

Towards an ASEAN Community

I must congratulate Wisma Putra, IDFR and UITM for organising this colloquium. As Malaysia will assume the chairmanship of ASEAN next July, before hosting the 11th ASEAN Summit in November 2005, this colloquium is timely as it can provide inputs to Malaysia in preparing to take its turn to lead ASEAN for one year.

I hope, drawing upon your collective wisdom and experience, you will be able to come up with ideas and proposals, in your deliberations, on how Malaysia can effectively play its role as chairman, especially in view of the importance of ASEAN in Malaysia's foreign policy. We must further enhance the organisation, both in terms of its substantive direction as well as its institutional processes.

We are all aware that leaders at the 9th ASEAN Summit in 2003 had adopted the Declaration of ASEAN Concord II, also known as the Bali Concord II. This declaration has stipulated that the ASEAN Community shall be established, resting on the three pillars of the ASEAN Security Community, the ASEAN Economic Community and the ASEAN Socio-cultural Community. The target date is 2020.

I suggest therefore that the main bulk of your discussions should be centred on addressing the huge question and suggesting answers on how we can concretely move forward in building the ASEAN Community.

As it is, the ASEAN system is essentially a policy-based regime. Collective ASEAN action is premised on consensus and voluntarism. There is no mechanism to regulate compliance with ASEAN decisions. There are no procedures to settle disputes regarding the implementation of these decisions. Some people say this policy-based régime is in fact the secret formula which has kept ASEAN countries together since its inception 37 years ago. It has also been credited for the various ASEAN successes in regional and international diplomacy over the years.

Keynote Address by Dato' Seri Abdullah Ahmad Badawi, Prime Minister of Malaysia at the ASEAN National Colloquium at the UITM Hotel, Shah Alam, Selangor on 7 August 2004.



The question is: Can the ASEAN Community be built on the basis of conducting 'business as usual' or must we opt for a more deliberate and systematic approach? Should the way forward be in the direction of gradually ushering into being a rules-based regime to replace a policy-based regime? Sixteen years to 2020 may seem a long time from now but I believe ASEAN should not lose time in deciding on this crucial issue.

Perhaps, we should draw inspiration from the ongoing discussions regarding the creation of the ASEAN Security Community which envisages complete freedom for member states of ASEAN to pursue their individual foreign policies and defence arrangements. The more comprehensive ASEAN Community which we have agreed to establish could be a regime with certain clear rules and structures but one which respects, at the same time, the sovereignty of its member states.

The approach towards the ASEAN Community could therefore be taken on the basis of proceeding step-by-step, instrument-by-instrument, institution-by-institution. I believe this is the most realistic approach, taking into account the history of ASEAN practices and traditions as well as the requirements of the future. It is necessary to bring into being an ASEAN regime which has a distinct international personality of its own so that it can ride the tide of globalisation which is arriving with its own set of new regimes and new rules. To be truly cohesive, the ASEAN Community of the future must be founded on a set of common values, perception and outlook.

The Bali Concord II has outlined the components for building the ASEAN Community. These components, however, would remain as uncompleted sections unless we have a clear construction plan and unless we start assembling the components to form the desired structure. I see the task of this colloquium is to brainstorm and produce ideas and proposals for the construction of the nucleus of the ASEAN Community.

As ASEAN chairman, I envisage that Malaysia will have two priorities to implement. First, we must initiate further discussions on the issue of the nucleus of the ASEAN Community. Second, we should take steps to strengthen ASEAN's external relations, especially with the plus-three (+3) countries of East Asia.

Let me briefly refer first to the second priority. We must implement the recommendations of the East Asia Study Group (EASG) to advance the ASEAN+3 process, including the convening of the East Asia Summit. Malaysia hopes we can achieve consensus to hold the first East Asia Summit next year. However, while ASEAN continues to enhance cooperation with China, Japan and the Republic of Korea in East Asia, it is equally important that ASEAN remains open to other countries such as India, an emerging economic power centre in South Asia.

As ASEAN integrates further, it should also begin to institutionalise its relations with the East Asian countries. The free trade agreements and the comprehensive economic partnership scheme that ASEAN is pursuing with China, Japan and other partners in the expanded region is certainly important. But we also need to extend East Asian integration beyond the economic to the realm of politics and diplomacy.

I return now to the first priority that Malaysia needs to attend to when it takes over the chairmanship of ASEAN, and this concerns the need to prepare the groundwork for discussions at the ASEAN level concerning the initial building blocks or the nucleus for the ASEAN Community structure. In this regard, I would like to offer some of my own thoughts on the subject for purposes of generating further discussion in this colloquium or in other forums. I am certain that my colleagues, the other leaders in ASEAN, will also have important ideas to contribute on this important matter. In my view, the conceptual building blocks would need to satisfy at least three fundamental principles, as follows:

Firstly, there should be universal acceptance that community interests would prevail over national interests on issues affecting the community. Consensus-based decision making has been defended as essential in ensuring that national interests are not undermined. However, this procedure can be exploited to effect a veto in the process of decision making. The challenge for ASEAN is to find a formula where the larger community interest should never become subordinate to the interest of only one or a few members. We need to find a way to ensure that community interests will always prevail. Perhaps a system of qualified voting would need to be agreed upon.

