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“Moving Forward in Unity: United States, ASEAN and EAS Perspectives”

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INTRODUCTION

As Chair of ASEAN in 2014, Burma/Myanmar adopted the theme of “Moving Forward in Unity to a Peaceful and Prosperous Community.” This theme seeks to strengthen ASEAN cooperation in building regional stability and prosperity. Burma/Myanmar’s theme also emphasizes that the region’s future is dependent on how ASEAN moves forward and works together to ensure peace and progress within the whole region. This off-the-record symposium identified key policy initiatives and clarified issues of priority concern to the U.S., ASEAN and other EAS member states in building a more robust ASEAN community in advance of the 2nd ASEAN-U.S. Leaders’ Summit and 9th EAS Leaders’ Summit, held in Myanmar’s capital, Naypyidaw, on November 12-13, 2014.

The symposium was enriched by the active participation of high level officials from Myanmar and governmental advisors as well as a range of private sector representatives from that country. Senior U.S. government officials also made presentations, as did many other regional and U.S.-based experts. Approximately 110 participants attended the seminar.

OVERVIEW

The symposium was launched with opening remarks delivered by a senior member of the Embassy of Myanmar (on behalf of H.E. U Kyaw Myo Htut, Ambassador to the United States from the Republic of the Union of Myanmar), and a senior official from the U.S. Department of
In addition to addressing specific challenges facing Myanmar as 2014 ASEAN Chair in hosting the 2014 ASEAN-U.S. Leaders Summit and the East Asia Summit (EAS), the symposium also zeroed in on the long-term internal and international issues affecting the entire region.

In his opening remarks the symposium chair challenged the speakers and members of the audience to keep in mind four major questions that he described as summing up the challenges that ASEAN, the EAS and related institutions are facing today:

1) Regarding American policy, can the United States sustain its rebalancing to Asia in the face of developments demanding its attention in other parts of the world, notably the Middle East, Europe and West Africa? Will the Trans-Pacific Partnership (TPP) negotiations reach a successful conclusion?
2) Can ASEAN hold itself together and ensure its continued centrality, given China’s continued assertiveness in the South China Sea? What shape will the ASEAN Economic Community (AEC) take when it is launched in 2015?
3) Can other regional institutions such as the ASEAN Regional Forum (ARF) and the East Asia Summit (EAS) maintain their relevance and counter their impatient critics by moving beyond dialogue to develop mechanisms to address new challenges?
4) Will democracy and human rights in the region advance, stagnate or reverse course in bell-weather countries like Myanmar, Thailand and Indonesia?

Regarding the chairman’s first question about the sustainability of the U.S. rebalance to Asia, the symposium speakers and panelists recognized the challenges faced by the United States but generally agreed with U.S. official speakers who emphasized that the pivot is so central to U.S. interests that it is likely to remain an integral element of American global policy. These speakers stressed the participation levels and the substance of U.S. engagement with ASEAN as an institution and its active involvement in ASEAN-sponsored fora such as the ARF, the ASEAN-U.S. Leaders’ Summit, and the ASEAN Defense Ministers Meeting Plus (ADMM+) as well as in other major regional bodies, most notably the EAS. That a continuing effort would be made was not in question, but doubts were raised as to its effectiveness, particularly in the areas of its serving to “manage” China. Uncertain factors include the responses of China itself, the effectiveness of new leaders and regimes in Southeast Asia, the continuing attraction of the region for U.S. trade and investment, and the willingness of ASEAN to discuss real issues such as the South China Sea (SCS) and establish viable mechanisms to deal with unanticipated challenges. Though it was widely recognized that the success or failure of the TPP negotiations would have a substantial impact on U.S. long-term engagement with the region, the speakers were hesitant to offer prognostications on that score, arguing that much depended on the November 4 elections.

Regarding ASEAN centrality—the chairman’s second question—the U.S. official speakers praised the organization for effectively using its unique “convening power” as a moderate institution widely viewed as exercising maximum self-restraint while not taking sides.
Myanmar’s performance as this year’s ASEAN Chair was also commended. Specifically cited were its strong performance in protecting ASEAN unity and the “robust” statement on the South China Sea that emerged from the 24th ASEAN Summit in May 2014. In this sense, ASEAN centrality is essential for maintaining regional peace and security. One speaker, commenting on Myanmar’s relatively successful chairmanship, as compared with “minimalist” Brunei last year and Cambodia’s difficulties the year before, speculated that Malaysia next year may have a tenure that will prove both active and controversial. ASEAN’s unity, he stressed, can go up or down, but currently is strong because of China’s assertive actions in the South China Sea earlier in the year, notably the oil rig it towed to waters claimed by Vietnam. Other speakers spoke of the danger that territorial disputes in the SCS could cause to ASEAN unity and regretted that Myanmar has not pushed harder for completion of a Code of Conduct (CoC) to govern the actions of China and other SCS claimants, thus giving China no incentive to try to reach an accommodation on that nettlesome issue. One commentator suggested that U.S. official support for ASEAN centrality exists more in theory than in practice, but whether that is true or not, the policy choice is obvious: the United States cannot afford to change its policy of supporting “ASEAN centrality.” As to progress toward the goal of establishing an AEC in 2015, speakers saw the glass as “half full,” but pointed to serious remaining problems stemming from ASEAN member states’ fears of volatility and other negative consequences of data sharing, open cross border flow of information and integration of financial services.

The chairman’s third question provoked vigorous discussion on prospects that regional bodies like the ARF and the EAS might not, or perhaps cannot, evolve from discussion forums to become institutional mechanisms for addressing new challenges. The U.S. position, as articulated by U.S. officials present, was clearly that such institutional evolution is of critical importance. For that reason, they maintained that the EAS should serve as the premier forum for addressing real-world political and security issues of concern to all countries in the Asia-Pacific region. As one official spokesman put it, the EAS should stay “nimble” and without a large bureaucracy, but also have the capacity to convene on short notice to deal with crises that may arise. Other speakers took a longer view. One stressed that ASEAN and the EAS are not ends in themselves, but rather vehicles for the Southeast Asian countries to institutionalize a closer and more enduring U.S. presence, while for the U.S. the aim is to involve itself more comprehensively in regional affairs. Another pointed to the value of these forums for serving as venues for U.S.-China rivalry to be played out through institutional competition. Addressing specific problem areas, one speaker pointed to China’s resistance to the U.S. desire to remove or downplay economics in the EAS agenda, its desire for a free trade area for Asia and the Pacific, its unhappiness or reports that the U.S. has been lobbying allies like South Korea and Australia to stay out of the China-promoted Asian Infrastructure Investment Bank (AIIB).

