, human rights, and security. At the same time, the international security environment has deeply changed. The interconnection among countries built up by globalisation created great opportunities but also new challenges. It disrupted geographical distances and physical barriers, thus promoting human, capital and economic flows all over the world. However, the fluidity of exchanges has also internationalised the threats for societies and states. The spread of COVID-19, the risks connected to violent extremism and terrorism, the impact created by conflicts and climate change on migrations are some examples of the criticalities that shape international security in the contemporary world. These changes brought new considerations for the stability of states. In fact, the risks to the resilience of nations are not just linked anymore to wars, conflicts and territorial splits, but instead are more and more related to the wellbeing and to the vulnerabilities of their populations. Hence, a new approach to security must be adopted to implement a long-term strategy for states' stability; one that pursues national security with different instruments and a different scope. In fact, to conceptualise national security as a state's security, intended as territorial integrity and political sovereignty, does not put people at the centre.

In order to respond successfully to a new comprehensive concept of security, a double shift must be pursued: on the one hand, a shift concerning the final goal, from the security of territory to the security of population; on the other hand, a shift in the tools for achieving the goal, from exclusive military instruments to a comprehensive solution aiming at human sustainable development<sup>1</sup>. In this regard, rediscovering human security, security

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1. S. Harnisch, and N. Kim. Human Security: A Potential for Cooperation in the EU and East Asia.

that focuses on the security of individuals (and a wider scope of threats such as discrimination and political repression) as opposed to the security of the state and its territory, can provide policymakers with new perspectives for better tackling crises all over the world, thus contributing to international development and peace. Indeed, human security as a “people-centred” concept seeks to address the root causes of insecurity and offers a comprehensive understanding of the multidimensional challenges to human survival and wellbeing by focusing on people’s needs.<sup>2</sup>

As it focuses on the goal of personal protection, this approach identifies as main threats both traditional factors (such as military threats) and non-traditional factors (such as conditions of poverty or disease). Due to the large number of elements and variables to be taken into consideration, the role of the state, albeit not as the sole actor, remains fundamental in ensuring an approach focused on human security. However, the lack of a common definition makes human security still a controversial analytical approach and, even though it is drawing attention at international level, it remains mainly on paper rather than implemented in practice.

In this paper, we focus on the case of Myanmar post the 2021 military coup, where human security dramatically deteriorated and where people have returned to a life characterised by brutality and force in the hands of state security actors who repeatedly violate fundamental human rights. The dramatic deterioration of the security situation in the country came as a surprise for the international community while the people of Myanmar, throughout its history, and also during the EU’s most intense collaborative years in the country, have experienced insecurity as an everyday reality.

As a result of the longest civil war in the world, human security has been the most challenging issue since the country’s independence, especially in ethnic minority areas. While the EU has supported institutional reform, the security sector, and peacebuilding through cooperation with local governments, the justice sector, parliaments and civil society,<sup>3</sup> the military and ethnic armed groups have not reached any comprehensive peace agreement, the police has not developed people-centred security approaches, and the

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2. M. Caparini. May 2021. The Impact Of The Covid-19 Pandemic On Human Security: An Overview. In *The Impact of Covid-10 on Human Security*. CeSI.

3. European Union. 2016. *EU Multiannual Indicative Programme*.



judicial sector is still not delivering justice in a free and fair manner with prospects of strengthening human security in the country. In terms of supporting aspects of human security in a country still under the tight grip of its military rulers, was the EU too optimistic in its original goals of building lasting EU-Myanmar partnerships and supporting human security in Myanmar towards its transition to a “modern democracy”?

For this paper, we draw on a desk study review of EU-related policy and implementation documents, research papers, and previous empirical work. To highlight human security threats facing civilians in Myanmar, one of the authors also draws on his own lived experiences from this situation, thus contributing with ethnographic insights to this paper. To illustrate EU approaches to working on human security that focus on “freedom from fear”, i.e., removal of force and violence from individuals’ daily lives, we use three cases of EU intervention in Myanmar: police reform, justice reform and peacebuilding.

This paper proceeds as follows. First we introduce the EU’s global security agenda and potential interests in Myanmar engagement. We then present human security issues in Myanmar after the 2021 coup and suggest how the EU can best support such needs by learning from its past experiences. Thereafter we present the EU’s engagement in Myanmar and then assess various ways that the EU has translated its human security agenda into operational activities on the ground. To conclude, we consider how the EU can re-think its approaches after the military coup, especially since the EU remains an actor with great potential to support human security needs in Myanmar after the military coup.

## Defining Human Security

Human security was defined for the first time by the UN Human Development Report in 1994, when it was associated with three freedoms: freedom from wants, freedom from fear and freedom to live with dignity. It entails seven dimensions where fundamental freedoms must be achieved: economic, health, personal, political, food, environmental and community.

Table 1 below describes the different forms of insecurity and their causes:

**Table 1. Dimensions of insecurity.**

Economic insecurity	Poverty, unemployment, lack of credit and welfare system
Food insecurity	Famine, food scarcity, rise in food prices
Health insecurity	Epidemics, malnutrition, poor hygienic, scarcity of healthcare
Environmental insecurity	Environmental degradation, scarcity of natural resources, natural disasters
Personal insecurity	Physical violence, human trafficking, child labour
Community insecurity	Ethnic, religious or identity-based tensions, crime, terrorism
Political insecurity	Political repression, human rights violation, violation of rule of law

In 2012 the UN General Assembly<sup>4</sup> came to a common definition of human security:

The right of people to live in freedom and dignity, free from poverty and despair. All individuals, in particular vulnerable people, are entitled to Freedom from Fear and Freedom from Want, with an equal opportunity to enjoy all their rights and fully develop their human potential.

However, as human security is recognised as a national ownership issue, the resolution does not lay the foundation for an international strategy promoting it; and its implementation is open to different interpretations.

Therefore, human security is not a goal in itself. Rather it is an analytical approach that (a) assists member states in identifying and addressing widespread and cross-cutting challenges to the survival, livelihoods and dignity of their people; (b) calls for people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people and all communities; and (c) recognises the

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4. General Assembly resolution A/Res/66/290 on Human Security. (<https://undocs.org/en/A/RES/66/290>).

interlinkages between peace, development and human rights, and equally considers civil, political, economic, social and cultural rights.

Moreover, the principle of human security is a crucial element of the 2030 Agenda for Sustainable Development Goals (SDGs), where it represents both an analytical lens and a programming framework complementing and enriching the mechanism for achieving the SDGs. The goals reflect the philosophy of human security, in the aspect of a systemic and consultative approach, focused on the needs as highlighted by the parties involved as well as recognising the interdependence of the various modern challenges and difficulties that threaten security<sup>5</sup>.

## 2. HUMAN SECURITY IN MYANMAR AFTER THE 2021 MILITARY COUP

To the utmost surprise of many international supporters of Myanmar's post-2011 democratic transition, on 1 February 2021, the State Administration Council (SAC) seized power and declared a state of emergency under Article 417 of the 2008 constitution.<sup>6</sup> The SAC went on to cite "terrible fraud in the voter list during the democratic general election" and an inability by the Union Election Commission to "settle" the matter as necessitating a state of emergency.<sup>7</sup> In this (albeit highly contested and resisted) *coup d'état*, "governance and jurisdiction" was "handed over" to the commander in chief, Min

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5. 2022 UN Special Report, New threats to human security in the Anthropocene: Demanding greater solidarity. (<https://hs.hdr.undp.org>).

6. Al Jazeera. 1 February 2021. Full Text of Myanmar Army Statement on State of Emergency. Al Jazeera, 1 February 2021. (<https://www.aljazeera.com/news/2021/2/1/full-text-of-myanmar-army-statement-on-state-of-emergency>).

7. Al Jazeera. 1 February 2021. Full Text of Myanmar Army Statement on State of Emergency. Al Jazeera, 1 February 2021. (<https://www.aljazeera.com/news/2021/2/1/full-text-of-myanmar-army-statement-on-state-of-emergency>).

Aung Hlaing.<sup>8</sup> In response to the coup, a massive popular uprising emerged,<sup>9</sup> and a parallel government (the National Unity Government, NUG) is seeking to undermine the SAC's bid for absolute legislative, executive and judicial power.<sup>10</sup>

On that early morning of 1 February 2021, the sun went down on Myanmar civilians who woke up to the news of the military coup. This instilled fears and feelings of insecurity as peoples' lives became devastated, and they felt hopeless about the uncertain future. In the morning, all access to the internet was cut, and people started to feel the cut in information flow. Later, people learned that the president, U Win Myint, State Counsellor Daw Aung San Suu Kyi, and other activists had been detained in the early morning, around 2 am. Since that day, the military's tanks and cars have occupied the roads, a sight new to many of Myanmar's younger generations.

Since then, hundreds of thousands have taken to the streets to protest the military leadership and even more have joined the Civil Disobedience Movement (CDM) – an anti-coup movement where healthcare workers, teachers, and civil servants echo a “no recognition, no participation” message by refusing to tend to their posts under the new regime.<sup>11</sup> Three-quarters of Myanmar's approximately one million civil servants have since left their jobs in protest.

After the military coup, Myanmar civilians felt insecure about their future and started protesting to show their rejection of the military. Even though people showed their desire non-violently, the police and the military cracked down on protests violently. On 4 February 2021, fifteen people began a public protest movement in front of the medical university in Myanmar's central city of Mandalay, under the leadership of Dr. Tay Zar San, and four of

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8. With reference to, the 2008 Constitution's Article 418, sub article (a), see Al Jazeera. 1 February 2021. Full Text of Myanmar Army Statement on State of Emergency. Al Jazeera, 1 February 2021. (<https://www.aljazeera.com/news/2021/2/1/full-text-of-myanmar-army-statement-on-state-of-emergency>).

9. See Elliott Prasse-Freeman and Ko Kabya. 2021. Revolutionary responses to the Myanmar coup. *Anthropology Today*, 37, 3, (1-2), (2021).

10. About NUG. National Unity Government. Accessed on 17 July 2021. (<https://gov.nugmyanmar.org/about-nug/>).

11. Myat Thura, and Khin Su Wai, Nay Pyi Taw. Mandalay Healthcare Staff to Join 'Civil Disobedience' Campaign. *The Myanmar Times*, 2 February 2021.

them were subsequently arrested.<sup>12</sup> On 9 February the first killing of peaceful protesters happened in Naypyitaw. Mya Thwe Htwe Khaing was shot in the head, but the police said they did not use real bullets in the case.<sup>13</sup> After the case, people were angry, and the anti-coup movement became stronger all over the country. On 5 December whilst a group of youth were protesting non-violently at Yangon's Kyimyindaing Township, a military vehicle rammed the protest group. At least five people were killed and fifteen were arrested in this case.<sup>14</sup>

The severe violence facing civilians in the hands of the military led people to draw a quick conclusion that non-violent techniques would not suffice. After the youth realised the military would not return democracy to the elected government, many went to areas controlled by ethnic armed groups, where they started to learn how to use arms to protect themselves. Thus, an armed wing of the NUG has been formed, called the People's Defense Force (PDF), in order to parallel and counter, together with Ethnic Armed Organisations (EAOs), the SAC's *Tatmadaw*.<sup>15</sup> An estimated 300 People's Defense Forces have been established countrywide, organised to defend their respective villages and townships. Within 18 months, from 1 February 2021 to 31 July 2022, 4,679 armed conflicts happened; 3,107 of these were between the military and the EAOs, 1,380 were between the military and Local People's Defense Force (LPDF), PDF, 106 were between the military and combined EAO and PDF forces, 41 occurred between EAOs, and at least 20 were between EAOs and unknown armed groups.<sup>16</sup> Among the clashes, armed conflicts between the military and Ethnic Armed Organisations were the most frequent, and the number was nearly double in 2022 compared to 2021.<sup>17</sup> According to Institute for Strategy and Policy-Myanmar (ISP) data from 1 February 2021 to

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12. Myanmar Now. Undated. Four arrested in Mandalay after street protest against military coup.

13. BBC News. 19 February 2021. Myanmar coup: Woman shot during anti-coup protests dies.

14. Han Thit. 5 December 2021. Military Kills Peaceful Protesters in Rangoon. Myanmar Now.

15. National Unity Government of Myanmar. Four Commitments of the People's Defense Forces, 23 May 2021.

16. ISP. 23 May 2022. ISP Data Matter No-20, Conflict, Peace and Security.

17. Ibid.

15 March 2022, the number of clashes has fluctuated, peaking in April 2022 at nearly 600.<sup>18</sup> Over the subsequent four months, there were more than 600 clashes again.

But human security has been one of the most challenging issues facing Myanmar's civilians ever since independence from the British and the initiation of the world's longest civil wars. Several peace negotiations have, throughout the years, stalled or ended in heated debate between the military and ethnic armed groups and never have they focused on human security but rather various ideas about establishing a federal army, security sector development, and questions pertaining to the demobilisation, disarmament and reintegration of ethnic armed groups.

After the military coup, the military in Myanmar has continued to terrorise civilians, who are used as human shields as a kind of protection as has been commonly used by the military in armed conflicts with ethnic armed groups in the past. After the military coup, soldiers went to villages and arrested all the villagers found as well as some people who were hiding. They used civilians, including children, women and old people, as human shields to protect themselves from ethnic armed groups and People Defense Force's attacks and to avoid land mines.<sup>19</sup> According to local news agency Khit Thit Media, the military arrested 80 preschool children to use as human shields.<sup>20</sup> One member from the local defence forces in northwestern Chin said:

*They arrest our people and use as human shield...We are now avoiding them because we afraid our people will hurt and they are also arresting women.<sup>21</sup>*

Some of the arrested civilians were released but some of them were killed by the military. One of the Shwe Pyi Aye villagers said:

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18. Ibid.

19. Thura Maung, 11 January 2022. Soldiers use civilians as human shields during raid on PDF base in Sagaing, Myanmar Now.

20. Khit Thit Media, 28 February 2022. Found 7 dead body which were killed by the military and 50 motor bike and 5 cars were burnt down.

21. RFA, Saw Poe Kwar, CDF break fighting because the Military use Human Shield, 16 May 2021.

They are old people. They didn't die because of Covid-19. They died from the wounds they were beaten.<sup>22</sup>

According to the Institute of Chin Affairs, 53 innocent Chin civilians were arrested to be used as human shields and 10 were killed by the SAC troops in Chin State, which is one of the most conflict-affected states in Myanmar after the military coup.<sup>23</sup> It is difficult to collate the total number of human shield incidents at the country level.

As a result of the military coup, there have been more than 36,209 buildings and homes (including religious buildings) burnt down and destroyed from 1 February 2021 to 15 September 2022. The military also fired on houses when there were no armed conflicts. The spokesperson of the Chinland Joint Defense Committee (CJDC) said: *"There was no shooting that day."*<sup>24</sup> *It was deliberately set on fire by the military council"*. Across the whole country, March 2022 saw the highest number of homes and buildings destroyed.<sup>25</sup> Seventy per cent (25,377) of these were from the Sagaing Region, with Magway and Chin seeing the second- and third-highest numbers, with 8,119 and 1,175, respectively.

The military's brutal tactics have led to massive and rapid internal displacement and displacement to neighbouring countries. According to the United Nations High Commissioner for Refugees (UNHCR) publication on 12 September 2022, the number of internal displacement dramatically increased from December 2021, and the internal displacement number peaked at 9,865,000 on 12 September. Moreover, the displacement number to neighbouring countries is around 47,200.<sup>26</sup> According to one of the authors' own eye-witness account, crowds of people gathered in front of passport offices. The highest internally displaced people (IDPs) range is in

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22. Shan News. 22 December 2021. Two Men Dead Who Are Arrested from Phaeko Township.

23. Institute of Chin Affairs. 21 February 2022. Crimes and Atrocities Committed by the SAC Troops Against the Chin People During the Year Following the Military Coup: Section 5: Use of people as human shields.

24. Nyein Swe. 9 December 2021. More than 550 homes have been burned in Thantlang. Myanmar Now.

25. ISP. 23 May 2022. ISP Data Matter No-20, Conflict, Peace and Security.

26. UNHCR. Myanmar Emergency Overview Map, 12 September 2022.

Sagaing Region at 526,700, with Rakhine State and Kachin State following at 186,000 and 102,100, respectively. On the other hand, the ISP's estimate is higher than the UNHCR's. Based on the ISP data, the internal and external displacement up till 20 August 2022 is more than 2,930,201.<sup>27</sup> This number is half of the IDPs in Ukraine.<sup>28</sup> However, international interest in the IDP situation in Myanmar is still extremely low even though the rate is dramatically increasing. In the IDP camps, despite security challenges, local people are the major providers of food, shelter, alternative healthcare, and education.<sup>29</sup> However, the military has arrested and blocked the aid efforts. The Karen Human Rights Group (KHRG) Programme said:

*There are almost 200,000 IDPs in Karen state, and they are caught between the deliberate blocking of aid by the Myanmar military on one side, and lack of funding and bureaucratic red tape stopping aid reaching them from the other.<sup>30</sup>*

Even though there is international support for the IDP, it is still limited and less effective for the local people.