Secondly, there should be capacity for enforcing community decisions. If an audit is carried out to account for the list of ASEAN decisions that have actually been incorporated into national legislations, the results would turn out to be quite disappointing. In some cases, national rules and regulations have not been amended to conform to ASEAN's decisions. In other cases, the decisions do not get transmitted to all levels of the national bureaucracy. ASEAN countries have indeed given the necessary national effect to international treaties or conventions that they are parties to. ASEAN countries should be able to do the same with respect to ASEAN treaties and conventions.

Thirdly, there must be adherence by community members to a common set of community values. Some of these values may be universal in nature but others could be distinctively ASEAN in character. Consensus can be found through open dialogue and greater willingness to share information, including national efforts for promoting human rights and good governance. These will help in establishing standards of good conduct among community members and, at the same time, consolidating and strengthening ASEAN solidarity, cohesiveness and



harmony – and thereby instill the ‘we feeling’ among all members of the ASEAN Community. This will furthermore provide credibility for ASEAN to take its rightful place in the international community, equipped with capabilities to contribute to the shaping of norms for peaceful and productive inter-state and inter-regional relations.

The ASEAN organisation is said to be SUI GENERIS, that is to say, altogether unique. That the ASEAN Community will stand for unity in diversity will equally be SUI GENERIS. The integration process will not require member states to forfeit their sovereign rights and competencies. They will remain free to pursue their core national or bilateral interests with other members of the community or with other countries outside the community. In fact, the ASEAN Community is expected to create an environment which enables the individuality of the member states to flourish while they share, at the same time, certain common principles, practices and values.

To contribute some concrete ideas to move the discussions forward, Malaysia may wish to begin by identifying some ‘do-ables’ of the integration process. Examples of such ‘do-able’ institutions and instruments which can form parts of the nucleus of the ASEAN Community could include the following:

- The ASEAN secretariat, which could be strengthened progressively so as to be equipped and capable, eventually, to assume the role of a regional bureaucratic headquarters;
- The ASEAN inter-parliamentary organisation could be energised and developed to serve as a precursor to a region wide ASEAN parliament;
- A network of ASEAN law enforcement and counter-terrorism centres – such as the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Malaysia, the International Law Enforcement Academy in Bangkok (ILEA) and the Jakarta Centre for Law Enforcement Cooperation (JCLEC) – could be combined and integrated to become a regional institution;
- A network of national peace-keeping centres could coordinate to provide a pool of trained personnel capable of providing peace-keeping services at the regional or international level;
- A network of national epidemiological centres could eventually be transformed into an ASEAN centre for disease control;
- An ASEAN University, which could be brought into being through cooperation between existing national universities or by establishing an entirely new regional institution of higher learning;
- Existing ASEAN instruments such as the TAC, the SEANWFZ, the ZOPFAN and other ASEAN agreements could be given fresh life and be duly empowered to serve their intended purposes.

Malaysia should work closely with the other members to promote continuous development of the nucleus of the ASEAN Community. As co-owners of the

ASEAN Community, there is definitely room for intellectual leadership by everyone in implementing the Bali Concord II. Malaysia would welcome other views and suggestions.

While we continue to conscientiously assemble the building blocks of the ASEAN Community, other issues of urgent concern must also be addressed by ASEAN in the meantime. For instance, the appropriate ASEAN forums should begin formulating ASEAN's own benchmarks pertaining to such current issues as human rights, eradication of corruption, good governance, democracy and human security. ASEAN must be seen as a proactive and progressive regional organisation fully attuned to current international concerns.

In order to be credible and be able to carry weight in international affairs, governments of ASEAN member countries must be seen to be performing well in uplifting the quality of life of their peoples and providing good governance to their countries. Similarly, member countries must be seen to be managing effectively any intra-regional problem which affects ASEAN's credibility and standing in inter-regional or international relations.

It is also important to take ASEAN back to where it really belongs, that is with the peoples of ASEAN. We must erase the perception that ASEAN is all about meetings between political leaders or government officials or that it is of particular interest only to the business community. ASEAN must never become elitist. It must be people centred. This means that there must be adequate provisions for greater participation by the civil society in the ASEAN processes.

There is definitely a need for the people of ASEAN to have better knowledge about each other, particularly in terms of societal norms and national cultures. I am therefore delighted to hear that UITM would be establishing an ASEAN studies centre to encourage research and provide inputs on matters ASEAN. This is long overdue and it would certainly support other efforts to strengthen the organisation.

In order to keep ASEAN with the people, the ASEAN Community would need to present itself in images and symbols that are identifiably ASEAN in character. Some possibilities come to mind, such as an ASEAN common time zone, an ASEAN common travel document or, more ambitiously, an ASEAN common currency. All these would make it clear to the people that the ASEAN Community is actually about them.

The time may also be ripe now to begin thinking about an ASEAN charter. This need not be an overly ambitious project. Instead, it should be a practical document designed to streamline and strengthen ASEAN's processes, mechanisms and working methods. It should incorporate all ASEAN basic documents. Such a charter will confer upon ASEAN an international legal personality. It will provide the legal framework for incorporating ASEAN