The discussion around the chairman’s fourth question – regarding prospects for democracy and human rights in the region – focused mainly on Myanmar. One speaker drew surprise, but not strong criticism, by sharing a colleague’s opinion that Myanmar is currently the most democratic country in mainland Southeast Asia. Though criticized for not being more open about its domestic problems, Myanmar allows vigorous debate and has institutionalized space for civil
society. Furthermore, one panelist pointed out that Myanmar’s high-profile ASEAN People’s Forum for civil society organizations and well-attended. However, the regional efforts were frustrated by the refusal of Cambodia, Malaysia and Singapore to allow attendance by their nationals who had been invited by the organizers. Regrettably, one concluded, the region still lacks mechanisms for intra-regional cooperation among civil society institutions.

PROCEEDINGS

Opening Remarks

The symposium chairman opened the symposium by welcoming the representatives from the Embassy of Myanmar, the attending ambassadors and other distinguished guests, the speakers and members of the audience, with a special welcome to those who had traveled from Southeast Asia. He noted that this year’s symposium was the fifth annual conference organized by the ASEAN Studies Center at American University. He encouraged participants to address four questions, which summed up the challenges faced by ASEAN, EAS and other related institutions:

1) **American Policy** – Can the United States sustain its rebalancing to Asia in the face of developments demanding their attention in Europe/Middle East – i.e., Ukraine, the Middle East (with the ISIS/ISIL requiring deployment of American troops), not to mention the Ebola crisis. The Trans-Pacific Partnership is also another part of the rebalance: where is it going? Is there to be an agreement reached any time soon?

2) **ASEAN** – Can ASEAN hold itself together and ensure its continued centrality, given China’s ongoing assertiveness in the South China Sea (an important benchmark in terms of managing the conflict in Southeast Asia). What about the ASEAN Economic Community? Will it be realized in 2015 with all of the aspects of its blueprint, or will it be a truncated version?

3) **Other regional institutions** – Can regional institutions maintain their relevance? The EAS is in its 9th year, the ASEAN Regional Forum in its 20th year, and ASEAN in its 47th year. Taxpayers are demanding answers. Can they develop new mechanisms to address new challenges? Can they move beyond dialogue?

4) **Democracy and Human Rights** – Given setbacks in Thailand but progress in Indonesia’s recent elections, will democracy and human rights advance, stagnate, or reverse in Asia?

Address on behalf of the Ambassador of the Republic of the Union of Myanmar (His Excellency U Kyaw Yaw Myo Htut)

Good morning, distinguished scholars, participants. I am honored to be here. My ambassador planned to speak here, but he had to attend a government session in New York.

Since the beginning of this year, Myanmar as ASEAN chair has taken the lead in uniting the roles and obligations of ASEAN with the theme “moving forward” to become peaceful and prosperous. So far, Myanmar has successfully hosted the 24th ASEAN summit as well as a series of senior-level ASEAN meetings, which included broader participation from ASEAN’s other partners. During our chairmanship, we have emphasized nine priority areas to be further
implemented, including (1) Millennium Development Goals, (2) private-public partnership, (3) climate change, (4) ASEAN connectivity, (5) cooperation with dialogue partners, (6) building capacity for ASEAN institutions including our secretariat and the EAS summit, (7) realizing the AEC and narrowing the intra-ASEAN development gap, (8) continuing to implement targets under the ASEAN Community Blueprint, and (9) advancing the Southeast Asian Nuclear Weapon-Free Zone treaty.

Myanmar as ASEAN chair has been consolidating its relations with its partners by maintaining ASEAN centrality. It has also played a leading role in response to recent developments in the region, and in addressing challenges and urgent issues in the region and beyond. For example, the ASEAN Foreign Ministers have deliberated on the South China Sea and a statement was issued by all of them. An informal meeting was held in New York last month, in which the Foreign Ministers discussed brutality and violence committed by Islamists in the Middle East and released a statement on ASEAN’s position on this. Myanmar has taken initiatives to address illegal wildlife trafficking and non-traditional security issues in close cooperation with other ASEAN countries and participants. Declarations and statements pertaining to maritime cooperation, food security, the Ebola outbreak, and issues of the terrorist groups in Iraq and Syria have also been made.

Regarding ASEAN-U.S. dialogue relations, it is encouraging to see the current progress in our relations with the U.S., especially during the Obama administration. We, ASEAN, wish to further enhance such kind of friendly relations, economic/cultural cooperation, and elevate the existing friendship to a higher level. We appreciate President Obama’s encouragement and engagement with the region, particularly the efforts to promote bilateral relations with ASEAN member states. The New York ASEAN meeting also discussed maritime security and produced a draft US-ASEAN statement on climate change. We are confident that the second ASEAN-U.S. summit will create an opportunity to elevate the ASEAN-U.S. relations to an enhanced strategic partnership. I am confident that U.S. rebalancing policy in Asia will contribute to the peace, stability, and prosperity of the region.

I also wish to highlight improving bilateral relations between Myanmar and the United States. We appreciate the United States’ renewed engagement with Myanmar. The historic chain of visits between our two presidents can be seen as milestones in our bilateral relations. We encouraged our government’s reform process toward a prosperous democratic state. It is my firm belief that this will certainly contribute to the advancement of ASEAN-U.S. relations. We, ASEAN and Myanmar as its chair, are committed to moving forward in unity to achieve our goals for a peaceful and prosperous community. Without the support of the international community and ASEAN dialogue partners, Myanmar would not be able to achieve its duties with that much scope.

On behalf of my government, I profess profound gratitude to all those, including the U.S. government, for rendering necessary assistance and support to Myanmar. I wish the gathering today to have fruitful discussions and outcomes.
Opening Remarks by Senior Department of State Official

The senior official began by commending the Government of Myanmar for doing an excellent job as this year’s ASEAN Chair, surpassing all expectations, though there are still major summits to go. He then noted that while Myanmar has made tremendous progress, so too has ASEAN itself over the last few years. The organization continued to do so under Myanmar’s stewardship, especially in moving toward and beyond the AEC in 2015.

Regarding transnational challenges, ASEAN is making excellent progress in such focus areas as wildlife trafficking, human trafficking, and a wide variety of other areas. Regarding the South China Sea from the standpoint of ASEAN unity and centrality, Myanmar as Chair has proven ASEAN’s ability to speak with a united voice. Throughout the year, particularly since China moved an oil rig to an area also claimed by Vietnam, ASEAN has produced robust statements on its united SCS position.