Women and children have been facing severe threats to human security during this period. In the early months of the military coup, many women and girls were arrested, and some were harassed by soldiers. "When the army guys get drunk at night, they take out the girls who have HD (sex movie) in her phones and they open the video. They make sexual harassment to the girls."<sup>31</sup> The secretary of the Women's League of Burma (WLB), Daw Nan Moh Mon, explains:

During the post-coup conflict, we have seen more widespread sexual violence and gang rape. ... We see that rape of women in the villages

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27. ISP. 1 September 2022. Data Matters, the IDP in Myanmar nearly 3 million.

28. IOM, OCHA, Protection Cluster, UNHCR and REACH, Update on IDP Figures in Ukraine, 5 April 2022.

29. Mizzima News. 12 June 2022. Report highlights humanitarian crisis in Karen State.

30. Ibid.

31. Irrawaddy News. 23 April 2021. Arrested young women are being sexual harassed.



has become widespread, especially the young children, old women, pregnant women, women who have just given birth.<sup>32</sup>

For example, on 11 November 2021, between 11pm and midnight three soldiers from the military came to a civilian home, and gang-raped a pregnant woman in front of her husband.<sup>33</sup> According to the Women's League of Burma report, an estimated 3,100 women were arrested and detained after the military coup.<sup>34</sup>

Also, children are always victims of conflicts. According to Assistance Association for Political Prisoners (AAPP), there were over 72 children killed by the military over a period of five months after 1 February 2021.<sup>35</sup> Children and youth in displacement-affected areas cannot go to school or receive training, which leads to adverse consequences, including interrupted learning, high economic costs, rise in dropout rates and increased exposure to violence and exploitation.<sup>36</sup> Children and youth in displacement-affected areas have limited access to protection and care, leading them to become forced into child labour, entered into early marriages, exposed to aggravated smuggling, subjected to human trafficking, and put at risk of violence and exploitation.<sup>37</sup>

### 3. THE EU'S APPROACH TO HUMAN SECURITY

The EU started to develop a doctrine for human security in 2004, when the then EU High Representative for Common Foreign and Security Policy, Javier

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32. VOA News. 26 November 2021. More women were subjected to violence under State Administration Council.

33. Tachileik News Agency. 17 November 2021. A pregnant woman was raped in front of her family by the coup army forces in Ep Sey Village, Titin Township.

34. Women's League of Burma (WLB). Written Submission of the Women's Advocacy Coalition Myanmar (WAC M) & Women's League of Burma (WLB) to the United Nations Human Rights Council on the situation of human rights for women and girls in Burma/ Myanmar, 12 September 2022.

35. Assistance Association for Political Prisoners. 25 June 2021. The Children who were killed by the coup d'etat.

36. See UNESCO. N.d. Adverse consequences of school closures. Available at (<https://en.unesco.org/covid19/educationresponse/consequences>).

37. UNICEF. (<https://www.unicef.org/migrant-refugee-internally-displaced-children>).

Solana, commissioned the Barcelona Study Report, titled "A Human Security Doctrine for EU".<sup>38</sup> The document recognised the change in the security global context, in which new security needs were emerging. In fact, five threats for the EU were identified, none of them purely military: terrorism, regional conflicts, failed states, the proliferation of weapons of mass destruction, and organised crime. The transnational nature of these challenges was acknowledged as a factor that made the EU's focus on defending its borders and containing threats away from European soil no longer realistic. In the face of new forms of instability that tend to spread, the EU felt the urgency to change its approach and to shift from military warfare to a new conceptualisation of security, one which took into consideration the effects of instability on populations. In this regard, for the first time, an EU document recommended replacing "state security" with "human security" as the priority for EU security doctrine. Specifically, "[a] human security approach for the European Union means that it should contribute to the protection of every individual human being and not only on the defence of the Union's borders, as was the security approach of nation-states"<sup>39</sup>. Three elements were identified as the main reasons for the EU to adopt a human security approach: the moral obligation to stand up to defend the security and the dignity of human life; the legal obligation of protecting human security, which is a narrower category of human rights; and the pragmatic interest of protecting the EU's own security by fighting threats whose effects can easily spread at the international level and directly affect Europe as well.

In order to implement the new human security strategy, the document highlighted a set of principles that represents a sort of checklist at the disposal of the EU's political, diplomatic, military and civilian stakeholders when implementing the new approach. The following principles were pointed out:

- the primacy of human rights, which have to be at the centre of any intervention and which should guide the elaboration of comprehensive responses to crises;

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38. A Human Security Doctrine for Europe, Barcelona, September 2004.

39. *Ibid.*, p. 5.

- clear political authority that is able to ensure human security, which relies on local consent;
- effective multilateralism, intended as a commitment to working with international institutions, respect of common rules and norms as well as general coordination between the intelligence, foreign policy, trade policy, development policy and security policy initiatives of EU member states and institutions and other international institutions or regional actors. This serves to prevent national or specific interests from affecting the implementation of the human security-driven response;
- bottom-up approach that takes into account the needs and the perspectives of people affected by violence and insecurity. This should imply an engagement with local communities for understanding in advance their needs, but also for monitoring and receiving feedback on the actions implemented on the ground, thus contributing to working on the prevention of further criticalities;
- regional focus, intended to address the cross-border effects of a crisis. This means that the action has to be focused not just on the state where the crisis is occurring, but also on supporting neighbouring states, where the side-effects of the crisis can spill over into;
- use of legal instruments (especially international law), in the sense of both assisting law enforcement on the ground (entailing investments in civilian law-enforcement capabilities) and applying sanctions whenever the actors involved break international norms as well as following legal procedures for punishing perpetrators of human-security violations;
- appropriate use of force, entailing that military missions abroad cannot come at the expense of civilian casualties or privilege the lives of those who are deployed rather than those of locals.

With these elements in mind, the document reflected also on the need to change the methodology of doing missions in third countries, towards improving the synergies of the military and civilian components so as to achieve better coordination and integration between them. In this regard, the report suggested the creation of a Human Security Response Force (HSRF), composed of military and law enforcement personnel as well as civilian profes-

sionals involved in the fields of judiciary, human rights, police, humanitarian aid, etc. At a moment when the reform of the High Representative for Foreign and Security Office had just been approved, the debate around the HSRF was thought to provide the EU with tools for shaping a new engagement in international affairs.

The increase in the sensitivity toward the concept of human security was also confirmed by the reference inside the draft of the EU Constitution of its principles. Art. 4 of the draft stated:

In its relations with the wider world, the Union shall uphold and promote its values and interests. It shall contribute to peace, security, the sustainable development of the earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and protection of human rights and in particular children's rights, as well as to strict observance and development of international law, including respect for the principles of the United Nations Charter.

Even if the text was not eventually ratified, the spirit of the new approach to security remained in European policymaking.

Therefore, since 2003, Europe has started to link the pursuit of the EU's security goals and interests to the promotion of its core values. The attention for developing a new attitude toward security was addressed in 2007, when the EU designed a new broader strategic narrative for human security, enshrined in the Madrid Report, also known as *A European Way of Security*. The differences with previous reports were not the principles but the different backgrounds characterised by the Lisbon Treaty, which gives the EU full legal personality and to the EU its own strategy for the protection of human security, characterised by three main proposals: the Public Declaration of Human Security Principles, a new Strategic Framework for European Security and Defence Policy (ESDP) and the human security section of the European Security and Defence Policy. The Madrid Report summarised the multidimensional nature of human security as the rethinking of three traditional concepts: crisis management, intended not just as the stabilisation of conflicts but also as the ability to address the security of individuals and communities; conflict prevention, entailing the principles of bottom-up approach and effective multilateralism to address the vulnerabilities and the factors that can be further jeopardised during a crisis; civil-military cooperation, which has to form the basis for the coordination, integration or synergies between the

two parts inside a traditional conflict “toolkit” for reflection on how and why civil and military capabilities are combined<sup>40</sup>.

Moreover, in 2015 the Berlin Report, *From Hybrid Peace to Human Security: Rethinking EU Strategy towards Conflict*, inaugurated a second generation of the human security approach, which was further relaunched in the Global Strategy for the European Union’s Foreign and Security Policy (EUGS), adopted in 2016. The concept of the second generation of human security was based on the adaptation of the principles of the human security approach to the contemporary environment. By overcoming the traditional top-down approaches to violence, which fail to recognise the interlinkages among the different vulnerabilities that are fed by violent actions, the second generation of human security combines approaches of prevention, early warning, crisis response, and reconstruction activities. In this sense, examples of tools being used for implementing this strategy are: the development and application of solutions that foster legitimate political authority; the support for local ceasefires and civil society, for creating the conditions for peace processes; the adoption of economic and justice measures to fight against the illegal economy, etc<sup>41</sup>.

With the EUGS, the EU acknowledges the necessity to adopt an integrated approach to managing conflicts and crises as one of the pillars of its external action policy. The “integrated approach” is multidimensional, in terms of the ability to comprehend different policies; multiphase, as it considers three phases of a crisis, such as prevention, resolution and stabilisation; multilevel, as it takes into account different levels of governance (local, national, regional and global); multilateral, as it indicates the EU’s willingness to commit to both actors on the ground and partners.

Moreover, the new approach sets out four priorities in dealing with violent conflicts and crises<sup>42</sup>:

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40. Albrecht, U., Chinkin, C., Dervis, K., Dwan, R., Giddens, A. and Serra, N. A. R. C. I. S. 2004. A human security doctrine for Europe: the Barcelona Report of the Study Group on Europe’s Security Capabilities.

41. M. Kaldor, and S. Selchow. 2020. The EU Global Strategy and contemporary conflicts – how much second-generation human security is possible?, Routledge.

42. Ibid.

- pre-emptive peace, which aims at promoting a new political culture of acting in advance to prevent the exacerbation of criticalities, leading to conflicts. Monitoring and early warning are considered two pillars for conflict prevention;
- security and stability, which entails for the EU to play a more active role in building peace and protecting human lives, notably civilian lives. It also means that the EU considers enhancing its capabilities to enable it to provide the security conditions in the case of peace agreements or transitional governments, to deal with the spillover of insecurity across borders as well as to provide legitimate institutions with the capacity to deliver basic services, in order to avoid any further escalations of violence;
- conflict settlement, to be achieved with a twofold strategy. On one hand, it entails to engage with local authorities, in order to assure the delivery of basic services, and to interact with the civil society, for identifying the interlocutors who can be supported for the promotion of human security and reconciliation. On the other hand, the strategy implies, when possible, the facilitation of an inclusive governance system through diplomacy;
- political economy of peace, which includes actions for fostering the legitimate economy (such as the delivery of humanitarian aid), the creation of the channels for delivering the EU's support through coordination between humanitarian and development assistance, and the adoption of sanctions, in accordance with international and EU law.

However, despite the increasing attention to implementing a new approach that can promote the EU as a global actor in the international arena, the differences in the national priorities of member states are jeopardising the role that the Union can effectively play in the scenarios it is interested in.

## **The EU in Southeast Asia**

The implementation of a human security doctrine, for example, could be an important asset for the EU's engagement with Southeast Asia. In fact, the region is increasingly central in the European international agenda and Brussels wants to be considered not just as an economic interlocutor but also as

a relevant political partner. This tendency has been proven by the EU-ASEAN Strategic Partnership (agreed on in 2020) and the EU Strategy for Cooperation in the Indo-Pacific (2021). In both cases, the EU foresees the need to engage in a comprehensive way a region that is considered crucial for the EU's own strategic interests. Even if in both cases there is no specific reference to human security, the holistic approach set by the EU for drawing the pathway of the relations with regional actors opens a window of opportunity for a stronger application of the human security doctrine in this scenario.

Even though the concept of human security started to appear only in the early 2000s, Southeast Asian countries have addressed the concept in the last ten years. A first reflection on this topic was presented by the Association of Southeast Asian Nations (ASEAN) in 2000, when for the first time the Association started to consider the possibility of balancing territorial security with individual security<sup>43</sup>, but it then concluded that the former was a prerequisite for ensuring the latter. The COVID-19 pandemic has made the topic of human security more of a focal point in ASEAN's internal debates. The ASEAN Comprehensive Recovery Framework (ACR) (2020), which provides mid- to long-term measures and funding to assist the recovery of national economies after the economic crisis caused by COVID-19, includes among its strategy the need for "strengthening human security [...] that puts the welfare of people at the core, by strengthening the protection and empowerment of all people and all communities in COVID-19 recovery and beyond"<sup>44</sup>. The ACR also identifies the priorities to focus on for achieving this goal: Social protection and social welfare, especially for vulnerable groups; Food security, food safety, and nutrition; Promoting human capital development (digital skills, reskilling employment, building programmes focused on women and the youth, contribution of rural areas); Ensuring responsive labour policies; Mainstreaming gender equality; Mainstreaming human rights in the process of post-pandemic recovery. However, ASEAN does not consider human security in the broader framework of the relationship between states and individuals and especially when it comes to including the preservation of human rights or civil liberties the positions of member states diverge.

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43. M. C. Abad Jr. 2000. *The Challenge of Balancing State Security with Human Security*.

44. ASEAN Comprehensive Recovery Framework. 2020. ([https://asean.org/wp-content/uploads/2021/09/ASEAN-Comprehensive-Recovery-Framework\\_Pub\\_2020\\_1.pdf](https://asean.org/wp-content/uploads/2021/09/ASEAN-Comprehensive-Recovery-Framework_Pub_2020_1.pdf)).

The lack of a specific definition of human security does not mean that the Association is not aware of the urgency to work on this front and to put the security of its population at the centre. However, the differences among member states in defining the framework for defining human security as well as the tools for ensuring it are still adversely affecting the consolidation of a consensus on this concept.

Thus, while human security has not always been an explicit goal on the EU's global agenda, at the time of its increased engagement in Myanmar, the EU had incorporated human security, not as an explicit part of doctrine or policy, but into its thinking.<sup>45</sup> In this regard, a first case where the EU could start to test the implementation of its human security doctrine in its relations with ASEAN is Myanmar. However, the comprehensive principles that the EU human security agenda entails will likely prove a challenge to implement due to the complex realities forced upon EU engagement in a country like Myanmar. Moreover, the lack of a common understanding of what human security is and which framework is to be taken into consideration for developing policies that are caring about the wellbeing of people represent an obstacle.

## **4. TRANSLATING THE EU'S HUMAN SECURITY AGENDA TO MYANMAR AFTER 2011**

### **A Brief Introduction to EU Engagement in Myanmar**

The European Union has been present in Myanmar since the early 90s (with a bilateral aid programme active since 2004). The primary focus of early aid was on healthcare, Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) programmes, and repatriation schemes for returnees.<sup>46</sup> The first country-specific EU aid strategy for Myanmar was drafted in 2007 and in 2008 EU assistance supported the recovery after cy-

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45. Kotsopoulos, John. 2006. A human security agenda for the EU?, EPC Issue Paper No. 48.

46. Simion, Kristina. 2021. Rule of Law Intermediaries: Brokering Influence in Myanmar. Cambridge University Press.



clone Nargis.<sup>47</sup> That same year, the European instrument for human rights and democracy was introduced; however, in the Myanmar context the name was changed to “good governance country-based support scheme”, because “[o]therwise – if keeping human rights, etc. in the name – the government would know about it too easily and people would get jailed”.<sup>48</sup> Both 2007 and 2008 were grim years for Myanmar’s human rights record, with the ruling military constellation having brutally suppressed what has become known as the “Saffron Revolution”, a series of economic and political protests and demonstrations with the country’s monkhood at its forefront, in 2007, and then disastrously mismanaging the humanitarian support operation after the country’s most devastating natural disaster, Cyclone Nargis, in 2008. During these years, the EU remained cautious in their dealings with Myanmar’s ruling junta, continued to impose harsh sanctions, and presented resolutions on the human rights situation in the United Nations General Assembly and Human Rights Council.