As to the chairman’s question about democracy and human rights, the official stressed that there has been progress in some areas, but backsliding in others. The U.S. delegation to the inauguration of Indonesian President Joko Widodo, led by Secretary of State John Kerry, demonstrated that the U.S. recognizes and commends Indonesia for its huge step forward in achieving a peace electoral transition.

The official then summarized the three issue areas to which the U.S. is giving priority at the November ASEAN and EAS summits in Myanmar:

1) Investing in the U.S. relationship with ASEAN and its citizens – To continue supporting ASEAN’s economic growth through trade and investment, the Lower Mekong Initiative, the new Young Southeast Asian Leaders Initiative (YSEALI) and the U.S.-ASEAN Fulbright program. Also, as ASEAN develops its own post-2015 vision, so too must the U.S. develop its own U.S.-ASEAN post-2015 vision.

2) Tackling global challenges – To encourage ASEAN to continue driving the regional architecture and broader regional institutions to make them able to take up global challenges, and talk about them in one voice. Examples include ISIS/ISIL, Ebola, climate change and the environment.

3) Addressing thorny issues like the South China Sea – To build on the good work that Myanmar has done as ASEAN Chair to shepherd this conversation, and encourage ASEAN, China and the claimant states to exercise restraint and sit down for serious exchanges that will allow a long-term solution to emerge.

The key piece of this equation, he stressed, is ASEAN unity and centrality. ASEAN and Myanmar have been able to maintain unity to the extent that ASEAN’s strong statements on the SCS have included support for clarification on Article 5 of the Code of Conduct, which enshrines the principle of self-restraint. The United States hopes that such statements will lead to more progress with China on this issue in the coming months.

The official concluded his remarks by stating that the United States is confident that ASEAN will stay unified in the coming years and in so doing will ensure the vitality of other important regional institutions such as the ARF and the EAS. The stronger and more united ASEAN is, the
more effective the region and regional institutions will be in speaking with one voice and addressing tough regional challenges.

Q: Will the rebalancing be sustained?

A: Yes, it can and will be sustained. All metrics show that we are balancing: high-level visits like Secretary Kerry’s to Indonesia and the forthcoming summits as well as the resources being applied to the region and in budget requests for foreign assistance dollars. It is a long-term commitment to securing U.S. interests and those of its partners.

Q: The short-term goal regarding the South China Sea was to maintain ASEAN unity, while the mid-term goal was to have agreement on a Code of Conduct in August. However, ASEAN only noted Manila’s Triple Action Plan and didn’t endorse it, and a binding resolution did not happen. What now?

A: The United States is not a claimant state or party to the discussions. The CoC, which sets out the rules of the road, is a goal that ASEAN and China need to work towards. In order to get there, the parties need to show self-restraint. Problems on the water right now make it difficult for them to sit down and figure out long-term solutions. The United States did not put out a formal piece of paper with a 10-point plan, but did consult with colleagues, China, and other countries in the region about the next steps to get the process going. It has become known as “the freeze proposal,” but it was little more than an idea to get countries to come together and figure out what they could do to show restraint. That is it. Philippines have their own Triple Action Plan and others have their own ideas of how to implement Article 5, but the essence is fundamentally the same: if ASEAN and China are going to get anywhere, the most important step is to show maximum self-restraint in the South China Sea. That is something we have all been talking about. It was enshrined in the statement during the ASEAN meeting in the beginning of August, and is the subject of ongoing conversations between ASEAN and China.

Q: Regarding American public awareness of ASEAN, is it important? How are things going in terms of increasing ASEAN citizen awareness of what ASEAN is all about in order to create a greater sense of unity/identity?

A: We can do better. Forums like this are good for raising public awareness, as well as the work done by other organizations like the U.S.-ASEAN Business Council and the East-West Center. Sometimes it’s difficult to raise awareness of certain foreign policy issues unless they make headlines. Progress is slow, but steady. In the region itself there have been two important developments: (1) A youth volunteer network was created to help build bridges between the youth of ASEAN countries and create awareness of abilities of ASEAN countries to help one another. (2) The U.S.-funded Young Southeast Asia Leaders Initiative and the US-ASEAN Fulbright program are intended to build a sense of ASEAN community by bringing young leaders and potential leaders to the U.S. to study issues that pertain to all of ASEAN rather than just the bilateral relationships.
SESSION I: “Moving Forward in Unity to a Peaceful and Prosperous Community”–U.S., ASEAN, and EAS Perspectives

The chairman of this session invited the panelists and symposium participants to focus on ASEAN’s short- and long-term goals, commenting that ASEAN unity is an especially important concept and it is worthwhile to step back and look at challenges and problems that make synchronizing ASEAN such a large task. While wanting to celebrate unity and the idea of moving forward in peace and prosperity, he added, it is important to underscore the issues that underlie the ASEAN community and to explore the impact of Myanmar’s democratic transition as an important element of ASEAN.

The first speaker said that 2014 has been an exciting year for Myanmar because it is hosting ASEAN for the first time in the 17 years it has belonged to the association, after being kept from the chairmanship when its turn came up in 2006. The rest of her presentation outlined Myanmar’s perspective on being the current ASEAN Chair and how it has contributed to ASEAN unity.

ASEAN has shown unity, she asserted, in speaking with one voice on the South China Sea issue. Regarding this matter, several governments had issues to address in their bilateral relations with China, while others pressured ASEAN to make a joint statement. Two years ago Cambodia was pressured by China to block any joint statement. Myanmar has been trying to balance its position as ASEAN Chair and the influence that China has at Myanmar’s government levels. ASEAN can help Myanmar work toward its own form of democracy, but Myanmar has to build up the mechanism of responding to challenges such as the South China Sea rival claims. Because of ASEAN’s negative reaction to China’s pushing Cambodia, Beijing will have a harder time putting pressure on Myanmar. These developments demonstrate that ASEAN has done a good job with Myanmar as its chair and have given Myanmar confidence it can handle its chairmanship duties at the forthcoming ASEAN events.

Myanmar is on the way to democracy, she stressed, citing the ASEAN Secretary-General’s optimism regarding Myanmar’s ability to provide leadership and seeing “Myanmar’s success [as] ASEAN’s success.” As Myanmar continues its reform process, its chairmanship has impacted domestic stability and progress in Myanmar through benchmark elections, the peace process of resolving long-standing domestic disputes with ethnic minorities, and improving human rights. One remarkable evidence of the impact of the upcoming 2014 ASEAN summit that it has produced a first-ever meeting between the Press Council of Myanmar and the Army Commander-in-Chief. Such steps demonstrate that there is a bright future for Myanmar to move forward toward democracy. Another positive consequence of the forthcoming summit on domestic democratic development is the expectation that free and fair elections will be held in November 2015. Regarding the effort to bring about nationwide reconciliation with rebellious ethnic minorities, the government has reached ceasefire agreements with 15 out of the 16 groups. Finally, in the human rights area the Ministry of Defense has arranged for the unprecedented release of many political prisoners and child soldier recruits.

Apart from South China Sea, the other issue dominating attention by ASEAN leaders has been the establishment of the AEC by its deadline of 2015 and planning for the post-2015 period.
Myanmar has worked closely with ASEAN and its member countries to produce a positive impact. Closer to home, it is clear that Myanmar’s new prominence in ASEAN has increased foreign direct investment, with its popularity growing as investors focus on its affordable workforce and its general desirability as a place to work and put down roots. That said, most people in Myanmar do not expect the AEC to be realized until 2020 and worry that the country’s entrepreneurs do not currently have the capacity to compete effectively within the AEC.

While Myanmar is in a transitional period, it has the dual responsibility to address domestic issues and to chair ASEAN. Although it has some domestic issues to address, it has shown a unique ability to handle the issue of the South China Sea, made political and economic reforms, and demonstrated keen interest in playing a larger role in the region. Myanmar will be closely involved in devising solutions to sensitive issues and ASEAN’s relations with major powers in the region and the rest of the world. It is necessary for the country to implement the main task of ASEAN, especially building the ASEAN Community in 2015, to set future initiatives, and to revitalize the association. Myanmar needs to help transform ASEAN into a people-centered organization, enhance civil society, and improve participation by women.

The next speaker from ASEAN agreed that Myanmar’s performance as ASEAN chair has been impressive but said it would have been even more helpful to the region if it had been more open-minded about talking about its domestic issues, as Indonesia has been in recent years. In addition, because of its obsession with promoting ASEAN unity it has followed an unusual practice of allowing countries to add anything they want to joint statements. On the other hand, Myanmar deserves special praise for using media creatively to promote national reconciliation, spread knowledge of ASEAN and encourage economic reform. Regarding other issues, he noted that China’s chose poor timing when it moved the oil rig in waters claimed by Vietnam, because it caused ASEAN very quickly to demonstrate its unity in response. When threatened ASEAN countries get together without delay. China now realizes that moving aggressively will upset ASEAN. ASEAN also is concerned with the actions of ISIS/ISIL, because of the Muslim populations in Brunei, Indonesia, Malaysia and Thailand. ASEAN’s effectiveness depends heavily on the capabilities of its chair in any given year: Cambodia’s chairmanship was heavily influenced by China, Brunei took a minimalist approach and Myanmar tries to please everyone. Next year’s chair, Malaysia, is active and controversial, and likely to produce intense internal bargaining. Following Malaysia will come Laos. Another factor affecting ASEAN unity is the challenge to U.S. allies and partners posed by China’s increasingly assertive behavior in the region. The challenge reflects both China’s long-term goals of reestablishing its historic influence and also its willingness to apply a wide range of short-term initiatives and promotion of Chinese norms, such as peaceful coexistence.

The next speaker noted that the U.S.’s “rebalancing” toward Asia is nothing new: over the past 120 years, Washington consistently used some variation of this policy to respond to the rise of any hegemonic power in Asia. Whether it has been effective in applying this policy at various times in its history is another matter entirely, but the approach has generally fit a similar pattern of nurturing alliances, improving relations with emerging powers, applying economic statecraft, engaging appropriate multilateral institutions, promoting American values and enhancing military capacity. Currently, Myanmar has surprisingly emerged as the most democratic country in mainland Southeast Asia.
This speaker also pointed out that China sees the U.S. rebalancing as the second containment of China (with the first being during the Cold War and the formation of the Southeast Asia Treaty Organization, or SEATO). This gets into the question of regional architecture and organizations that try to exclude China – should they include China instead? Talk of trying to “manage” China is misguided, even arrogant. We can appreciate the value of ASEAN in lowering tensions in Southeast Asia when we compare the situation with that of Northeast Asia, where there are no instruments for continuous dialogue dealing with broader issues of transnational significance in the region. ASEAN is terribly important. The only recent progress the U.S. has made in East Asia has been tied to ASEAN and Myanmar, and the improvement of ASEAN relations is tied to improving relations with Myanmar.

Q: What can you tell us about Myanmar and Thailand’s relationships with China over the long term?

A: Myanmar has had a good relationship with China, at least with Myanmar’s military government. During the independence era, there were state-state relations. When the military government took power in 1962, the relationship moved to a party-party relationship rather than state-state. The Chinese Communist Party has provided more assistance to Communist insurgent organizations in Myanmar (e.g., the Burmese Communist Party, or BCP). The relationship between China and Myanmar was on a roller-coaster even in that time. When Deng Xiaoping came to power, he changed the policy toward Myanmar away from party-party, cut assistance to the BCP and returned relations to a state-state format. Over a long period Myanmar-China relations have been good. However, now that Myanmar is making a democratic transition, it is hard for both countries to normalize relations again since Myanmar has opened up and extended itself toward countries in the West and Europe. During the days of the economic sanctions, it had no choice but to rely on China and ASEAN for economic development, but that situation has changed. China’s uneasiness about Myanmar’s democratic transition is that Myanmar is coming out of the shadows and putting its stress on sustainable economic development. There are many Chinese investments in Myanmar, but several environmentally unsustainable projects are now in abeyance. Myanmar wants friendly relations with China and all other countries, so that Myanmar can reintegrate into the international community. It has to balance the U.S., China, and other countries for geostrategic considerations. That means not damaging relations with China, but keeping friendly ties.