In 2011 the world became more receptive to closer engagement with Myanmar after the country’s government emerged in its civilianised version.<sup>49</sup> An increase in development assistance was seen in sectors that worked on democratisation, governance, rule of law, security, and justice. Even though aid links had already been established before the transition, especially in the aftermath of Cyclone Nargis in 2008,<sup>50</sup> the historic event of the political opening of one of the world’s “last frontiers” in terms of authoritarian pariah states meant that civil society, the Myanmar government, and foreign development agencies were able to meet in-country and work to accommodate

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47. Myanmar (Burma) and the EU. 2016. ([https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu\\_en](https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu_en)). After Nargis, the EU and its member states became the biggest donor of development assistance and humanitarian aid to Myanmar. Naing Naing Aye. 2013. *EU-Myanmar Relations: Towards Greater Engagement*, Institute for Security and Development Policy.

48. Interviewee #32, 30 November 2014, cited in Simion 2021.

49. See, e.g., Skidmore, Monique, and Trevor Wilson. 2010. *Perspectives on a Transitional Situation*. In *Ruling Myanmar: From Cyclone Nargis to National Elections*, edited by Nick Cheesman, Monique Skidmore, and Trevor Wilson. Singapore: ISEAS Publishing.

50. Décobert, Anne, and Tamas Wells. 2020. Interpretive Complexity and Crisis: The History of International Aid to Myanmar. *European Journal of Development Research* 32 (2):294–315, 2020.

increased development project supply and funding.<sup>51</sup> The previously isolated regime thus re-engaged with the international community in various forms to attract foreign investments or to seek assistance with processes of political or social change. A changed political climate was followed by the relaxation of foreign sanctions (the country had for decades been subject to one of the toughest sanctions regimes globally, Pedersen 2008) and in 2012 a new foreign investment law was passed that eased legal restrictions on foreign investors. Several other laws were repealed or drafted to create a legal infrastructure to support an internationalised market economy.<sup>52</sup> Paradoxically, while the government illustrated its commitment to “reforms” through this range of activities, the carefully crafted 2008 Constitution remained an instrument with which the military continued to control Myanmar at its will (Crouch 2019), and to which donors seemed to turn a wilful eye.

This was when the pace of EU activities in the country accelerated and the EU more actively presented itself as a “partner of Myanmar in its transition”<sup>53</sup> and changed its approach from one of caution to close collaboration. In 2012, after suspending its sanctions, an EU office was opened in Myanmar’s economic capital, Yangon, to facilitate increased trade with the European market as well as closer cooperation on peace, security and the rule of law. In 2013 the EU lifted all sanctions on Myanmar with the exception of an arms embargo<sup>54</sup> and in a joint 2013 statement, the presidents of the European Council, European Commission, and Republic of the Union of Myanmar agreed to a partnership to transform “Myanmar into a modern democracy”, to “achieve a lasting peace”, and to “promote human rights and the rule of law”.<sup>55</sup> The same year an EU Delegation was opened and an

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51. Ware, A. 2013. Supporting National Transition in Myanmar with Development Assistance, *Journal of International Studies* 9 (1):47–57, 2013.

52. Turnell, Sean. 2014. Legislative Foundations of Myanmar’s Economic Reforms, In *Law, Society and Transition in Myanmar*, edited by Melissa Crouch and Tim Lindsey. London: Hart Publishing.

53. See, e.g., Myanmar (Burma) and the EU. 2016. ([https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu\\_en](https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu_en)).

54. Bunte Marco and Portela, Clara. 2012. Myanmar: the beginning of reforms and the end of sanctions. GIGA Focus International Edition, 3.

55. See Myanmar (Burma) and the EU. 2016. ([https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu\\_en](https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu_en)).

EU-Myanmar Task Force meeting was convened to discuss EU instruments to support democratisation. A high-level Human Rights Dialogue also took place.<sup>56</sup> In terms of practical implementation, to support human security, the first EU-funded police project, Instrument contributing to Stability and Peace (IcSP), titled “Support for the reform of the Myanmar Police Force in the areas of crowd management and community policing”, was also implemented that year.<sup>57</sup>

In 2015, after the widely lauded 2015 elections when Aung San Suu Kyi and her National League for Democracy (NLD) party won a landslide victory (BBC News Asia 2015) the EU deepened its connections to the new government. EU-Myanmar collaboration on several sectors were ongoing even though illiberal practices were fully ingrained in the country’s political leadership as discrepancies between Myanmar’s proclaimed transition and actions in practice were ever so evident, as seen in the rising prevalence of extremist monks who had previously stood up for democracy, the deterioration in interfaith contact, and the extensive intolerance of Muslim minorities.<sup>58</sup> Nevertheless, the EU in 2016 launched a comprehensive strategy in support of Myanmar’s reforms. The 2016 EU strategy – presented as a tool for “making the EU one of the country’s major donors” – focuses on aspects of human security in its support to institutional reform, the security sector and peacebuilding through cooperation with local governments, the justice sector, parliaments and civil society.<sup>59</sup> Myanmar benefits from the second largest bilateral development cooperation budget in Asia (€688 million) and the EU is a key provider of humanitarian assistance for vulnerable populations across the country.<sup>60</sup>

It is evident from this overview that the EU has supported security reforms in Myanmar since before the coup and that it stands together with the

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56. See Myanmar (Burma) and the EU. 2016. ([https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu\\_en](https://eeas.europa.eu/delegations/myanmar-burma/1569/myanmar-burma-and-eu_en)).

57. European Commission. 2020. External evaluation of European Union’s Cooperation with Myanmar (2012-2017), Main Report, 2020.

58. Roman David and Ian Holliday. 2018. *Liberalism and Democracy in Myanmar*. Oxford University Press.

59. EU Multiannual Indicative Programme (2014-2020) Myanmar/Burma.

60. European Union External Action. Factsheet, Myanmar: EU Support for the peace process.

Myanmar people. After the military coup in 2021, the EU released a statement against the military coup which mentioned a request for the release of President U Win Myint, State Counsellor Daw Aung San Suu Kyi and all other detainees.<sup>61</sup> Moreover, the European Trade Union Confederation (ETUC) also expressed solidarity with Myanmar's workers. In its statement, it mentioned 13 points for international institutions, the European Union and EU member states.<sup>62</sup> Later the EU released three statements and the most-mentioned issue was the military's commitment of human rights violations against unarmed protestors, the media, doctors and other civilians. In the statement of 26 February, the EU mentioned its support for UN Special Envoy Schraner Burgener and encouraged the military to allow her to enter the country and to meet with all stakeholders, including President U Win Myint and Daw Aung San Suu Kyi.<sup>63</sup>

The EU also released a statement that mentioned that the spiralling of the violence was leading to civil war, which threatened neighbouring countries and international peace and security. Moreover, the EU also froze and paused assistance projects under the government's control.<sup>64</sup> Since then, the EU has supported ASEAN's role in seeking an end to the crisis. Several EU and ASEAN statements (see Annex) have since condemned the military coup, and encouraged the new regime to respect human rights and to stop the violence.

## European Union Support to Human Security

Following from the discussion above, also in Myanmar, when the pace of EU support accelerated after the political opening in 2011, human security was not an explicit goal on the EU's agenda; however, it was obviously present

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61. EU: Myanmar, Statement by the High Representative/Vice-President Josep Borrell, 1 February 2021.

62. European Trade Union Confederation. 9 February 2021. ETUC statement on Myanmar's coup: endorsed by the Extraordinary Executive Committee at the meeting of 9 February 2021.

63. EU. 26 February 2021. EU Statement - United Nations General Assembly Myanmar, 26 February 2021.

64. EU. 19 April 2021. EU Statement – United Nations Security Council: Arria-formula meeting on Myanmar, 19 April 2021.

in a combination of the EU's support activities. In the EU's 2016 Programme the concept is mentioned in relation to "peace and national reconciliation":<sup>65</sup>

Peace is a pre-condition for consolidating democracy, promoting development and protecting human rights. If the peace process is derailed, inter-communal violence continues and security remains elusive, all other development assistance will risk being ineffective ... In the long term, peacebuilding requires more legitimate national and regional institutions, strengthened *human security* [emphasis added] and community resilience, means to address injustice and viable employment and livelihood opportunities.

The document defines human security as a concept that "focuses primarily on protecting people while promoting peace and assuring sustainable development. It emphasises aiding individuals by using a people-centred approach for resolving inequalities that affect security" (2016, 3). Furthermore, EU support focuses on several sectors, many of which could arguably increase human security were they to lead to sustainable change.<sup>66</sup>

One way of highlighting the EU's work in terms of human security is to focus our analysis on activities that arguably seek to create an environment for individuals to live in with "freedom from fear", i.e., removal of force and violence from an individual's daily lives. This is a security agenda that focuses on the security of individuals (and a wider scope of threats such as discrimination and political repression) as opposed to the security of the state and its territory.<sup>67</sup>

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65. Roman David and Ian Holliday. 2018. *Liberalism and Democracy in Myanmar*. Oxford University Press; see also Stokke, Kristian, and Soe Myint Aung. 2020. Transition to Democracy or Hybrid Regime? The Dynamics and Outcomes of Democratization in Myanmar. *European Journal of Development Research* 32 (2):274-93.

66. Also, in addition to bilateral aid, several of the EU's thematic and regional programmes arguably have elements of human security strengthening, for example, the European Instrument for Democracy and Human Rights aimed at strengthening democracy, rule of law, and respect for human rights and fundamental freedoms, and Instrument contributing to Stability and Peace, which aims to support the prevention of conflict, post-conflict political stabilisation and early recovery after natural disasters.

67. United Nations Development Programme. 1994. *Human Development Report, 1994*; United Nations. 2017. *Human Security Handbook*.

During the EU's most intense collaborative years in Myanmar, support was targeted towards institutional reform, the security sector, and peacebuilding through cooperation with local governments, the justice sector, parliaments and civil society.<sup>68</sup> In the analysis that follows, we review three initiatives that focus on police reform, justice reform and peacebuilding, as examples of the EU's work on human security in Myanmar during the country's transitional decade. The three cases are interesting in light of the 2021 coup, in the aftermath of which the justice support project is ongoing, support to the police force was quickly halted and support to peacebuilding (especially the Nationwide Ceasefire Agreement process) has stalled/been deemed a failure.

To provide a focused analysis of the EU's approach towards human security (as well as its failures), we thus provide select examples of EU support to programmes that relate to broader questions of human security. For example, the 2016 country programme discusses the need for security sector reform under its theme "Governance, rule of law, state capacity building".<sup>69</sup> A key emphasis is put on renewed support to reforming the Myanmar Police Force (earlier supported under the Instrument for Stability and Peace project) "to contribute to a more preventive, balanced and professional approach based on international best practices and respect for human rights" as well as broad aspects of accountability.<sup>70</sup> As part of the justice chain, emphasis is also put on support to enhancing justice for the poor, illustrated by the major funding allocation to the MyJustice programme. The EU's work on peacebuilding seeks, *inter alia*, to protect human rights and to prevent inter-communal violence and insecurity, especially in several border regions where conflict has been ongoing for decades, leading to constant insecurity and displacement, and as such represents an important tool for promoting human security. Next, we review these three initiatives as examples of the EU's work on human security in Myanmar.

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68. EU Multiannual Indicative Programme (2014-2020) Myanmar/Burma.

69. EU Multiannual Indicative Programme. 2016.

70. EU Multiannual Indicative Programme. 2016.

## MyJustice

The European Union-funded MyJustice Programme started out as a smaller initiative that provided grants to local civil society organisations and law firms to set up justice-related projects. The MyJustice Programme aimed to improve access to justice, through legal aid, community mediation and paralegal services, especially for the poor, vulnerable, and marginalised.<sup>71</sup> Through the programme, legal aid centres were thus established across the country.<sup>72</sup> This initial work was facilitated by a humble and culturally sensitive project manager at the British Council (BC), which implemented the EU's €20 million budget.<sup>73</sup> Having spent significant time in Myanmar during the previous military rule, the project manager was knowledgeable of the local context and was quick to see the potential openings for more justice-related work after the political opening in 2011.<sup>74</sup> Through informal negotiations with the EU representative in charge, local organisation "Loka Ahlinn" was selected to implement the project together with the BC.<sup>75</sup> The decision by the EU to support an organisation like Loka Ahlinn was a bold one. Having been described as an "atypical" rule-of-law organisation, without previous experience of handling such large sums of money, and made up mainly of artists and "wishy-washy" people, it would not have been an obvious choice for such a major justice project with a funder the size of the EU. That initial decision to partner with Loka Ahlinn arguably laid the ground for the Programme's long-term contextually informed work on justice-related research and practice. The organisation's well-established country-wide networks and influence mattered more for its ability to achieve local change as compared to those organisations that more obviously branded themselves to match

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71. British Council. 2015.

72. British Council. 2015.

73. After four years of engagement of the EU in supporting access to justice for the vulnerable, the European Union scaled up its support for work on rule of law in Myanmar through the second phase of the MyJustice programme, with a budget of EUR 20 million, see (<https://www.myjusticemyanmar.org/blog/eu-ambassador-introduces-second-phase-myjustice-programme>).

74. See Simion. 2021.

75. Loka Ahlinn also ran an earlier BC-funded "Capacity Building for Rule of Law Promotion" project in Myanmar (Namati: Innovations in Legal Empowerment n.d.).

donors' rule-of-law idioms, which in turn contributed to the longer-term impact of the MyJustice Programme.

The Programme went into an expanding phase, which was again facilitated by context-aware recruitment. This time, an Australian law and justice expert with experience from work on other countries in the region and from working closely with government ministries in the capital, Naypyidaw, was recruited as the new team leader. With country wide-networks and as an appreciated face at most major law and justice events, the team leader helped move the Programme towards a more exploratory phase alongside its active engagement and support for local civil society organisations and law firms.

While most donors at the time were exploring opportunities to support the formal legal system, robust empirical research showed that Myanmar people were going nowhere near the formal system, but instead trusted the informal system overwhelmingly. These findings were used to convince the EU to further focus the programming on customary and non-state justice mechanisms as a way to further human security. As expressed by a former MyJustice team member:

MyJustice was taking a bottom up and people-centred approach to programming [which] also goes a long way in explaining how and why it can continue [after the 2021 military coup] to be effective and adaptive. All of its research/assessment went into (and continues to support) better understanding of what people need to prevent and resolve their justice problems and designing appropriate interventions in a participatory manner. (e-mail communication with Simion, 23 February 2022)

The MyJustice Programme was thus based on a tradition, furthered by its two initial team leaders, that understood the importance of analysing (through empirical and ethnographic research) the system before implementing projects. These research analyses led to informal and customary systems, which for the individuals involved were the most formal option available. These systems enjoyed a lot of legitimacy, while the formal system was not trusted at all. By relying on ethnographic data, team members from MyJustice were able to bring empirical evidence to donors, thus making constant efforts to keep them (as well as the Myanmar government) interested.



When relying on data and evidence and it is easier to engage.<sup>76</sup> Then, trust-building with local communities was done through long-term engagement in Myanmar's diverse ethnic areas, where skills-based training on negotiation was carried out. This led to trustful relationships being established which then in turn enabled an environment where questions around human and women's rights, related to peoples' everyday realities, could be discussed. Emphasis was put on working with community-based organisations to nurture, empower, and support local champions.<sup>77</sup>

After the military coup, the MyJustice Programme webpage, which usually showcases the breadth of local partner organisations, has omitted all such information. This is a sensitive approach to take considering the security threats local civil society organisations and lawyers are under once again. The lawyers who have been partners of MyJustice during Myanmar's political opening continue to defend the legal rights of civilians facing severe force and violence from the military. In the absence of Myanmar national interests to foster human security, they provide viable non-state alternatives for human protection.

## Peacebuilding

In 2012, a joint declaration on the EU's support to peacebuilding in Myanmar by President of the European Commission and Union of Myanmar Minister at the President's Office emphasised the historic opportunity for building lasting peace in Myanmar:

The prospect of creating trust, building peace, enhancing the respect for human rights and helping economic prosperity in regions emerging from violent conflict must not be missed. The Government of the Republic of the Union of Myanmar and the European Union are determined to cooperate closely in this joint endeavour.<sup>78</sup>

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76. Notes taken at the Working Group on Customary and Informal Law, Inaugural Meeting High-level dialogue, 18 November 2021.

77. Notes taken at the Working Group on Customary and Informal Law, Inaugural Meeting High-level dialogue, 18 November 2021.