Another panelist addressed the question by saying that, structurally, Thailand is still dominated by America but since the recent coup in Bangkok China has been very nice and accommodating. Like Myanmar, Thailand tries to keep a balance between the two powers and has long tried to maintain this balance. Thailand was an anti-communist country for a very long time, but now Thailand and China have closer relations politically and economically. Still, Thailand proceed cautiously with large projects, such as with Chinese interest in high-speed rail projects linking the two countries. China definitely wants south China to become well integrated with mainland Southeast Asia, he said. The U.S. must increase the capacity of all ASEAN countries to engage China. Though the U.S. remains an important ally of Thailand, but for the sake of both countries the relationship needs to be rejuvenated and redefined once Thailand’s domestic political situation calms down.
Another panelist joined the discussion by noting that in earlier times, all of mainland Southeast Asia was considered by China as part of its sphere of influence, and even today Myanmar has no choice but to have good relations with China. Though after 1988 Myanmar became highly dependent on China, it was never a client state of China. A long-term issue between Myanmar and China is that two million Chinese live illegally in Myanmar but have their own access to credit unavailable to ordinary Myanmar citizens. This could lead to the kind of tensions that caused Myanmar to go socialist in the first place to get rid of the foreigners controlling its economy.

Q: What are the major salient issues on the table for the East Asia Summit?

A: At the moment, ASEAN is increasingly confident that it will gain the ability to set the EAS agenda. The U.S. wants EAS to discuss strategic matters, and though ASEAN wants to have that agenda-setting role, it does not have the monopoly in doing so and must allow other EAS members to have their say. The U.S. will play a much more important role in security issues, such as the Islamic State. China used to follow ASEAN on issues in the EAS that would not upset anyone, such as economic development, as did Russia. This kind of division of labor, if it works, will allow the EAS to become the foundation for building a stronger regional architecture. Much depends on how confident ASEAN feels that it can control the agenda to set broad political, security and economic goals for the EAS.

Q: Why is Myanmar described as the most democratic state? What about Malaysia? What are prospects for future democratization in ASEAN?

A: Myanmar may be deemed the most democratic, because its democratic transition is really remarkable. The change was very peaceful, even if top-down or vertical. Democratic values like freedom of assembly, rights, and expression have returned after 60 years. It allows demonstrations with prior notice and even though the government did not allow university demonstrations, students who did so were not arrested. Under the previous military government citizens could not talk or express their feelings, but all that has changed. The meeting between the Press Council and the Army Commander in Chief was amazing, as was the release of the child soldiers. A National Human Rights Commission (NHRC) was also established by the government to hear dissents of people.

Another speaker observed that the improvement in ASEAN’s democratic/human rights track record is not enough to match international standards, but it’s good enough for the region. Indonesia opened the way. Thailand’s democracy and human rights are like London weather: always changing and likely to move again in the right direction. For example, it recently broke ground on fact-finding regarding better conditions for migrant workers.

Another speaker said there must be a distinction between democracy and pluralism. Myanmar, even in a rigged parliament, has a dynamic in its parliamentary debate with a small opposition that is far more vigorous than in Singapore or Malaysia. But backsliding is happening. If there are strong anti-Muslim riots in the Rakhine State, Mandalay and Yangon or central Myanmar that require a declaration of martial law, then there could be significant regression, but that seems unlikely. People expect a certain degree of freedom. There will be debates on how far it
can go, but the momentum is there and will probably continue. This pluralism is very important and, after 50 years of bad governance, really notable.

SESSION II: Strengthening the ASEAN Political-Security Community

The session chair began the session by reminding the audience that in addition to the security issues for EAS consideration already on the table at the symposium, notably the South China Sea issue, all the important East Asia and Pacific leaders will be in Beijing at the APEC meeting just prior to the ASEAN-US Summit and the EAS in Naypyidaw.

The first speaker in this session stressed the U.S. military’s commitment to multilateral ASEAN defense engagement, explaining that the rebalance policy is primarily about modernizing alliances and strengthening partnerships. The new focus on multilateral institutions is important for building habits of cooperation and opening up shared channels for regular dialogue that will foster sustainable trust and cooperation. From the perspective of the Department of Defense, these forums support the objective of ASEAN playing a central role in regional peace and security. A strongly integrated ASEAN is in the U.S. national interest of promoting free and open commerce and fostering discussion of regional issues. The Department of Defense, from Secretary Chuck Hagel on down, is also very supportive of the ADMM+ process and the support it gives for cooperation in multilateral exercises. In April Secretary Hagel reciprocated past hospitality by his ASEAN Defense Minister counterparts by hosting them at a retreat and private-sector roundtable in Hawaii that afforded opportunities to demonstrate dimensions of U.S. military capabilities. The U.S. asks only that ASEAN countries stand for shared principles and continued cooperation among themselves, for example by supporting the ASEAN Humanitarian Assistance Centre.

The next speaker focused on territorial disputes in the South China Sea, which he argued have the potential of weakening ASEAN and disrupting the building of an ASEAN security architecture. China could take advantage of the relative weakness of other claimants to these territories, and the situation is complicated by the East China Sea dispute with Japan over the Diaoyu/Senkaku islands. The Philippines has been courted by Japan, which offered to send it 10 new Coast Guard cutters earlier this year and suggested that the two countries form a strategic alliance. However, the Philippines definitely should not enter into a strategic relationship with Japan, as that stance could seriously impede a peaceful resolution of its dispute with China. Priority emphasis should be placed on developing a CoC to govern matters relating to disputed territories in the SCS. It is necessary to reduce Chinese threats one way or the other, perhaps by finding workable instruments for cooperation in energy development. Finding a way for Taiwan to participate in such an arrangement might be possible, but certainly would not be problem-free. Prior to the recent SCS disputes, bilateral China-Philippines relations were quite warm. Regarding what the U.S. rebalancing policy should accomplish, the speaker stressed that it is up to the U.S. find ways to engage China and convince it that the policy is not one aimed at containing the PRC. In additions it must likewise convince its allies that it’s still a reliable partner, even though it is often preoccupied by developments in other parts of the world. That is why it is imperative that President Obama attend the upcoming summits.
The next speaker began by making a few general remarks about the rebalancing. Its success will depend as much on what ASEAN leaders think as on what the U.S. wants from the policy. There has to be enthusiastic engagement from both sides. The U.S. has made it clear it believes the EAS should be the premier leadership forum, that the EAS should give strategic guidance to other forums and that ASEAN centrality will continue to exist, though its practicality remains in question. In short, the EAS is a key element in institutionalizing the U.S. presence in Asia. ASEAN and the EAS are importantly connected to other less institutionalized bodies such as the ASEAN Plus Three. The challenge for the U.S. is constantly to calibrate its bilateral and regional interests.

The next speaker stated that ASEAN has become the central player in the SCS dispute since Secretary Hillary Clinton’s 2010 speech about free passage in that region. Taking that message as a direct attack on them, China has since then had an increasingly assertive SCS policy that has strained relations with the U.S. and Southeast Asian countries. Beijing wants all those issues to be handled bilaterally. China convinced Cambodia to block the South China Sea issue in 2012 (when Cambodia was ASEAN Chair). It was hoped that Myanmar, because of its close relations with China might be able to help resolve the disputes, but that has not proven to be the case. Though Myanmar has pushed hard for ASEAN to reach internal consensus, it has chosen not to put China under the spotlight. Essentially, it does not view the SCS as Myanmar’s fight, but has allowed for full inclusion of SCS issues in ASEAN. For example at the 24th ASEAN Summit in May 2014, when tensions between China and Vietnam were still high, President Thein Sein promoted extensive discussion on regional issues and directly voiced concern about SCS disputes, but the final statement simply expressed those concerns and called for the disputes to be resolved by peaceful means. The statement contained no antagonistic position towards any country. At this point in 2014 China has taken steps to defuse the SCS situation, perhaps from a desire to minimize tensions at the November APEC gathering. No one can foretell what might happen after it has concluded and international attention is focused elsewhere. China has it in its power to determine the pace of SCS discussions through its actions – for example through a dual track strategy that puts sovereignty issues on a bilateral track, and peace and stability issues into a multilateral track.

Q: What is actually holding back the Code of Conduct?

Q: Can ASEAN move forward without successfully handling the SCS issues with China?

A: On panelist commented that the ASEAN countries need to consult much more closely and should not “act like Americans” like the Philippines did in making ambitious SCS-related proposals without prior consultation with its ASEAN partners. He believes joint development ventures in the SCS could be possible, but cannot succeed unless they involve all the claimants. Other panelists commented that ASEAN’s main goal should be to continue its active engagement with China, whatever happens with regard to the SCS issues. In other words, they should not be seen as the “litmus test” for ASEAN’s success or failure. As for the future of the CoC, Malaysia is unlikely to push it any more than Myanmar has done.
Keynote Luncheon Address by Senior Department of State Official

At the luncheon a senior U.S. Government official stressed Secretary of State John Kerry’s commitment to ASEAN and the EAS, citing that he had just returned from attending the inauguration of Indonesia’s newly elected president, having concluded that it was so important to celebrate a peaceful democratic election in the world’s fourth largest country. He added that people-to-people ties are at the heart of the U.S. relationship with ASEAN and that it important that ASEAN invests more in the United States. In addition to focusing on the specific aspects of bilateral relationships, the fact that if Southeast Asia is peaceful, stable, and increasingly prosperous and democratic, that is a huge plus for the U.S. and for the world. That is America’s core interest, he concluded, because what fundamentally matters is that Southeast Asia be successful. Looked at another way, an unstable Southeast Asia would be chaotic, with increased health problems, a breeding ground for extremism and so forth. It is therefore very much in the U.S. interest to further the already close relationships between countries and thereby further reduce risk of instability. Essentially, the U.S. wants ASEAN to succeed.

Another central feature of U.S. policy is to give strong support to ASEAN centrality. That is because ASEAN is the one institution that has convening power without making others nervous. Nobody believes that ASEAN is on anybody else’s side, and that’s a huge asset, he asserted. Though there is no prospect that any other institution could replace it in that role, the U.S. believes that the more it can do in terms of active diplomacy the better for everyone. Traditionally U.S. relations with ASEAN have centered on sitting down together, usually in support of one or more of ASEAN’s three pillars, but going forward it would be desirable to talk about partnerships relating to other international challenges such as the Ebola crisis or ISIS/ISIL extremism. At the forthcoming ASEAN-U.S. Summit there will be conversation about a climate change statement and some statements on ISIS/ISIL.

Several years ago the initial U.S. reaction to the EAS was uncertainty about what to make of it. Then recognizing its great potential the U.S. decided to be part of it on the grounds that membership was essential for being an important player in the region. President Obama attended the first EAS in Bali in 2011, and since then the U.S. has been a pretty passionate member of what has strong potential to be the preeminent political and security institution in the Asia Pacific region.

“Where does ASEAN go from here?” he asked. The answer, from the U.S. perspective, is that when the President and other senior officials attend high level meetings, it is essential to talk about the real issues, like the SCS. As for the EAS becoming an effective long-term regional institution, there should be a way to equip it, in the least bureaucratic way possible, to deal with realistic issues.

In conclusion, he again stressed that the rebalance is a long-term commitment by the U.S. for which there is generally strong bi-partisan support that will continue.
SESSION III: Moving Toward the ASEAN Economic Community in 2015

The first speaker at this session mentioned two basic challenges Myanmar faces: (1) the current one of reconciling its responsibilities in chairing ASEAN while also dealing with its internal reforms and (2) trying to quickly bring itself up to international standards so that it can effectively deal with its two giant neighbors, India and China, an effort for which it requires considerable capacity-building assistance. He also noted that Myanmar recently became the 45th member of the EITI (Extractive Industry Transparency Initiative), which supports sharing of information about national resource extractions, as a way to help the country govern its national resource endowments. Myanmar is probably the first country in mainland Southeast Asia to have done so, though the Philippines and Indonesia have also signed on to the EITI. It would be desirable for other ASEAN countries also to join it. Additionally, an international conference on financial inclusion is needed to address the separate needs of the less and the more advanced ASEAN economies. He also stressed that ASEAN is not slowing down on economic integration and promoting greater connectivity, but added that it is very important that the U.S. follow the EU’s lead and reauthorize Generalized System of Preferences (GSP) benefits for Myanmar that were withdrawn in the 1990s.

The next speaker started by saying that with regard to ASEAN’s economic agenda he saw the glass as “half full,” with evidence coming from the clear fact that there is already a robust national discourse about the post-2015 AEC agenda. The American business community wants more cross-region movement of factors of production such as people, capital and services. That U.S. firms have concluded at least seven MRAs (mutual recognition agreements) for at least seven professional service areas is a promising start, but more work needs to be done to promote the integration of ASEAN’s own skilled labor force. It is one thing for professional associations to reach cross-border agreements, but it is even more important for ministries of labor and manpower to implement policies that promote such interactions. Better movement of capital should be a major goal for the AEC. Another major priority for integration should be to connect various single windows. Despite frustrations over ASEAN member country’s foot-dragging, international bankers are positive about the AEC and foreign direct investment continues to flow into the region. Regarding data transfers and cyber security, ASEAN countries have an opportunity to work with global IT companies and perhaps distinguish themselves from China and India on such matters. From the U.S. perspective, a successful TPP negotiation could potentially advance the AEC through creating positive feedback loops.