78. European Union. 2012. Joint declaration on EU support to peace-building in Myanmar.

A central aspect of the EU's support to the peace process in Myanmar became the optimistic belief in a mechanism that involved "peace centres" as key brokers of peace amongst all the different sectors of society. To that end, the joint declaration continues:

The Government of the Republic of the Union of Myanmar and the European Union expect and believe that the Myanmar Peace Centre will be a key element for achieving a just and lasting peace in Myanmar. The European Union is keen to support the Myanmar Peace Centre in the carrying out of its important mandate.<sup>79</sup>

The top-steered and authoritarian style of the Myanmar Peace Centres was noticeable already at its establishment. Unusual in comparison with peace centres globally, this organisation was appointed by the Myanmar president and military-controlled government to broker peace with ethnic armed groups that for decades had been the exact same government's main enemies.<sup>80</sup> It is difficult to see how this set-up should be welcomed and trusted in ethnic-controlled areas as a bottom-up and people-centred initiative for peace. The structure, with its main office in Yangon, served as "the government's vehicle for negotiating meetings with the ethnic armed groups in order to achieve long-term accommodation and peace" but little emphasis was put on the demands and needs of Myanmar's diverse regions.<sup>81</sup>

That support to the peace process was one of the EU's top priorities in its quest for contributing to regional stability, as seen in its statements regarding such support:

The Comprehensive Framework for the European Union's policy and support to Myanmar/Burma adopted by Foreign Affairs Council on 22 July 2013 identifies support for Myanmar's domestically driven peace process as a priority. Consecutive Council conclusions on

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79. European Union. 2012. Joint declaration on EU support to peace-building in Myanmar.

80. Ganeshan. 2014. The Myanmar Peace Center: Its Origins, Activities, and Aspirations. ([https://s-space.snu.ac.kr/bitstream/10371/92341/1/08\\_N%20Ganesan\\_DOI.pdf](https://s-space.snu.ac.kr/bitstream/10371/92341/1/08_N%20Ganesan_DOI.pdf)).

81. Ganeshan. 2014. The Myanmar Peace Center: Its Origins, Activities, and Aspirations. ([https://s-space.snu.ac.kr/bitstream/10371/92341/1/08\\_N%20Ganesan\\_DOI.pdf](https://s-space.snu.ac.kr/bitstream/10371/92341/1/08_N%20Ganesan_DOI.pdf)).

Myanmar further confirm this commitment. In its high-level political dialogue, including two rounds of EU-Myanmar Human Rights Dialogue, the EU has welcomed the commitment of the government of Myanmar to the peace process and the progress towards a nationwide ceasefire agreement. The EU has consequently encouraged the government to launch as a next step an inclusive national political dialogue with ethnic armed organisations and other stakeholders. In its previous statements, the EU called for an immediate end to hostilities and for dialogue towards a settlement of conflicts. It stressed the urgency of providing unhindered access for humanitarian relief to the displaced population. In Myanmar, the EU has actively reached out to both the government and the ethnic armed organisations (EAOs) encouraging them to continue the process. The EU plays a key role in the Peace Support Group coordinating the international community's support for Myanmar's peace process.<sup>82</sup>

In coordination with other major peace donors, the EU set up a Joint Peace Fund and supported negotiations that led to the 2015 National Ceasefire Agreement. Through the Shalom Foundation, the EU also provided support to ethnic leaders in negotiations with the new government for the next phases of the peace process.<sup>83</sup> The EU arguably believed that support to the peace process would help consolidate wider government-driven reform processes.

In 2015, the EU was invited to sign the Nationwide Ceasefire Agreement (NCA) as an international witness. While the NCA has been described, by the EU, as paving "the way for the start of a broad-based and inclusive national political dialogue as the next phase towards lasting peace and national reconciliation"<sup>84</sup> it is a process that has been widely criticised due to its non-inclusivity and only marginal impact due to the limited amount of total fighting forces it actually includes. In Myanmar, support to the peace process,

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82. European Union External Action. Factsheet, Myanmar: EU Support for the peace process.

83. European Union External Action. Factsheet, Myanmar: EU Support for the peace process.

84. European Union External Action. Factsheet, Myanmar: EU Support for the peace process.

even when well-intentioned, was structured in a way that lent support to government-approved structures, rather than focused on real issues facing communities.<sup>85</sup>

Also, as part of the peace process, the security sector became one of the key sectors for discussions between the government, the military and ethnic armed groups, with a lot of debate regarding the meaning and role of a single military and federal military. Ultimately, there were too many disagreements on the security sector and its role, with the focus on Security Sector Reform and Demobilisation and Reintegration (SSR/DDR) rather than on human security. Even though human security should be discussed to get more common ground agreement in the peace union as trust building instead of discussing on most sensitive issue, SSR/DDR. The peace process and the signing of a National Ceasefire Agreement went through several ups-and-downs with deals being signed, ceasefires broken, key civil society actors, women and youth being excluded from negotiations, and distrust between the government and ethnic armed groups deepening. After the military coup, all forms of political and peace agendas ended. The arrest of the president, state counsellor, other chief ministers, and famous activists meant a deathblow to the NCA discussions since the process would not be legitimate without the participation of the government side.

The geo-political interests at stake were perhaps never carefully scrutinised against the challenged state legitimacy in a country where state-society relations are unexperienced.<sup>86</sup> While support for the nationally owned peace process has been a priority for EU engagement with Myanmar, was the EU too focused on establishing a state-driven initiative for peace? One that ultimately was focused more on state security rather than human security? Perhaps an approach mimicking that shown in the example of the EU's justice work above would have been more capable of establishing long-lasting people-centred opportunities for genuine peace.

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85. See South, Ashley. 2018. 'Hybrid Governance' and the Politics of Legitimacy in the Myanmar Peace Process, *Journal of Contemporary Asia*, 48:1, 50-66.

86. See South, Ashley. 2018. "Hybrid Governance" and the Politics of Legitimacy in the Myanmar Peace Process. *Journal of Contemporary Asia*, 48:1, 50-66.

## Police Reform

*It is difficult to envisage the reform of Burma's police force being successful, if the other reforms being proposed by President Thein Sein strike significant problems. As is so often the nature of things in Burma, political, economic, social and other factors are all inextricably bound together, so that action – or inaction – in one sector invariably has an impact on others. (Selth 2014, 22)*

In early 2020, a local newspaper in Myanmar reported that a new home minister had been appointed.<sup>87</sup> As a lieutenant general and former head of the Office of Military Security Affairs, the new head of the Home Affairs Ministry, which oversees the country's police force, pledged to apply the rule of law in the country as a tool for combating crime related to conflicts with ethnic armed groups and drugs. The minister stressed the need for the people's co-operation in solving crimes together with the police so as to ensure the rule of law. His statement can be interpreted more as emphasising the role of the police force as one that upholds law and order rather than one that protects people-centred security and substantive rights. A year later, after the 2021 military coup in Myanmar, images of police forces beating protestors spread across the world and critical voices were quick to condemn foreign capacity-building projects that sought to transform Myanmar's dreaded police force.

After the political opening in 2011, several foreign donors initiated projects that sought to develop the capacity of the Myanmar Police Force (MPF)<sup>88</sup>, with a view to delivering policing with a human security focus in mind. The focus of these reform initiatives was a militarised, brutal and dreaded police force that lacked public trust.<sup>89</sup> The EU, with its long-term experience in security sector reform, was a given donor to this quest.<sup>90</sup>

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87. Myanmar Times. 2019. New home minister pledges rule of law.

88. Selth, Andrew. 2013. Police Reform in Burma (Myanmar): Aims, Obstacles and Outcomes. In Regional Outlook Paper No. 44, edited by Griffith Asia Institute.

89. Ibid.

90. Other donors included The United Nations Office on Drugs and Crime (UNODC), and the Australian Federal Police.

In early 2013 the office of the President and Aung San Suu Kyi as the chairperson of the Parliamentary Committee for Rule of Law and Tranquillity “approached the EU with requests to assist with training of the Myanmar Police Force in both crowd management (including human rights aspects) and community policing”.<sup>91</sup> As a response, the EU started a pilot project to support the reform of the Myanmar Police Force.<sup>92</sup> The European Commission (EC) thus contributed €9.5 million over 18 months through the Instrument for Stability (IfS) to the project “Support to Reform of the Myanmar Police Force in the areas of crowd management and community policing” (implemented between 2013 and 2015).

International Management Group (IMG) was responsible for implementing the project through a joint management model. The model meant that the IMG implemented the project in partnership with specialist organisations (often from EU member states) in consultation with and under the strategic guidance of the EU Headquarters or Delegation.<sup>93</sup> The project’s overall objective was to strengthen the capacity of the Myanmar Police Force, and it aimed to

contribute to preventing and reducing communal, inter-religious and protest related violence in Myanmar/Burma by helping to ensure a preventive, balanced and professional approach by the Myanmar Police Force in the areas of crowd management and community policing, based on best international practice and respect of human and fundamental rights, thus contributing to stability and helping to preserve the conditions essential to the country’s development and to delivery of EU assistance, in line with article 1(2)(a) of the IfS Regulation.<sup>94</sup>

Moreover, the project focused on the police force’s accountability, relationship with civil society, trust-building (information sharing and coopera-

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91. EU Multiannual Indicative Programme. 2016, pp. 19-20.

92. EU Multiannual Indicative Programme. 2016, pp. 19-20.

93. International Management Group, Support to Reform of the Myanmar Police Force in the areas of crowd management and community policing (IfS-RRM/2013/327-817). (<https://www.img-int.org/project/support-reform-myanmar-police-force>).

94. *Ibid.*, p 1.

tion) between the police force and the community, and models for community policing to help formulate “a clearer and better suited police vision, legal framework and police doctrine/manuals based on best international practice and respect of human and fundamental rights”.<sup>95</sup> The expected results of the project thus included a police force empowered with the capacity “to prevent and stop communal and inter-religious violence in a timely manner while respecting human and fundamental rights”; “better relationship with the different groups of the community through the development of a community policing concept and its implementation”; and a police force “more accountable to Parliament, civil society and the media ... governed by a clearer and more modern legal framework and police doctrine, developed according to best international practice”.<sup>96</sup> A human security focus is especially expressed in the project’s description of the intended beneficiaries:

The final beneficiaries of the Action are the inhabitants of Myanmar/ Burma in general, and the communities affected by communal, inter-religious or political violence in particular. While focusing on the areas of crowd management and community policing, the project should contribute to laying the foundations for a more comprehensive police reform encompassing the full range of policing function.<sup>97</sup>

A factor that is stressed in the project evaluation is that relations between the European Union of the Deaf (EUD), the implementing partner International Management Group and project partners “*are said to have been very good, which is an important factor that contributes to a successful outcome of projects*” (2020, 30).<sup>98</sup> The project also satisfactorily coordinated with other agencies and bilateral donors, which were few at the time.<sup>99</sup>

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95. The project’s main components included crowd management, community policing, Police Vision; Legal Framework and Police Doctrine; Accountability to Parliament; Liaison with Civil Society and the Media.

96. Ibid.

97. ([https://www.img-int.org/sites/default/files/projects/files/short\\_description\\_of\\_ifs\\_project\\_in\\_support\\_of\\_mpf.pdf](https://www.img-int.org/sites/default/files/projects/files/short_description_of_ifs_project_in_support_of_mpf.pdf)), p 2.

98. European Commission. 2020. External evaluation of European Union’s Cooperation with Myanmar (2012-2017), Main Report, 2020.

99. European Commission. 2020. External evaluation of European Union’s Cooperation with Myanmar (2012-2017), Main Report, 2020.

The “Support to Reform of the Myanmar Police Force in the areas of crowd management and community policing” project was followed up by a more long-term endeavour. To assist in the reform of the Myanmar Police Force in the areas of crowd management and community policing the EU funded the “MYPOL” project, which ran from 2016-2021, and which was initiated with the aim to “support a more effective, efficient and accountable police service in order [for it] to become a modern police service that adheres to international best practices, respects human rights and maintains gender awareness”.<sup>100</sup> An external evaluation suggests that there seemed to be little continuity between the two projects and that there was little involvement by previous project staff as well as Myanmar Police Force representatives in designing the continuing project even if some recommendations from the final evaluation of the previous project were “*taken in due consideration*” for the design of MYPOL and thus contextual analysis on the political, institutional and security levels informed the need to revise the original project assumptions.<sup>101</sup>

In 2016 the EU was thus described “as the most substantial donor to the reform of the Myanmar Police Force”.<sup>102</sup> EU support to the Myanmar Police Force was based on an assessment of the national police as one in need of modernisation and its “functioning and practices brought in line with international standards.”<sup>103</sup> Both of the projects worked on training police officers, especially on topics related to international standards in crowd management.<sup>104</sup>

It was especially the police force’s inability to exercise suitable crowd management of civilians after the 2021 military coup which spurred critical voices towards the EU’s support to the police when images of police officers beating protestors spread across the world. Rumours circulated that some of the battalions had been trained by the EU through their support to the po-

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100. European Commission. Myanmar. ([https://ec.europa.eu/international-partnerships/where-we-work/myanmar\\_sv](https://ec.europa.eu/international-partnerships/where-we-work/myanmar_sv)). Accessed on 6 October 2021.

101. European Commission. 2020. External evaluation of European Union’s Cooperation with Myanmar (2012-2017), Main Report, 2020, p. 40 and p. 47.

102. EU Multiannual Indicative Programme. 2016, p. 18.

103. EU Multiannual Indicative Programme. 2016, p. 8.

104. EU Multiannual Indicative Programme. 2016, p. 34.



lice. Some observers argued that the police battalions trained by the EU were acting more responsibly towards protestors, while others claimed that the most brutal officers had undergone such training. After these events, the EU quickly withdrew its police training support.<sup>105</sup> While this was likely the only political option available to the EU, it did lead to a loss of work and income for several of the project's civilian staff. And a key question that remains is: how much can be expected from such police-reform initiatives when dealing with one of the most brutal and militarised police forces in the world?

The critique of EU training programmes should be evaluated according to a set of historical and empirical understandings of the Myanmar Police Force. Burma scholar Andrew Selth in 2014 cautioned:

The ability of foreign countries and international organisations to reform Burma's police force, however, is limited. They can provide specialised advice, technical assistance and modern equipment. This can lift the MPF's ability to perform its basic functions and "enhance the capacity of local police to control crime and disorder, and to develop 'democratic policing'".<sup>106</sup>

However, Selth points out, "fundamental reform of the MPF will depend on sustained support from Naypyidaw, a paradigm shift in the force's professional culture and the development of a relationship of trust with the community". The key point that Selth points to is that these latter requirements are "internal matters" which ultimately can only be arranged by the people of Myanmar. While foreign donor support can inspire changes, "foreign pressure on Burma for rapid police reform could be counter-productive, by provoking resentment among the police and suspicion on the part of the armed forces".<sup>107</sup>

While the Myjustice project was based on long-term relationship building through engaging justice workers, civil society leaders and anthropologists who were able to convince the EU to take untraditional turns, engaging with a centralised and militarised police force presented significant challeng-

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105. Jones, M. 2021. Myanmar Police force trained by British officers under EU scheme. *bylinetimes*, 2021.

106. Selth. 2014, p. 187.

107. Selth. 2014, p. 188.

es. While physical access to institutions in the highly regulated Naypyidaw in itself presented obstacles in terms of informal relationship-building, Selth's comment regarding the possibility of too much foreign pressure possibly resulting in resentment seems plausible. An "External valuation of European Union's Cooperation with Myanmar (2012-2017)" highlighted some of these challenges:

Extensive efforts were made to engage the government on the MY-POL programme ... Buy-in for the programme has been a great challenge at all levels, with the MPF indicating that much of the MYPOL programme is no longer relevant ... the inception phase revealed that there is still no buy-in of all relevant stakeholders involved in the legal reform process and external accountability ... Engagement by the MPF and parliament in the second year of programming suggests that there is slow but improved progress with relevant stakeholders.

Also, ultimately, relations with the steering ministry, the military-controlled Ministry of Home Affairs, remained limited. This last point is a key one, because without viable communication with the controlling ministry, any attempts at reforms targeting the police officers on the ground are unfruitful. And sustainable reform is out of the police force's direct control. Instead, potential for lasting change, as Selth argues, "relates mainly to developments in Naypyidaw", which relies on the success of government-controlled reform programmes and a sustained willingness of the military to give up some of its power and control over Myanmar. In hindsight we knew that neither of this was "quick nor easy".<sup>108</sup>

While there had been a slow but notable increase in interest in the parliament and civil society organisations on oversight matters concerning the police force, they were yet unwilling to engage the latter directly on these issues. However, the previous EU project had achieved some initial results in raising awareness about the importance of parliamentary oversight of the police and subsequently both parliament and the MPF are demonstrating a

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108. Selth. 2014, p. 188.

greater interest in, and understanding of, the importance of accountability.<sup>109</sup> Also, some efforts may have contributed to a more positive perception of the EU by the public, for example, the early work by MYPOL that focused on enhancing the programme's visibility by designing core communication tools and branding the project. While the communication/visibility strategy was evaluated as being "of excellent quality and provided the framework for a constant stream of information about project activities to the press" because interlocutors around the country were made aware of the EU's support to the Myanmar Police Force,<sup>110</sup> it is hard to see how such visibility translated into positive perceptions of the police, for example in emphasising human security, amongst civilians, or at a higher political level, how such a campaign was perceived by the military and high-level officials in Naypyidaw.

Most importantly, the institutional leadership did not endorse the MYPOL reform activities, and the institutional changes within the Ministry of Home Affairs (MoHA) that were envisaged by the project did not come to be realised due to sustained military control. Later, disappointment was sustained as the democratic NLD-led government also failed in pushing for wide-ranging reforms in the security sector, and policing more specifically.

## **5. HOW THE EU CAN FOCUS MORE ON HUMAN- AND PEOPLE-CENTRED SECURITY AFTER THE MILITARY COUP**

The security situation on the ground in Myanmar drastically deteriorated after the 2021 military coup. Force and violence exercised by security forces towards the civilian population has again become an everyday reality. This brutal use of force and violence has been described as a "long-standing pattern of systematic violence perpetrated against political groups and social

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109. European Commission. 2020. External evaluation of European Union's Cooperation with Myanmar (2012-2017), Main Report, 2020, p. 34.

110. European Commission. 2020. External evaluation of European Union's Cooperation with Myanmar (2012-2017), Main Report, 2020.

movements that challenge military control and dominance”.<sup>111</sup> The civilian population has been significantly affected, especially in Tatmadaw-deemed “insurgency” areas. After the military coup, clashes between the military and EAOs and the more recently established People’s Defence Forces have been increasing in number and a large number of civilians have been killed, especially in Chin State and Karen State. In addition to the explicit use of force and violence towards the population, human security threats are enhanced by economic instability.<sup>112</sup>

Throughout Myanmar’s modern history the EU has presented resolutions on the human rights situation in Myanmar in the United Nations General Assembly and Human Rights Council. After the 2021 military coup, the EU quickly released statements condemning the Tatmadaw’s brutal tactics. However, the EU needs to continue its operational work in order to avoid critique that it is not offering any real solutions or that it does not have an understanding of the local political dynamics.<sup>113</sup>

In a setting like Myanmar, the EU needs to make human security an even more explicit focus for reforms and to show clearly whose security the EU is prioritising. By not being more explicit about the need for *human* in their security-focused support, the EU has failed to learn from experiences in other contexts where evidence suggest the slow ability for authoritarian institutions to reform.<sup>114</sup>

The EU should not assume that there will be linear progress in repressive settings and should be aware of the potential unintended consequences that support to repressive state structures can result in. The military coup illustrated clearly that developments in Myanmar had not followed the linear political progress that had been expected by the EU. This was evident “all over the place” in research and practice. Early indications had noted that in a country where military rule and democracy were “viewed [not necessarily]

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111. Seinenu M. Thein-Lemelson. 2021. “Politicide” and the Myanmar coup. *Anthropology Today*, Volume 37, Issue 2 April 2021, pp. 3-5.

112. World Bank Press Release, Myanmar Economy Expected to Contract by 18 Percent in FY2021: Report, 23 July 2021.

113. Ying Lao Noan Vo and Radka Antalikova. 19 January 2022. European resolution offers no solution for people of Myanmar. *Asia Times*.

114. See, e.g., Guiryanan O, L Montanaro, and T Rätty, 2021. *Safer World, European Security Assistance: The search for stability in the Sahel*.

as alternatives, but rather as options that can coexist”, it was not viable to designate the country’s political transition as successful. Still, major donors continued to optimistically support the democratic transition. Although the prospect of another predicted electoral success for the National League for Democracy was bedazzling, behind the scenes, the Myanmar military had been experiencing a plethora of existential threats which eventually led to their violent crackdown on the democratically elected government. Was the EU so focused on becoming a global soft power actor that it refrained from interfering in the internal affairs in a politically tricky setting?

Human security focuses on the security of individuals, as opposed to the security of the state and its territory. As mentioned above, the ambiguity of the EU’s security support risks undermining important global developments that emphasise a need for focused people-centred security that prioritises the needs of women, girls, men and boys rather than state actors. While human security is not intended to replace state security, the EU can play a greater role in fostering a complementary and mutually reinforcing relationship between the two. By drawing on the successes of working with people-centred justice and empirical research – as illustrated in the MyJustice project – such approaches can be extended to other sectors (such as the police and peacebuilding) when and if it is possible to work on such projects in the country’s future. This requires looking at everyday challenges facing civilians to assess their authoritative service providers rather than merely adopting a Weberian state model.<sup>115</sup> The success of the future of the EU’s human security support in Myanmar requires a firm understanding of the particular security threats experienced by different groups in society, as well as the participation of those groups in formulating responses to address the root causes of the security threats in order to achieve local contextual peacebuilding.

The EU could exercise greater human-rights-related due diligence in its selection of the actors that receive its support. Development cooperation can have unintended negative impacts in terms of human rights. These neg-

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115. See South, Ashley. 2018. “Hybrid Governance” and the Politics of Legitimacy in the Myanmar Peace Process. *Journal of Contemporary Asia*, 48:1, 50-66; Lottholz, Philipp and Lemay-Hébert, Nicolas. 2016. Re-reading Weber, re-conceptualizing state-building: from neo-Weberian to post-Weberian approaches to state, legitimacy and state-building. *Cambridge Review of International Affairs*, 29:4, 1467-1485.

ative impacts can disadvantage certain groups. It is therefore important to abide by the “do no harm” principle and to carry out the required analysis and mitigation measures. The EU could seek to further support Myanmar’s democratic forces that have emerged in resistance to the coup so as to undermine the SAC’s bid for absolute legislative, executive and judicial power; work with practitioners on a long-term basis (such as with MyJustice); focus on bold staffing and recruitment that matters; allow informal negotiations; and invest in long-term relationship building.

Ultimately, despite the development of a new strategy for facing contemporary security challenges, the new human security approach still faces obstacles in its implementation. In fact, the EU’s external action policy is still quite limited in its scope and geographical extent. The different priorities set by member states often jeopardise the political efficacy of the Union, thus compromising the perceptions of foreign countries regarding the EU. At a moment when the EU has relaunched its partnership with ASEAN and is trying to increase its engagement in the Indo-Pacific region, a stronger political stance in the direction of human security promotion could support these political goals.

In this regard, the EU has the tools to handle the crisis in Myanmar, thus giving application to its human security doctrine for dealing with international crises. Firstly, the EU can work with ASEAN to promote a peaceful settlement of the crisis, thus creating the necessary security conditions on the ground for protecting civilians and ensuring the respect for human rights. Whether a peace process can be initiated or not, the EU can play an active role in monitoring adherence to any such agreement, as it already did with the Aceh Monitoring Mission (AMM) mission in Aceh in 2005. Secondly, by contributing to ending the crisis, the EU would support also the resolving of an issue that is putting ASEAN’s political maturity into question. The Association is struggling to take into consideration the demands and concerns coming from the people in Myanmar and to come up with a solution that can assure the stability of the country in the long term. The risk is not just related to a possible further deterioration of the security conditions inside Myanmar, but also to the loss of the trust of the population, especially the younger generation, toward their national institutions. As pointed out by the social movement known as the Milk Tea Alliance, young people all over the region are demanding a liberalisation of their rights and to be involved in the political process of their countries.

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## Annex

**EU actions concerning Myanmar after the Coup** (announcements list from 1 February 2021 to end February 2022).

EU Announcement on Myanmar after Military Coup	
<b>February</b>	<b>2021</b>
1/2/2021	<ul style="list-style-type: none"> <li>Myanmar: Statement by the High Representative/Vice-President Josep Borrell</li> </ul>
2/2/2021	<ul style="list-style-type: none"> <li>The European Union condemns in the strongest terms the military coup carried out in Myanmar.</li> </ul>
9/2/2021	<ul style="list-style-type: none"> <li>ETUC statement on Myanmar's coup Endorsed by the Extraordinary Executive Committee at the meeting of 9 February 2021</li> </ul>
12/2/2021	<ul style="list-style-type: none"> <li>HRC – 29th special session on the Human Rights implications of the crisis in Myanmar – EU statement</li> </ul>
26/2/2021	<ul style="list-style-type: none"> <li>EU Statement – United Nations General Assembly: Myanmar</li> </ul>
28/2/2021	<ul style="list-style-type: none"> <li>Myanmar: Statement by High Representative Josep Borrell on the latest repression by the military</li> </ul>
<b>April</b>	
9/4/2021	<ul style="list-style-type: none"> <li>Myanmar: Statement by High Representative Josep Borrell on the latest repression by the military</li> </ul>
<b>June</b>	
18/6/2021	<ul style="list-style-type: none"> <li>EU Statement – United Nations General Assembly: Meeting on Myanmar</li> </ul>
<b>July</b>	
7/7/2021	<ul style="list-style-type: none"> <li>HRC 47 – Eu Intervention: Interactive Dialogue with The High Commissioner on Myanmar</li> <li>HRC 47 – Eu Intervention: Interactive Dialogue with The Special Rapporteur on Myanmar</li> </ul>
<b>October</b>	
7/10/2021	<ul style="list-style-type: none"> <li>Resolution on Burmese Human Rights violations adopted by the European Parliament</li> </ul>
13/10/2021	<ul style="list-style-type: none"> <li>The EU announced that the ASEAN Special Envoy would allow people to see them</li> </ul>
15/10/2021	<ul style="list-style-type: none"> <li>The EU and 8 countries jointly request to facilitate the visit of the ASEAN Special Envoy to Myanmar</li> </ul>
<b>December</b>	
30/12/2021	<ul style="list-style-type: none"> <li>EU condemns military council for attacking civilians and increases sanctions</li> </ul>
<b>April</b>	<b>2022</b>
27/4/22	<ul style="list-style-type: none"> <li>Myanmar/Burma: Statement by the Spokesperson on the latest sentencing of State Counsellor Daw Aung San Suu Kji</li> </ul>
<b>July</b>	
25/7/2022	<ul style="list-style-type: none"> <li>Myanmar/Burma: Declaration by the High Representative on behalf of the EU on the execution of pro-democracy and opposition leaders in Myanmar/Burma</li> </ul>

Sources: Progressive Voice Myanmar, Radio Free Asia (RFA), Delegation of the European Union to the United Nations in New York, ASEAN PARLIAMENTARIANS for Human Rights (APHR).

**ASEAN actions concerning Myanmar after the Coup** (announcements list from 1 February 2021 to end February 2022).

### ASEAN Announcement on Myanmar after Military Coup

<b>February 2021</b>	
1/2/2021	● ASEAN Chairman's Statement on The Developments in The Republic Of The Union Of Myanmar
10/2/2021	● Global parliamentarians stand in solidarity with Myanmar colleagues (ASEANMP)
<b>April</b>	
20/4/2021	● Myanmar's National Unity Government must be invited to this week's ASEAN Special Summit, MPs say
24/4/2021	● ASEAN's Chairman Statement
27/4/2021	● Hundreds of global MPs call for immediate release of Myanmar colleagues, democracy to be restored
<b>June</b>	
2/6/2021	● Ahead of expected visit, ASEAN must hold Myanmar military accountable
<b>July</b>	
7/7/2021	● Joint Letter on Prison Conditions And Covid-19
<b>October</b>	
6/10/2021	● ASEAN leaders discuss not to invite Burmese military leader to summit
24/10/2021	● ASEAN will continue to pressure the Burmese military leader
27/10/2021	● CHAIRMAN'S STATEMENT OF THE 16TH EAST ASIA SUMMIT
<b>February 2022</b>	
25/1/22	● APHR RESPONDS TO CAMBODIA STATEMENT, URGES FOCUS ON MYANMAR CRISIS
<b>March</b>	
16/3/22	● MYANMAR: MPS DEMAND ASEAN ACTION IN RESPONSE TO DAMNING UN REPORT
<b>April</b>	
24/4/22	● Open Letter on The Anniversary Of The Five Point Consensus On Myanmar To ASEAN And Dialogue Partners
<b>May</b>	
9/5/2022	● Statement To the Us and ASRAN on Myanmar Ahead of Summit in Washington
13/5/22	● ASEAN-U.S. Special Summit 2022, Joint Vision Statement
16/5/2022	● ASEAN-US Summit 2022 Joint Declaration
<b>June</b>	
6/6/2022	● Southeast Asian MPS Alarmed by Planned Executions of Four Myanmar Political Prisoners
27/6/2022	● ASEAN Chair Special Envoy Urges Return of Daw Aung San Suu Kyi to Home
<b>June</b>	
25/7/2022	● ASEAN's Chairman statement

Sources: Progressive Voice Myanmar, Radio Free Asia (RFA), Delegation of the European Union to the United Nations in New York, ASEAN PARLIAMENTARIANS for Human Rights (APHR).

# 10

## **Vaccine Diplomacy Amidst the Great-Power Competition**

Thailand and Singapore's  
Conundrum

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**Thaiporn Suporn | Alif Hidayat**

## Abstract

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Southeast Asian countries have experienced different levels of impact arising from the COVID-19 pandemic and its consecutive variants; the United States of America (US), the People's Republic of China (PRC), and the European Union (EU) have engaged in "vaccine diplomacy" to advance their foreign policy goals and influence in the region. Thailand and Singapore demonstrate the impact the US, PRC and EU have had on Southeast Asian countries' COVID-19 recovery plans. Regional governments continue to maintain good relations with the major powers and include the use of various vaccine technologies in national vaccine programmes. While the US, the PRC and the EU are striving for geopolitical advantage in Southeast Asia through vaccine diplomacy, other global flashpoints appear to be overshadowing the plan. Thailand's and Singapore's different levels of success in handling the pandemic determine the respective state's reliance on external actors to combat the pandemic, directly influencing the perspectives of Thai and Singaporean nationals.



## INTRODUCTION

States frequently “think big” about national security, referencing military attacks or invasions from abroad; however, a microscopic bacterium has proven to be the most serious threat to humanity since World War II<sup>1</sup>. The international community was unprepared to combat the COVID-19 pandemic, which has rampaged throughout the world and created unprecedented consequences, including disrupting global supply chains, causing a long-term economic downturn, and dealing further damage to global diplomatic relations. The COVID-19 pandemic has highlighted the shortcomings and disparities in the healthcare systems of developing states; many countries did not have sufficiently robust and resilient health systems to combat the pandemic.

Southeast Asia was the first region to be affected by COVID-19 after the People’s Republic of China (PRC). Southeast Asian countries took immediate action to contain the spread of the coronavirus by implementing highly restrictive measures. The United Nations Sustainable Development Group (UNSDG) reported that after 50 confirmed cases, it took an average of 17 days for a Southeast Asian country to declare a state of emergency or lockdown<sup>2</sup>. From the year 2020 to the beginning of 2022, the pandemic has not only caused a rise in cases and fatalities in the region, but also revealed the region’s healthcare systems’ flaws and inequalities, demonstrating that not every country had a strong and resilient healthcare system capable of tackling the COVID-19 pandemic.

After battling the pandemic with strict lockdowns and border control strategies, as well as quarantine requirements, Southeast Asia now experiences optimism thanks to the rollout of COVID-19 vaccines and booster shots. Cambodia, Malaysia, and Singapore, for example, have high vaccination rates, with more than 80 per cent of their populations vaccinated<sup>3</sup>. None-

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1. Zakaria, Fareed. 2020. *Ten Lessons for a Post-Pandemic World*. London: Penguin, p. 1.

2. UNSDG. 2021. *Policy Brief: The Impact of COVID-19 on South-East Asia*. UN Sustainable Development Group. UN Sustainable Development Group, p. 13. (<https://unsdg.un.org/resources/policy-brief-impact-covid-19-south-east-asia>).