The following speaker focused on reduction of barriers to trade and services, especially the liberalization of financial services, which thus far has been rather piecemeal and with poor monitoring by ASEAN bodies. Between 2001 and 2013 investment to ASEAN increased substantially, but half of the growth went to Singapore. And intra-ASEAN cooperation is minimal: only three ASEAN banks work in seven or more ASEAN countries. When these bankers are asked why they aren’t able to move forward, they say they fear contagion by exchange rate volatility and are reluctant to engage in cross-border risk sharing agreements. The glass may be half full, but it is also half empty.

Looking past 2015, the ASEAN-led Regional Comprehensive Economic Partnership (RCEP) initiative has great promise, because it is more inclusive and flexible, though some countries
resist opening major sectors and the different levels of economic development make it difficult to implement by the end of 2015. There is also the problem that some countries do not have free trade agreements among themselves, which complicates efforts to harmonize provisions of the RCEP. The U.S. is trying to keep the EAS as essentially a security summit, with lesser attention given to economic issues. Meanwhile APEC is talking about reintroducing the idea of a Free Trade Agreement for Asia and the Pacific (FTAAP), to converge the TPP, RCEP and ASEAN+3 via a study to launch this convergence to happen by 2025. China’s latest initiative is to announce the formation of the Asia Infrastructure Investment Bank (AIIB). Finally, he mentioned that the TPP are bogged down between the U.S. and Japan’s differences on market access issues. If it cannot be hammered out by early in 2015, its chances of completion will become more difficult.

The next speaker pointed out that ASEAN economic integration is overwhelmingly market driven, dividing the ins and the outs. Domestic economic reform in nearly all the countries is vitally needed to attract domestic and foreign investors. In this context, the AEC should not be seen as a goal in itself: whatever benchmarks are reached there, tariffs are not close to zero and there still remain many behind-the-border barriers. In addition, negotiations aimed at producing enforceable agreements bog down over sovereignty issues and the member countries have demonstrated that they do not want the ASEAN Secretariat to be stronger. That is the strategic environment in which ASEAN is operating. One of the questions discussed over lunch had to do with Japan, which is still economically powerful and has recently taken on a slightly more active political role. It is not easy to cooperate with Japanese on the ground, the speaker explained, because of its complex bureaucratic process. Though prospects for closer cooperation with the Japanese are limited, the U.S. should direct more attention to trade and investment with the region and not concentrate entirely on the Chinese role. Once it gets launched, the RCEP can be an important player in economic integration, helping in such needed areas as harmonizing rules of origin with or without getting a push from the TPP. Rebuilding momentum for the APEC vision of an eventual FTAAP would also represent a welcome step forward. Another initiative the U.S. could undertake is to take a more active approach to promoting English language training in many of the ASEAN countries, so that they can communicate more effectively with one another as well as with the U.S. and other international counterparts. It is also important for the U.S. to emphasize to the Chinese that its current rebalancing has many non-military parts, with the economic dimension offering numerous avenues ripe for cooperative, win-win initiatives. It needs to take a clear stand on the China-sponsored Asian Infrastructure Investment Bank and should also do a better job of educating the American public by seizing opportunities to promote themes highlighted on the website called aseanmattersforamerica.org. Two long-term matters of concern to the speaker are (1) growing income inequality in ASEAN countries, as well as in the West, and (2) an emerging crisis of legitimacy in Post-WWII institutions like the World Bank and the International Monetary Fund, whose roles remain essential but whose governance style and voting arrangements face growing criticism.

Q: Is China going to manipulate the EAS agenda so that the U.S. will not be able to talk about the TPP?

Q: Will ASEAN be squeezed out by the TPP?
Q: Why aren’t there more U.S. FTAs with ASEAN countries? What trade promotion steps forward can be expected in the remaining years of the Obama administration, or for that of the next president?

A: There are many areas where the U.S. and China can cooperate, and some of those will certainly be explored in the various leaders’ meetings coming up in November. Maybe an initiative regarding the Mekong could be possible.

A: The RCEP and the TPP are not a zero-sum game. If the TPP is successful then four of the ten ASEAN countries would have signed onto similar commitments. That may bring in some of the other six. China and India are in the RCEP, but not the TPP, and India is not a member of APEC. Competitive liberalization, cross-fertilization of ideas and information sharing on matters such as trade in services can significantly benefit member countries in all the bodies.

A: The FTAAP will have problems stemming from the fact that three ASEAN members plus India are not members of APEC, its parent body. Ultimately, it would be best to hitch the RCEP and the TPP, such as through the global supply chain. Myanmar can provide ways for China and the U.S. to cooperate, such as with a malaria treatment initiative on Myanmar borders.

A: The reason the U.S. does not have more FTAs with ASEAN is that the U.S. Trade Representative (USTR) office responsible for carrying out such negotiations, must respond to Congressional guidance saying there cannot be any agreements that do not respond to a range of strict requirements. And several ASEAN countries that showed initial interest backed out after realizing that they could not meet the high standards required.

SESSION IV: Building a People-Centered ASEAN

The session chairman began the session by noting that young people in ASEAN generally lack a sense of identity with ASEAN and not just their own countries and that he hopes many of them will take advantage of new U.S. Government-funded opportunities to attend U.S. universities.

The first speaker commented that although Malaysia’s chairmanship of ASEAN might be controversial in some respects, the only thing that might be controversial about the Socio-Cultural Community under Malaysia might be the definitions used for identifying “the people.” In any event the idea of ASEAN being for the people and by the people is expected to be the overarching theme of Malaysia’s chairmanship of ASEAN. Under that rubric Malaysia is likely to stress four key areas: (1) Education, with a special emphasis on early childhood education. (2) Youth, with specific regard to entrepreneurship, leadership, and education/volunteerism. In terms of deliverables, there may be an ASEAN Youth Summit next year. There might be an emphasis as well on technical education and vocational training. (3) Health, with some emphasis on food security, in terms of providing a balanced healthy nutrition. And (4) the Civil Service, with priorities not yet announced.