3. Ritchie, Nick and Paul Rogers. 2007. *The political road to war with Iraq: Bush, 9/11 and the drive to overthrow Saddam*. London; New York: Routledge.

theless, the Omicron variant and sub-variants appear to be a serious threat to the region's healthcare systems and post-pandemic economic recovery. As many Southeast Asian countries like Singapore, Thailand, and Malaysia have started opening up to foreign tourists, the respective governments and citizens are adjusting towards living with the COVID-19 virus, even though outbreaks of cases and variants continue to occur. Some Southeast Asian states like Myanmar continue to rely on international assistance, particularly in the areas of vaccinations against COVID-19 and recovery of their respective economies to pre-pandemic levels.<sup>4</sup>

It should be noted that the debate over security alignments with external powers was widely discussed among Southeast Asian countries prior to the pandemic, and while hedging is seen as the safest bet for the region, the new circumstances may inadvertently force countries in the region to choose sides. Thailand and Singapore have been chosen to illustrate the perceived differences between a developing country and a developed country; furthermore, they present a clear distinction in terms of differences in size and population. In addition, both states are experiencing interesting circumstances: Thailand is a United States ally but has been inching closer to China; whereas Singapore, ethnically majority Han Chinese, has been striking a delicate balance between the two major powers. Both countries have to deal with the competition between the US and China in diverse ways, with the goal of achieving a balance between the ruled and the rising power. However, it cannot be denied that the success of Beijing and Washington in exerting their hegemony over the region through vaccine diplomacy has had a significant impact on the foreign policy strategies of Thailand and Singapore. Hence, Thailand and Singapore have been chosen to demonstrate the impact the US, the PRC, and the European Union (EU) have had on Southeast Asian countries' COVID-19 recovery plans.

The donation of medical supplies and COVID-19 vaccines to Southeast Asian states helps advance the foreign policy goals of the US and China. For China, it is possible to fulfil its goal of creating a new pandemic narrative, in which China is no longer blamed for its lack of transparency or failures in

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4. New Straits Times. 2022. Malaysia donates 500,000 AZ vaccines to Myanmar. New Straits Times. (<https://www.nst.com.my/news/nation/2022/04/790651/malaysia-donates-500000-az-vaccines-myanmar>).

dealing with COVID-19. By sending vaccines and other medical assistance to Southeast Asia, China is considered a great power that is filling the void left by the US.

In order to rectify America's hapless response to the pandemic, the Biden administration has strengthened America's presence in the region and committed itself to supporting Southeast Asian countries fighting the deadly virus, with the goal of healing the geopolitical wounds caused by the Trump administration<sup>5</sup>. During the COVID-19 pandemic, the PRC and the US have been two of the most prominent powers offering medical aid and pursuing vaccine diplomacy in the Southeast Asian region; however, they are not the only powers doing so. The European Union has also sought to expand its sphere of influence in the Asia-Pacific, albeit with fewer headlines and less funding when compared to the two great powers. The EU has secured a sufficient number of vaccines for its citizens, including booster doses. European Commission President Ursula von der Leyen had promised to donate another 200 million vaccine doses by mid-2022 but the EU has only provided 20 million doses to date, which accounts for 8 per cent of the vaccine donation scheme.<sup>6</sup> In support of the goal of vaccinating 70 per cent of the world's population by the middle of 2022, the EU pledged to donate 700 million doses of COVID-19 vaccines to developing countries, primarily in Africa. However, only 319 million doses have been delivered to date.<sup>7</sup>

The European Union and its member states have supported Southeast Asian states in their vaccination and economic-recovery programmes under its EU-ASEAN Strategic Partnership 2022 platform. The EU has donated €20 million to strengthen the healthcare systems of various states to deal with future diseases. Furthermore, €3 billion were contributed by European

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5. The White House. 2021. Remarks by President Biden on the Drawdown of U.S. Forces in Afghanistan. (<https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/07/08/remarks-by-president-biden-on-the-drawdown-of-u-s-forces-in-afghanistan/>); The White House. 2022. National COVID-19 Preparedness Plan. (<https://www.whitehouse.gov/covid-plan/>).

6. Martuscelli, Carlo and Jillian Deutsch. 2021. Von der Leyen: EU will donate 200M more coronavirus vaccines. POLITICO. (<https://www.politico.eu/article/von-der-leyen-eu-will-donate-200m-more-coronavirus-vaccines/>).

7. The Council of the EU. 2022. Global solidarity during the COVID-19 pandemic. The Council of the EU. (<https://www.consilium.europa.eu/en/policies/coronavirus/global-solidarity/>).

states to the COVID-19 Vaccines Global Access (COVAX) facility, which has secured nearly 30 million doses of COVID-19 vaccines for ASEAN states. In addition, a sum of €300 million has been set aside for the BIOSEC project under the EU Chemical, Biological, Radiological and Nuclear (CBRN) Risk Mitigation Centres of Excellence Initiative, which works to improve biosecurity management systems in ASEAN states. Lastly, Germany has contributed €5 million to the COVID-19 ASEAN Response Fund.

The number of doses of vaccines donated by the European Union specifically to Southeast Asia does not compare to the United States' and the People's Republic of China's and is miniscule in comparison. Furthermore, an ISEAS-Yusof Ishak Institute Survey Report places the European Union as the "third country" that Thailand would engage with to "hedge against the uncertainties of the US-China strategic rivalry."<sup>8</sup> Although Southeast Asian countries would like the European Union and its member states to be engaged in the region, the scale of its vaccine donations means that its level of influence cannot really be felt by the citizens of Thailand and Singapore. Although the EU is considered the "third option" in assisting Southeast Asian countries, its role and influence are minimal in comparison to that of the US's and the PRC's. This paper will seek to examine the perceived actions and influence of donor states and their relations to the perspectives of Thai and Singaporean citizens by utilising surveys carried out by the ISEAS-Yusof Ishak Institute and print articles demonstrating the perceptions of the general public.

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8. ISEAS-Yusof Ishak Institute. 2021. The State of Southeast Asia 2021: Survey Report. ISEAS-Yusof Ishak Institute: 34.

## GREAT-POWER POLITICS AND THE PANDEMIC

Ideally speaking, responses to global crises should typically involve increased levels of global cooperation. During the COVID-19 pandemic, major powers were expected to collaborate.<sup>9</sup> However, given that the great powers' capabilities were tested in combating the effects of the virus on their political and economic stability at home, global cooperation appears to be unrealistic. Even though it is believed that realism has limitations in describing a world engulfed by the coronavirus outbreak because it provides no solutions to the problem,<sup>10</sup> it is inconceivable that scholars of international relations could make policy recommendations for combating COVID-19, let alone forecast the next outbreak using international relations theory. Rather, we prefer to use theories to make sense of the world. As the security and economic competition between the great powers, specifically the pursuit of regional hegemony, continues in the midst of the pandemic, the realist tradition remains relevant.

Offensive realism is the realist theory developed specifically to explain the behaviours and interactions of great powers. The primary reason we chose offensive realism as our framework is that in times of pandemics, states always play a critical role in providing aid to their citizens, enforcing strict travel restrictions and imposing border closures. In other words, in times of crises, individuals tend to rely heavily on states, which were once disregarded and viewed as being replaced by international institutions. Given the shortcomings and substandard performance of international institutions such as the World Health Organisation (WHO), it would be premature at this time to declare the death of states. The great powers are the primary focus of offensive realism because these nations have the greatest influence

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9. Fracassetti, Alessandro. 2020. Cooperation and Interdependence in the COVID-19 Crisis: UNDP's Role. UNDP. ([https://www.undp.org/azerbaijan/news/cooperation-and-interdependence-covid-19-crisis-undps-role?utm\\_source=EN&utm\\_medium=GSR&utm\\_content=US\\_UNDP\\_PaidSearch\\_Brand\\_English&utm\\_campaign=CENTRAL&c\\_src=CENTRAL&c\\_src2=GSR&gclid=Cj0KCQjwnvOaBhDTARIsAjf8eVMoN0jCkKq3mzv-JF2fpo1kP3\\_-GDWz-JbFjAHN3mstuU5S7e\\_kkL4aAv9QEALw\\_wcB](https://www.undp.org/azerbaijan/news/cooperation-and-interdependence-covid-19-crisis-undps-role?utm_source=EN&utm_medium=GSR&utm_content=US_UNDP_PaidSearch_Brand_English&utm_campaign=CENTRAL&c_src=CENTRAL&c_src2=GSR&gclid=Cj0KCQjwnvOaBhDTARIsAjf8eVMoN0jCkKq3mzv-JF2fpo1kP3_-GDWz-JbFjAHN3mstuU5S7e_kkL4aAv9QEALw_wcB)).

10. Johnston, Seth A. 2020. The Pandemic and the Limits of Realism. Foreign Policy. (<https://foreignpolicy.com/2020/06/24/coronavirus-pandemic-realism-limited-international-relations-theory/>).

over the course of events pertaining to international relations.<sup>11</sup> In the case of the COVID-19 pandemic, even though the great powers have been weakened politically and economically as a result of the pandemic both at home and abroad, developing countries still view the great powers as the primary source of assistance. Offensive realism, similar to other realist schools of thought, holds the belief that the international system is anarchic and that states always consider survival to be their primary goal.<sup>12</sup> In addition, offensive realists argue that great powers possess offensive military capabilities and that nations cannot predict whether or not other states will use their military capabilities to attack them. To ensure their survival in an anarchic environment, states are obligated to maximise their own power and act offensively in their pursuit of hegemony.<sup>13</sup> More importantly, offensive realists such as John J. Mearsheimer argue that there are no status quo powers in the international system; great powers are more likely to seek opportunities to alter the power distribution in their favour.<sup>14</sup> In the event of a global pandemic, great powers will not only protect their national security by stockpiling COVID-19 vaccines and medical supplies, but they will also provide vaccines and COVID-related assistance to numerous nations through “vaccine diplomacy” in an effort to tilt the balance of power in their favour.

The great powers took the opportunity to rewrite the post-pandemic narrative to their advantage. A prime example is the People’s Republic of China. Despite China’s early success in containing the virus in 2020 and the distribution of vaccines to its citizens, in 2022, President Xi Jinping was forced to deal with a resurgence of the pandemic in Tianjin, Beijing, and Shanghai. The strict adherence to the “zero-COVID” policy, with partial lockdowns and bans on the import of messenger ribonucleic acid (mRNA) vaccines, has caused harm to the nation’s economy whilst also raising concerns about the legitimacy of the Chinese Communist Party’s governance<sup>15</sup>.

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11. Mearsheimer, John J. 2014. *The Tragedy of Great Power Politics*. New York: W.W. Norton, p. 5.

12. *Ibid.*, pp. 30-31.

13. *Ibid.*, p. 33.

14. *Ibid.*

15. May, Tiffany and Zixu Wang. 2022. Three cities in China impose partial lockdowns as new cases are reported. *The New York Times* (<https://www.nytimes.com/2022/07/11/world/asia/china-shutdown-macau-casino.html>).

Similarly, the Biden administration inherited from President Trump mounting COVID-19 cases in the major cities. To deal with the situation, President Joe Biden met his goal of giving 200 million Americans vaccinations in the first 100 days of his administration. However, the administration has had to deal with mounting concerns, including anti-vaxxers and the omicron sub-variants, particularly BA.5, which was responsible for new COVID-19 cases in the United States. The National COVID-19 Preparedness Plan, a strategy to combat the highly contagious sub-variant with the goal of increasing vaccination rates, was unveiled by the White House in July 2022.<sup>16</sup>

Despite the fact that they must cope with domestic and international issues throughout the pandemic, great powers are more likely to offer assistance to the world community during the pandemic because they are afraid of losing their geopolitical clout. In an effort to advance their foreign policy goals and tip the balance of power in their favour, great powers have turned to “vaccine diplomacy,” the donation of COVID-19 vaccines and other COVID-19-related assistance.<sup>17</sup>

## THE MAJOR POWERS’ RISING INFLUENCE THROUGH VACCINE DIPLOMACY

As the Southeast Asian region, comprising mainly developing states, was experiencing severe effects from the COVID-19 pandemic, regional governments have sought both economic and medical assistance from larger states willing to aid their recovery. The United States, the People’s Republic of China and the European Union have made great efforts to assist countries in Southeast Asia experiencing severe impacts from the virus. However, the major powers are not providing assistance for the goodwill and the health of Southeast Asian citizens but rather because they have their foreign policy objectives in seeking to build up their influence in the region. Additionally,

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16. The White House. 2022. National COVID-19 Preparedness Plan. (<https://www.whitehouse.gov/covidplan/>).

17. Lee S. T. 2021. Vaccine diplomacy: nation branding and China’s COVID-19 soft power play. *Place Brand Public Dipl.* 2021 Jul 6: 1–15. (doi: 10.1057/s41254-021-00224-4). Epub ahead of print. PMID: PMC8259554.

the pandemic has cast a shadow over the great-power rivalry, exacerbating tensions and deepening distrust between the United States and the European Union and the People's Republic of China.

The United States was heavily struck by the initial wave of the COVID-19 pandemic and was unable to deliver medical supplies and other COVID-19-related aid to developing countries as many had hoped, since it was dealing with its own COVID-19 crisis. Additionally, former President Trump suspended funding for the World Health Organisation and submitted an official letter notifying the international body of its withdrawal. In many ways, these behaviours reflect the lack of American leadership in times of international crises.<sup>18</sup> President Biden, on the other hand, has pledged to deliver 1.1 billion vaccine doses to the world. As of August 2022, the US has donated more than 586.2 million doses to over 100 countries, with 24.7 million going to the Philippines, 23.7 million to Indonesia, and 23.3 million to Vietnam.<sup>19</sup> The Philippines, Indonesia, and Vietnam are the main recipients of the US's COVID-19 vaccine donations in the region.

During the COVID-19 pandemic, the People's Republic of China engaged in medical diplomacy to fix and shape global perceptions of the PRC's handling of the pandemic and to demonstrate that it is capable of providing public goods and winning support. Additionally, after the United States threatened to sever its ties with the World Health Organisation, the PRC increased its efforts in international organisations. However, the move has been criticised by the West as using medical assistance to sell China's COVID-19 handling to the world. The PRC had supplied 190 million doses of COVID-19 vaccines to Southeast Asia by 1 September 2021, a quick and remarkable achievement.<sup>20</sup> However, these Chinese-made vaccines have been met with hesitancy by Southeast Asian citizens due to specific concerns about their ef-

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18. The Economist. 2020. Special Report: The New World Disorder. The Economist (June 20th-26th 2020): 3-12.

19. U.S. State Department. 2022. COVID-19 Vaccine Deliveries. (<https://www.state.gov/covid-19-recovery/vaccine-deliveries/>); Kaiser Family Foundation. 2022. U.S. International COVID-19 Vaccine Donations Tracker. Kaiser Family Foundation. (<https://www.kff.org/global-health-policy/issue-brief/u-s-international-covid-19-vaccine-donations-tracker/>).

20. Zaini, Khairulanwar. 2021. Understanding the Selective Hesitancy towards Chinese Vaccines in Southeast Asia. ISEAS – Yusof Ishak Institute, 86.



ficacy; religious permissibility of the vaccines; and political factors, including the public's mistrust of national governments and/or China.<sup>21</sup>

The Association of Southeast Asian Nations (ASEAN) is the largest recipient of the People's Republic of China's outward direct investment (ODI), reaching US\$10 billion in 2016.<sup>22</sup> Moreover, the PRC exported one billion COVID-19 vaccine doses to 109 countries and territories as of September 2021, accounting for more than half of the world's countries, home to approximately three billion people.<sup>23</sup> According to the survey conducted by the ISEAS-Yusof Ishak Institute in 2021, responders in Southeast Asia voted for the People's Republic of China (44.2 per cent) as the top COVID-19-related assistance provider, followed by Japan (18.2 per cent) and the European Union (10.3 per cent).<sup>24</sup> In 2022, with 57.8 per cent of the vote, China is still seen by the area as the primary nation providing COVID-19 aid, followed by the United States (23.2 per cent) and Australia (4.7 per cent); the EU comes in at the sixth place (2.6 per cent)<sup>25</sup>. This demonstrates that many Southeast Asian citizens believe in the PRC in providing healthcare assistance to them, even though the COVID-19 virus erupted from Wuhan, China. The People's Republic of China's vaccine diplomacy is having a positive effect on Southeast Asians, who believe that China may come to their rescue in the event of a healthcare emergency. The European Union received strong support

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21. Sanglee, Tita. 2021. Commentary: Sinovac use sparks new spat in politically split Thailand. Channel News Asia. (<https://www.channelnewsasia.com/commentary/covid-19-vaccine-sinovac-effective-thailand-prayut-phuea-china-1823791>); Thongnoi, Jitsiree. 2021. How China's Sinovac vaccine got caught in the crossfire of Thailand's anti-government protests. South China Morning Post. (<https://www.scmp.com/week-asia/health-environment/article/3148080/how-chinas-sinovac-vaccine-got-caught-crossfire>).

22. Chan, Sarah. 2019. Singapore–China Connectivity and its Role in the Belt and Road Initiative. *China: An International Journal* 17(4): 34-49; Manning, Robert A. 2020. COVID19 Aggravates Great Power Competition. (<https://valdaicclub.com/a/highlights/covid19-aggravates-great-power-competition/>).

23. Nikkei. 2021. China's global vaccine gambit: Production, politics and propaganda. Nikkei Asia. (<https://asia.nikkei.com/Spotlight/Coronavirus/COVID-vaccines/China-s-global-vaccine-gambit-Production-politics-and-propaganda>).

24. ISEAS-Yusof Ishak Institute. 2021. *The State of Southeast Asia 2021: Survey Report*. ISEAS-Yusof Ishak Institute: 4.

25. Thongnoi, Jitsiree. 2021. How China's Sinovac vaccine got caught in the crossfire of Thailand's anti-government protests. South China Morning Post. (<https://www.scmp.com/week-asia/health-environment/article/3148080/how-chinas-sinovac-vaccine-got-caught-crossfire>).

in 2021, but fell to the sixth spot in 2022, with only 2.6 per cent of South-east Asians believing the European Union would come to support them with COVID-19 assistance. This statistic is worrying as many in the region may not be well informed about the support the EU has provided when it comes to vaccine diplomacy. The United States made a strong comeback in 2022, compared to not even being on the list in 2021; this may be because the change in US presidents from Donald Trump to Joseph Biden has had a positive effect in Southeast Asia. Vaccine diplomacy and the information concerning the donations play a crucial role in the mindset of those in the region regarding whom they can trust if a huge crisis, similar to the COVID-19 pandemic, were to occur.

As the United States, the People's Republic of China, and the European Union offer and distribute their respective COVID-19 vaccines, the perception of the technologies used and the national governments reflect the types of vaccine administered. Vaccine effectiveness also affects how the general public and the elites view the United States, the People's Republic of China, and the European Union.

## THAILAND'S COVID-19 ASSISTANCE FROM THE GREAT POWERS

According to the Department of Disease Control's Senior Expert Dr. Taweessap Sriprapasiri, "the Sinovac vaccine that [is] used in Thailand is effective."<sup>26</sup> He even went on to remark that "even with the new variant, the vaccine is still effective."<sup>27</sup> In Thailand, people have a strong preference for Western vaccines since they are perceived to be more effective in preventing COVID-19<sup>28</sup>; 52.1 per cent of Thai respondents preferred the Pfizer and Moderna vac-

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26. Reuters. 2021. Thailand seeks 12 mln Sinovac shots for mix-and-match vax strategy. Reuters. (<https://www.reuters.com/world/asia-pacific/thailand-reports-daily-record-239-new-coronavirus-deaths-2021-08-17/>).

27. Ibid.

28. Sanglee, Tita. 2021. Commentary: Sinovac use sparks new spat in politically split Thailand. Channel News Asia. (<https://www.channelnewsasia.com/commentary/covid-19-vaccine-sinovac-effective-thailand-prayut-phuea-china-1823791>).

cines, 23.1 per cent preferred the AstraZeneca vaccine, and only 17.1 per cent trusted the Sinovac vaccine.<sup>29</sup> Nonetheless, the Thai government wanted to maintain good relations with China; thus, the Sinovac vaccine was included in the national vaccine programme. Pongphisoot Busbarat made an insightful observation in an interview with the *South China Morning Post* that “the adoption of Chinese vaccines by the Thai government, especially Sinovac, in many ways, can be seen as a diplomatic tool to maintain Sino-Thai relations.”<sup>30</sup> The pandemic also contributed to the emergence of a new security arrangement in Southeast Asia, in which Bangkok is steadily drawing closer to Beijing while drifting away from the orbit of Washington<sup>31</sup>.

Thailand was relatively successful in controlling the spread of the COVID-19 virus in early 2020 through the implementation of lockdowns and travel-restriction measures; however, new variants of the virus completely ended the hopes and dreams of keeping the country free of COVID-19. To control the rising number of cases, the prime minister of Thailand declared a state of emergency on 26 March 2020. The Centre for COVID-19 Situation Administration (CCSA) was also established<sup>32</sup> to halt the spread of the virus. Following a 6.1 per cent gross domestic product (GDP) loss in 2020, the Delta variant wave caused the economy to contract by 2.6 per cent in the first quarter of 2021.<sup>33</sup> Furthermore, the Delta and Omicron variants intensified political turmoil and cast doubt on the Prayuth Chan-o-cha government’s

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29. ISEAS-Yusof Ishak Institute. 2022. *The State of Southeast Asia 2022: Survey Report*. ISEAS-Yusof Ishak Institute. ([https://www.iseas.edu.sg/wp-content/uploads/2022/02/The-State-of-SEA-2022\\_FA\\_Digital\\_FINAL.pdf](https://www.iseas.edu.sg/wp-content/uploads/2022/02/The-State-of-SEA-2022_FA_Digital_FINAL.pdf)).

30. Thongnoi, Jitsiree. 2021. How China’s Sinovac vaccine got caught in the crossfire of Thailand’s anti-government protests. *South China Morning Post*. (<https://www.scmp.com/week-asia/health-environment/article/3148080/how-chinas-sinovac-vaccine-got-caught-crossfire>).

31. United Nations Economic and Social Commission for Asia and the Pacific. 2020. *The Impact of COVID-19 on South-East Asia*. United Nations. (<https://www.unescap.org/sites/default/d8files/2020-07/SG-Policy-brief-COVID-19-and-South-East-Asia-30-July-2020.pdf>).

32. World Health Organization. 2021. *Responding to the COVID-19 pandemic: WHO’s action in countries, territories and areas, 2020*. WHO. (<https://www.who.int/publications/item/9789240019225>).

33. World Bank. 2021. *Thailand Economic Monitor July 2021: The Road to Recovery*. World Bank. (<https://www.worldbank.org/en/country/thailand/publication/thailand-economic-monitor-july-2021-the-road-to-recovery>).

performance and legitimacy<sup>34</sup>. Faced with hospital bed shortages, high unemployment rates, low vaccination uptake, and recurrent mishandling of the COVID-19 situation, Thai citizens took to the streets; demonstrations against the government have erupted in several parts of the country. Whilst Singapore has successfully purchased safe and effective vaccines to protect its population, Thailand's vaccine procurement programme has not worked as planned. The Oxford-AstraZeneca vaccine was supposed to be produced for Thailand and Southeast Asian countries by the King Vajiralongkorn-owned pharmaceutical company Siam Bioscience, but production fell short of expectations due to supply issues and the fact that the pharmaceutical company had no prior experience in producing vaccines<sup>35</sup>. Worse still, Thailand turned down COVAX membership and failed to secure an adequate supply of vaccines as it had bet everything on the AstraZeneca vaccine. Because of vaccine policy failures, the country is compelled to rely heavily on the Sinovac vaccine donated and procured from the PRC, with its efficacy still in question.

Southeast Asia had become a battleground for regional hegemonic great-power rivalry before the COVID-19 outbreak. In other words, the competition between the United States and the People's Republic of China had forced states in the region to effectively choose sides. Countries that have received financial aid and foreign direct investments from the PRC, such as Laos and Cambodia, have chosen China over the United States; similarly, Thailand has moved away from Washington and towards Beijing<sup>36</sup>. Due to its strategic significance, Thailand is caught between the great powers, both of which are attempting to influence public and elite perceptions of vaccines through vaccine diplomacy.

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34. Vejpongsa, Tassanee. 2021. Thai AstraZeneca Vaccine Production Falls Short of Target. *The Diplomat*. (<https://thediplomat.com/2021/07/thai-astrazeneca-vaccine-production-falls-short-of-target/>).

35. *Ibid.*

36. Shambaugh, David. 2020. *Where Great Powers Meet: America and China in Southeast Asia*. London: Oxford University Press, 243.

A meagre 1.5 million doses of the Pfizer vaccine<sup>37</sup> were provided by the Biden administration to Thailand<sup>38</sup> due to the “special relationship” between Washington and Bangkok<sup>39</sup>. From an “indispensable alliance” to a distant and strained relationship is the best way to describe the evolution of post-Cold War ties between Thailand and the United States. The military coup d'états in 2006 and 2014 caused the partnership between Thailand and the United States to hit rock bottom. The United States did not only stop funding military assistance and training programmes in Thailand, it also demanded that Thailand immediately return to democracy and a civilian government.

Deteriorating relations between the United States and Thailand allowed the Kingdom to align itself with a rising China that did not place enormous pressure on the country to return to a civilian government or criticise the way in which the military junta ruled the kingdom. US-Thai relations have reached an all-time low, and as Bangkok drifts away from Washington's orbit while increasingly tilting toward Beijing<sup>40</sup>, the US is figuring out how to revitalise its relations with Thailand<sup>41</sup>.

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37. U.S. Embassy & Consulate in Thailand. 2021. 1.5 Million Pfizer Vaccine Doses, Donated by the United States, Arrive in Thailand. U.S. Embassy & Consulate in Thailand. (<https://th.usembassy.gov/1-5-million-pfizer-vaccine-doses-donated-by-the-united-states-arrive-in-thailand/>).

38. Ibid.

39. In addition to the vaccines, the Biden administration also provided COVID-19-related assistance worth roughly over \$40 million. The assistance also included “ventilators, respirators, testing kits, surgical masks, goggles, and other protective equipment to Thai doctors and nurses, plus support for displaced people along the border”. Ibid.

40. Economic interests are believed to be the fundamental motivation for Thailand to strengthen its relationship with China. China has gradually become an important economic counterpart of Thailand. Statistically, Thailand exported 0.971 trillion baht worth of commodities to China in 2019, accounting for nearly 12 per cent of overall exports, while 5.2 million Chinese tourists visited Thailand in the same year, contributing another 0.24 trillion baht to the economy. Parasuk, Charchai. 2021. Get past the Thai-China trade deficit. Bangkok Post. (<https://www.bangkokpost.com/opinion/opinion/2182627/get-past-the-thai-china-trade-deficit>). The Thai economy has been hit hard by the COVID-19 pandemic and the GDP of Thailand fell by 6 per cent in 2020. See: Kaendera, Stella and Lamin Leigh. 2021. Five Things to Know About Thailand's Economy and COVID-19. IMF. (<https://www.imf.org/en/News/Articles/2021/06/21/na062121-5-things-to-know-about-thailands-economy-and-covid-19>). However, the pandemic not only wreaked havoc on Thailand's economy, it also cultivated an unfavourable attitude toward Chinese people.

41. Zawacki, Benjamin. 2017. Thailand: Shifting Ground Between the US and a Rising China. London: Zed Books Ltd.

China was the first country to donate COVID-19 vaccines to Thailand, providing one million doses of the Sinovac vaccine for Thailand<sup>42</sup> as a symbol of the “close relationship between China and Thailand.”<sup>43</sup> Of the Sinovac vaccine alone, Thailand had acquired 7.5 million doses from the PRC, via both donations and procurement<sup>44</sup>. In total, the PRC delivered approximately 27.6 million doses of Sinovac and Sinopharm vaccines to Thailand<sup>45</sup>. Despite the fact that the Sinovac vaccine’s efficacy against the Delta variant remained in doubt, the government of Thailand has continued to purchase more vaccines from Sinovac Biotech Ltd.

In the early stages of the COVID-19 vaccines rollout, scepticism about the Sinopharm and Sinovac/CoronaVac vaccines in Thailand can be explained by ideological differences. To elaborate, pro-democracy Thais tend to have negative reservations concerning Chinese-made inactivated-virus vaccines procured by the Thai government<sup>46</sup>. This group included anti-government demonstrators who oppose Thailand’s vaccine programme, which relies primarily on Chinese-made vaccines for immunisation, despite the fact that it has a low efficacy rate when compared to the Pfizer-BioNTech or Moderna

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42. Chinese Embassy in Thailand. 2020. The Chinese Embassy in Thailand Donates Medical Supplies to Various Thai Institutions. (<http://www.chinaembassy.or.th/eng/gdxw/t1766268.htm>).

43. Angskul, Tarin. 2021. Health Ministry formally receives China-donated vaccines. National News Bureau.

44. Brammar, Hugh. 2021. Thai Foreign Ministry Procures COVID-19 Vaccines from Partner Countries. National News Bureau. (<https://thainews.prd.go.th/en/news/detail/TCATG210901150954220>).

45. Angskul, Tarin. 2021. Health Ministry formally receives China-donated vaccines. National News Bureau. (<https://thainews.prd.go.th/en/news/detail/TCATG210518150520087>).

46. Al Jazeera. 2021. Police clash with protesters demanding Thailand PM’s resignation. Al Jazeera. (<https://www.aljazeera.com/news/2021/7/18/thailands-police-clash-with-protesters-denouncing-pm>); Strangio, Sebastian. 2021. Thai Police Forcefully Disperse Protesters Demanding PM’s Resignation. The Diplomat. (<https://thediplomat.com/2021/07/thai-police-forcefully-disperse-protesters-demanding-pms-resignation/>); Walker, Tommy. 2021. Anti-Government Protests Persist in Thailand Despite Record COVID-19 Cases. VOA - Voice of America English News. ([https://www.voanews.com/a/east-asia-pacific\\_anti-government-protests-persist-thailand-despite-record-covid-19-cases/6208712.html](https://www.voanews.com/a/east-asia-pacific_anti-government-protests-persist-thailand-despite-record-covid-19-cases/6208712.html)); Goodwin, Robin, Lan Anh Nguyen Luu, Juthatip Wiwattanapantuwong, Mónika Kovács, Panrapee Suttiwan and Yafit Levin. 2022. Two-Tailed Dogs, Social Unrest and COVID-19 Vaccination: Politics, Hesitancy and Vaccine Choice in Hungary and Thailand. *Vaccines* 10(5): 789.

vaccines. The Thai protestors in Bangkok demanded, among other things, that the Chinese-made vaccines be replaced with messenger RNA vaccines<sup>47</sup>. On the other hand, the Thai conservatives and Prime Minister Prayuth Chan-ocha's supporters were suspicious of the mRNA technology, which they believed had long-term side effects. Through a state-linked information operation, especially the Center for COVID-19 Situation Administration as well as the "pro-regime" Facebook pages,<sup>48</sup> the narrative that the Sinovac vaccine had a high efficacy rate and was less dangerous than Western vaccinations was created and spread among the Thai Prime Minister's supporters. However, hesitancy toward the mRNA vaccines had faded, as the efficacy of Chinese vaccines appeared to be low in preventing highly transmissible variants. As a result, Western vaccines were considered a better option for the Thais.<sup>49</sup> The government also used Pfizer and Moderna vaccines as booster doses for those who had received either Sinovac or AstraZeneca vaccines for their first shot.

According to the Department of Disease Control in Thailand, 53 million people, or 76.56 per cent of the population, have been fully vaccinated, with AstraZeneca and Sinovac as the most-used vaccines, at 46.5 million and 26.4 million doses respectively.<sup>50</sup> With over 16,000 confirmed cases in the Bangkok Metropolitan Region (BMR) and numerous provinces in February 2022, Thailand has seen new waves of infections. Despite this, the Sinovac vaccine has been used as part of a "mix-and-match" vaccination strategy in Thailand. In some ways, this reflects the Thai government's attempt to maintain good relations with Beijing.

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47. Thanthong-Knight, Randy. 2021. Thai Protesters Adopt Vaccine Demand in Push to Widen Support. (<https://www.bloomberg.com/news/articles/2021-07-14/thai-protesters-adopt-vaccine-demand-in-push-to-widen-support>).

48. Amarinthewa, Wongpun. 2022. Information operations in Thailand: Exploiting COVID-19 to suppress dissent. Rappler. (<https://www.rappler.com/newsbreak/investigative/thailand-information-operations-exploiting-covid-19-suppress-dissent/>).

49. Pongsudhirak, Thitinan. 2021. Thailand's jab fiasco needs an inquiry. Bangkok Post. (<https://www.bangkokpost.com/opinion/opinion/2149475/thailands-jab-fiasco-needs-an-inquiry>).

50. WHO Thailand. 2022. COVID-19 Situation, Thailand. WHO Thailand Weekly Situation Update No. 224. ([https://cdn.who.int/media/docs/default-source/seo/thailand/2022\\_02\\_23\\_tha-sitrep-224-covid-19.pdf?sfvrsn=b3447f885](https://cdn.who.int/media/docs/default-source/seo/thailand/2022_02_23_tha-sitrep-224-covid-19.pdf?sfvrsn=b3447f885)).

Although Thailand's relationship with the People's Republic of China grew stronger by receiving COVID-19 vaccines, the PRC's diplomatic efforts with Singapore have not seen the same level of success. Both Thailand's and Singapore's largest trading partner is the People's Republic of China. However, the two states' bilateral relations with the great powers can be seen as distinctive processes aimed at achieving the best possible outcome for the respective states. Singapore continues to have a healthy economy without relying heavily on Chinese foreign direct investments and its inactivated-virus vaccines.

## **SINGAPORE'S SUCCESS IN COUNTERING COVID-19 AND HEGEMONIC INFLUENCES**

Singapore has been one of the most successful states in Southeast Asia in terms of combating the COVID-19 pandemic. The Singaporean government had been successful in handling COVID-19 and its continuous variants, with 1,569,420 cases and 1,444 deaths, and a mortality rate of 171.60 per million, the lowest in the world.<sup>51</sup> The state has been at the forefront in regard to its vaccination programme with 92 per cent of its citizens fully vaccinated; however, Singapore has a relatively small population when compared to its Southeast Asian neighbours, with 5.6 million inhabitants.<sup>52</sup> Few Singaporean citizens sought Chinese-made vaccines although there were impediments from the national government<sup>53</sup>. Vaccine diplomacy has demonstrated a level of influence from the great powers, permeating through the state governments and directly impacting the desires of their citizens.

When the COVID-19 virus hit Singapore, the government imposed strict border control measures and was proactive in detecting and managing cas-

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51. Reuters. 15 July 2022. Singapore: the latest coronavirus counts, charts and maps. Reuters Graphics. Retrieved 28 October 2022. (<https://graphics.reuters.com/world-coronavirus-tracker-and-maps/countries-and-territories/singapore/>).

52. Ministry of Health. 16 October 2022. Vaccination Statistics. Ministry of Health. Retrieved 28 October 2022. (<https://www.moh.gov.sg/covid-19/vaccination/statistics>).

53. Gan, Evelin. 2021. Understanding why some people are not taking Covid-19 vaccines and how to gain their confidence. TODAYonline. (<https://www.todayonline.com/singapore/understanding-why-some-people-are-not-taking-covid-19-vaccines-and-how-gain-their>).



es, including the tracing and isolation of close contacts. The state avoided a collapse in its healthcare system. Singapore initiated a “circuit breaker”, Singapore’s version of the lockdown, on 7 April 2020<sup>54</sup>. For the government’s national vaccination programme, the state approved two mRNA vaccines from Pfizer-BioNTech/Comirnaty and Moderna. It is important to note that the Sinovac-CoronaVac and Sinopharm vaccines were available to its citizens; however, these vaccines were initially not part of the country’s national vaccination programme. Nevertheless, a small number of Singaporeans have been unwilling to get vaccinated. These citizens tend to come from low-income groups and were generally older citizens; moreover, those that have been hesitant had low trust in the media, government institutions, and health experts<sup>55</sup>. Beginning in September 2021, Singapore started allowing selected travellers into the state, with most restrictions being lifted in April 2022.<sup>56</sup> Although many of Singapore’s COVID-19 restrictions have been lifted, the state expects that there will be a resurgence of COVID-19 cases driven by new COVID-19 variants and sub-variants<sup>57</sup>.

The COVID-19 pandemic greatly affected Singapore’s economy; however, the city-state recovered quickly. In 2020, Singapore’s gross domestic product was expected to grow by 1 per cent but saw a 5.4 per cent decrease. In 2021, Singapore’s GDP was forecasted to grow by 2.6 per cent but it impressive-

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54. Loong, Lee Hsien. 2020. PM Lee Hsien Loong on the COVID-19 situation in Singapore on 3 April 2020 [Press release]. Prime Minister’s Office Singapore. (<https://www.pmo.gov.sg/Newsroom/PM-Lee-Hsien-Loong-on-the-COVID19-situation-in-Singapore-on-3-April-2020>).

55. Edson C Tandoc, Jr, Zhang Hao Goh and Kim Hye Kyung. 2021. Commentary: Dismissing those hesitant about COVID-19 vaccination as anti-vaxxers is short-sighted. CNA. (<https://www.channelnewsasia.com/commentary/why-people-have-not-taken-covid-19-vaccine-hesitancy-reasons-2115446>).

56. Xinghui, Kok. 2021. Singapore trades Covid-Zero for ‘Covid Resilience’. How will it work?. South China Morning Post. (<https://www.scmp.com/week-asia/health-environment/article/3145833/singapore-trades-covid-zero-covid-resilience-how-will>).

57. Sim, Dewey. 2022. Coronavirus: Singapore should prepare for a new Covid-19 wave in July or August, health minister says. South China Morning Post. (<https://www.scmp.com/week-asia/health-environment/article/3180572/coronavirus-singapore-should-prepare-new-covid-19-wave>).

ly grew by 5.2 per cent instead<sup>58</sup>. The Singaporean government's ability to handle the COVID-19 pandemic and the Singapore economy's quick recovery are in stark contrast to the Thai government's handling of the pandemic and its failure to procure enough vaccines for its citizens. Both states initially pursued similar strategies of implementing strict border closures and harsh lockdowns. In 2022, Thailand opened the country to tourists; however, a large number of its citizens had not been fully vaccinated with two doses. Singapore had been successful in vaccinating its own citizens by paying a higher price to be first in the queue; it did not need the assistance of external states. Furthermore, the state has pursued its own form of medical diplomacy and had donated vaccines to less-developed and developing states.

Vaccine diplomacy is not just practised by the great powers; the Singaporean government has been involved in its own vaccine diplomacy. First, Singapore pledged US\$5 million to Gavi's COVID-19 Vaccines Advance Market Commitment (COVAX AMC), meant to enable low- and middle-income states to access COVID-19 vaccines. Next, Singapore's first round allocation of 250,000 AstraZeneca doses and other COVAX allocations have been donated to other countries.<sup>59</sup> Furthermore, Singapore contributed 100,640 Pfizer vaccine doses to the state of Johor in Malaysia and sent 100,000 Moderna doses to Brunei<sup>60</sup>. Additionally, Singapore sent 500,000 Pfizer vaccine doses to Australia as part of a dose-sharing agreement and part of the Comprehensive Strategic Partnership between the two countries.<sup>61</sup>

All Singaporean citizens have access to COVID-19 vaccines through the national vaccination programme. The programme initially included vaccines

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58. Center for Strategic and International Studies. 2021. Southeast Asia Covid-19 Tracker. (<https://www.csis.org/programs/southeast-asia-program/projects/southeast-asia-covid-19-tracker>).

59. Heng, J. 16 July 2021. Singapore to donate Covax allocation to other countries: PM Lee. Business Times. Retrieved 28 October 2021. (<https://www.businesstimes.com.sg/government-economy/singapore-to-donate-covax-allocation-to-other-countries-pm-lee>); Zaini, Khairulanwar 2021. Understanding the Selective Hesitancy towards Chinese Vaccines in Southeast Asia. ISEAS – Yusof Ishak Institute. 86.

60. Yusof, Amir. 2021. Singapore to contribute more than 100,000 doses of Pfizer COVID-19 vaccine to Johor, says chief minister. CNA. (<https://www.channelnewsasia.com/asia/singapore-contribute-more-100000-pfizer-vaccines-johor-covid-19-2158671>).

61. Cheng, Ian. 2021. Singapore will send 500,000 COVID-19 vaccine doses to Australia, same amount to be returned in December. CNA. (<https://www.channelnewsasia.com/singapore/covid-19-australia-pfizer-biontech-dose-sharing-arrangement-vaccines-2146411>).

from Pfizer-BioNTech and Moderna; however, some Singaporeans had been hesitant to take up the US-made vaccines. This was not due to the political alignment of the individuals but rather the technology used in these vaccines. Some Singaporeans had concerns regarding messenger ribonucleic acid vaccines like the Pfizer-BioNTech/Comirnaty and Moderna vaccines. They are concerned with the new technology and the lack of data regarding its long-term effects. Those hesitant about mRNA vaccines considered inactivated-virus vaccines from China's Sinovac-CoronaVac and Sinopharm as being more attractive for themselves. They believed that the traditional vaccination technology is safer due to its long historical record<sup>62</sup>.

As part of the country's national COVID-19 vaccination programme, Singaporean citizens were able to administer either a US-made mRNA vaccine or one of China's inactivated-virus vaccines. Although its citizens were able to decide which vaccine to take, the Singaporean government advised that those opting to take inactivated-virus vaccines would have to pay for the vaccination and that inactivated-virus vaccines would be less responsive to the Delta variant of the coronavirus<sup>63</sup>. The PRC's State Councillor and Foreign Minister Wang Yi visited Singapore on 13 September 2021, with the visit culminating in Singapore and China agreeing to explore new areas of cooperation, including the mutual recognition of health codes and the development of the vaccine supply chain<sup>64</sup>. Interestingly, according to YouGov's Survey of International COVID-19 Vaccine Attitudes (December 2020), 23 per cent of Singaporeans had positive views of Chinese-made vaccines; whereas 32 per cent viewed them negatively. China's Sinopharm and Sinovac-Coronavac delivered 200,000 doses of vaccines to Singapore without Singapore's pri-

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62. Gan, Evelin. 2021. Understanding why some people are not taking Covid-19 vaccines and how to gain their confidence. TODAYonline. (<https://www.todayonline.com/singapore/understanding-why-some-people-are-not-taking-covid-19-vaccines-and-how-gain-their>).

63. Wong, L., and Fong, S. 23 October 2021. Singapore includes Sinovac in national vaccination programme. The Edge Markets. (<https://www.theedgemarkets.com/article/singapore-includes-sinovac-national-vaccination-programme>).

64. Shumei, Leng. 2021. Sinopharm and Sinovac expand supply to Singapore amid study on non-mRNA boosters. Global Times. (<https://www.globaltimes.cn/page/202109/1234420.shtml>).

or approval for use<sup>65</sup>. Out of the 200,000 doses, 170,000 doses were made available to the public under the Special Access Route framework and in a select number of private clinics but the public were warned by senior health ministry officials of “significant risk of vaccine breakthrough”<sup>66</sup>. Until August 2021, Singapore had not fully integrated the Sinopharm and Sinovac-Coronavac vaccines into its national vaccination programme, which thus intensified scepticism regarding the Chinese-made vaccines. Singapore’s Health Sciences Authority had requested additional clinical data from Sinovac-Coronavac in March 2021 and was waiting for data on the Delta variant before the vaccine could be granted approval<sup>67</sup>. However, Singapore then decided to recognise all vaccines approved by the WHO for emergency use, including the Chinese-made vaccines from Sinopharm and Sinovac-Coronavac. The Singaporean government contributed 20,000 Sinovac vaccine doses to the Malaysian state of Johor on 29 July 2021<sup>68</sup>. Although Singaporean citizens are able to choose which vaccine to administer for themselves, the government plays a significant role in terms of influencing which vaccine is preferred.

Singapore is the only country with developed country status in the Association of Southeast Asian Nations and its government performed tremendously in handling the COVID-19 pandemic within its borders. Because Singapore is a developed country, it has a strong healthcare system, a robust COVID-19 track-and-trace programme, and the capability to purchase COVID-19 vaccines from pharmaceutical companies. This meant that Singapore did not have to rely on the vaccine diplomacy activities of the US, the PRC, and the EU. This enabled the Singapore government to have political leverage over other countries in Southeast Asia that had to rely on the medical aid and vaccine distribution assistance of the great powers. Moreover, vaccine

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65. Lai, Linette. 2021. China’s Sinovac Covid-19 vaccine arrives in Singapore, but is not yet approved for use. *The Straits Times*. (<https://www.straitstimes.com/singapore/chinas-sinovac-vaccine-arrives-in-singapore-but-not-yet-approved-for-use>)

66. Zaini, Khairulanwar and Hoang Thi Ha. 2021. Understanding the Selective Hesitancy towards Chinese Vaccines in Southeast Asia. *ISEAS – Yusof Ishak Institute*, 115.

67. Shumei, Leng. 2021. Sinopharm and Sinovac expand supply to Singapore amid study on non-mRNA boosters. *Global Times*. (<https://www.globaltimes.cn/page/202109/1234420.shtml>).

68. Yusof, Amir. 2021. Sinopharm Singapore to contribute more than 100,000 doses of Pfizer COVID-19 vaccine to Johor, says chief minister. *CNA*. (<https://www.channelnewsasia.com/asia/singapore-contribute-more-100000-pfizer-vaccines-johor-covid-19-2158671>).

diplomacy and the conditions imposed by the US, the PRC, and the EU did not impact the Singapore government's foreign policy or bilateral relations with the corresponding great powers.

Singapore and the United States have had strong bilateral relations spanning several decades. The United States did not donate vaccines to Singapore as the city-state was regarded as a developed country; nevertheless, Singapore purchased COVID-19 vaccines from Pfizer-BioNTech and Moderna, both US companies, as part of the government's national vaccination programme. Although the United States did not deliver vaccines to Singapore, the two states continue to enjoy strong relations, especially concerning the security of the Strait of Malacca. Singapore relies on the Strait of Malacca as a major trading route as it is the main hub for east-west shipping. Singaporean leaders have long welcomed the United States' security presence in the waters around Singapore and its freedom of navigation operations in the South China Sea. Singapore has greater faith in the United States than in the People's Republic of China in terms of keeping sea lanes of navigation open for commercial and trade activities.<sup>69</sup> At the same time, Singapore continues to have strong economic relations with China; however, Singapore has been concerned with the PRC's activities in the South China Sea, including the land reclamation of rocks and the installation of naval bases on maritime features.<sup>70</sup> Moreover, as the People's Liberation Army Navy continues its detention of non-PRC fishing vessels and the country bulldozes through its energy exploration missions in the South China Sea, Singapore has had to balance its economic relations with maintaining a strong collective front with other ASEAN member states during the South China Sea Code of Conduct (COC) negotiations with the PRC. Singapore is well placed in the midst of the great-power competition between the West and China; the government is able to manoeuvre through its course of action whilst enjoying strong economic trade with the major powers.

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69. Storey, I. 2008. Securing Southeast Asia's Sea Lanes: A Work in Progress. *Asia Policy*, 6, 95–128. (<http://www.jstor.org/stable/24904662>).

70. Lim, K. 3 December 2012. Singapore concerned over China's South China Sea rule. Reuters. (<https://www.reuters.com/article/us-china-sea-singapore-idUSBRE8B20H120121203>).

## CONCLUSION

Thailand and Singapore, and the wider Southeast Asian region, have shifted their responses to the COVID-19 pandemic. Beginning from strict lockdowns to Southeast Asian developing countries seeking medical equipment and COVID-19 vaccines from the United States, the People's Republic of China and the European Union, COVID-19 is now considered an endemic disease. The COVID-19 pandemic has had a severe impact on the livelihoods of Thai and Singaporean citizens; moreover, Thailand's and Singapore's bilateral relations with the great powers have also been impacted. The COVID-19 pandemic has exaggerated the Indo-Pacific regional hegemonic rivalry between the West and the People's Republic of China. The COVID-19 vaccine diplomacy delivered by the external states – the US, the PRC, and the EU – has reshaped Thailand's and Singapore's perspectives of the corresponding major powers. These powers have expanded their spheres of influence, penetrating through to the citizens in the crucial Southeast Asian region. The United States had to overcome its initial failure in controlling the virus within its borders and reneged on the Trump administration's policy of withdrawing from the World Health Organisation. The People's Republic of China went through a similar crisis of rehabilitating the country's stable image after COVID-19 developed and spread from Wuhan to eventually ravage the globe.<sup>71</sup>

The use of vaccine diplomacy by the United States, the People's Republic of China, and the European Union has helped to prompt the evolution of the Southeast Asian states', more specifically Thailand's and Singapore's, strategies and their bilateral relations with the major powers. Vaccine diplomacy by the US, the PRC, and the EU has been shown to have strongly impacted both Thailand's and Singapore's COVID-19 recovery plans. The perceptions of Thailand and Singapore citizens of the US, the PRC and the EU have been influenced by multiple factors, most notably the information and technology revolving around the COVID-19 vaccines. First, the technologies used in the COVID-19 vaccines and their efficacies have different levels of influence depending on the citizens' age and income bracket. Second, the US's, the

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71. Kopp, E. 14 September 2022. Timeline: The proximal origin of SARS-CoV-2 - U.S. Right to Know. USRTK.org. Retrieved 28 October 2022. (<https://usrtk.org/covid-19-origins/timeline-the-proximal-origin-of-sars-cov-2/>).

PRC's and the EU's level of positive influence can permeate through state governments and directly impact the desires of their citizens. However, the most important factor has been the Thailand and Singapore governments' different levels of success in handling the pandemic, which determines the respective state's reliance on external actors, the major powers, to combat the pandemic. The country's level of success and reliance on the US or the PRC, and to some extent the EU, directly influences the perspectives of the citizens of Thailand and Singapore.

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