The next speaker reported on attending an international conference on ASEAN Studies at an Indonesian university in Jogjakarta. It was shown that though few people know anything about the ASEAN Community per se, there is good general knowledge about the AEC thanks to efforts
of the Indonesian president in establishing an ASEAN Economic Community Preparedness Committee, and there is even a stall devoted to the idea in downtown Jakarta during “car-free Sundays.” It is not clear what stance newly-elected President Jokowi will take, but the initial indications are very promising. As for the ASEAN Socio-Cultural Community (ASCC), there is much less knowledge about that “human face of ASEAN” pillar, but one should also note that many more students and scholars are being engaged in addressing ASEAN issues. Though it seems only something to get a warm and fuzzy feeling about, this pillar is actually at the center of it all, because people-to-people relations are the core. In Indonesia, when one talks about ISIS/ISIL, the conversation quickly leaves the security perspective and gets into questions of religious tolerance and what is being taught in the educational system.

There is actually already some impressive progress under this pillar, for example in arranging easier intra-ASEAN travel through visa arrangements and in carrying out educational exchanges. In addition, more ASEAN Studies Centers are being established in Indonesia, many of which are based in universities (and in the Habibie Centre). There are messages about ASEAN to be conveyed to university students in a great variety of faculties – such as health, medicine and engineering. A question that has been asked by students is: “How do we become more ASEAN?” The ASEAN-ness of anything comes from the people! It depends on the people. It’s not a construct you can capture.

The following speaker chose to offer further thoughts on the subject of identity, calling it central to the notion of moving toward a people-centered community. The practice of using “people-centered” versus “people-oriented” (the formulation used in the ASEAN Charter) opens the concept to ideas of participation and open deliberative processes that lead to real-world initiatives, projects and programs. That is quite different from the traditional and elitist top-down approach that ASEAN has been known and excoriated for. In the 21st century, ASEAN can no longer conduct “business as usual,” explaining that everything being done is “for the people” without input from those most directly affected. What has been happening in Myanmar is reflective of a larger spirit of change happening throughout ASEAN. People are finding their voices and asking, “What’s in it for me?” with a bit more volume than they did before. To link this evolution back to the notion of belonging to the region we should remember that ASEAN has always sought to connect the “people” factor to results gained in the economic sector. That is why people issues have long been on the ASEAN agenda without getting too sucked into the economic integration part of the exercise.

As the ASEAN Secretariat and others sit down and identify what’s next after 2015, no one can just look at the socio-cultural pillar as this eclectic mix of song and dance. You can still see that prioritization happening unconsciously in the member governments. If you look at the ministries representing the people of the ASCC, they are the ministries of youth, culture and social welfare. ASEAN member countries demonstrate a wide variety of understandings of what the ASCC is all about and huge numbers turn up at its meetings. The ASEAN Secretariat has recognized the importance of bringing together all the strands of the ASCC to leverage the best ones and have identified several cross-sectorial, cross-border issue areas they want the socio-cultural pillar to focus on post-2015: (1) climate change and disaster management, (2) health and wellness, (3) education and youth, and (4) poverty reduction and social welfare. In a study conducted in 2007 at ten “leading” ASEAN universities, 75% of the undergraduates identified themselves as
citizens of ASEAN, with the highest percentages coming from the newest member countries, where attitudes toward the organization are considerably more positive than among the founding member states. Materials produced to spread awareness of ASEAN, like a cute but informative cartoon video sponsored by USAID for ASEAN’s 40th anniversary and the U.S.-backed ASEAN Curriculum Source Book, deserve much wider distribution. In addition, there remains a great need for more capacity building, awareness building, and information-sharing to explore how ASEAN’s national, bilateral and regional spectrum of synergies can be put to service in moving ASEAN forward.

The next speaker focused on civil society issues in Myanmar, first noting that as a general proposition civil society organizations play distinctive parts in societies that are transitioning away from authoritarian governance. At the outset they must seek to institutionalize and legitimize their own roles and foster public participation in politics and policymaking. In Myanmar there may today be as many as 10,000 NGOs, from the local to the national levels. Religious/social organizations have existed there from the time of military rule and some social welfare organizations were formed after Cyclone Nargis in 2008. These NGOs are among those that have expanded since the move to democracy, while some bodies formed under the military government are still associated with it (e.g., the Myanmar Red Cross, Myanmar Maternal and Child Welfare Organization). Rights-based organizations operating out of India have since come back, as well as political activists who were operating underground and have since returned to run NGOs. There are also many professional organizations such as the business organizations that were formed under the previous government and continue to operate today, some more independent than others.

Myanmar has seen a great deal of activity and reorganization within the civil society sphere, with many NGO reexamining their aims, moving to a more independent space and/or developing a policy-oriented angle to what they are doing. In addition, cooperative efforts, networks and actual alliances have been formed to focus on such areas as land rights, farmers’ issues, peacebuilding and women’s issues. With regard to the institutionalization of civil society in policymaking and rendering government more accountable, there has also been great progress. Previously, civil society organizations found it extremely difficult to get legally registered. One of the first pushes for civil society was a reformed registration law. The government prepared a draft law that came to Parliament, but this first draft was quite restrictive (non-registration was illegal and resulted in a fine). Civil society organizations were concerned about this development and organized a response: they held consultations in lower Myanmar and upper Myanmar, wrote their own draft law, came up with a list of recommendations, formed an advocacy team, secured legal expertise, and met with Parliament to discuss how the law should be revised. In the fact, the law was revised to incorporate the recommendations of civil society. This created legal space for civil society organizations of all sizes to exist in the country: they can choose to register locally or nationally, and the process is much shorter than it originally was. This success set a valuable precedent for civil society to work with Parliament on registration and drafting laws. Hard-pressed and short-staffed MPs have shown appreciation for expert-level inputs on complex laws coming before Parliament.

With respect to the deliberations leading up to Myanmar’s decision to sign on to the Extractive Industries Transparency Initiative (EITI), the affected civil society organizations were able to
form an umbrella organization to represent them on a council with government and business/professional organizations. Though concerns remain about NGOs operating in the territories controlled by ethnic minorities, it is important to note that considerable institutional space has been established for civil society organizations to have a role in promoting government accountability. Some serious problems have resulted from civil society involvement in politics. For example, in 2013 Buddhist monks associated with the 969 movement (part of whom consolidated into the Committee for the Protection of Race and Religion) put out a petition calling for restrictions on marriages between Muslims and Buddhists. Two and a half million people signed the petition, which was then submitted to the government. When the draft law was actually drafted in Parliament, 97 civil organizations drew up their own petition opposing the law. Unfortunately, those identifying themselves as the petition’s media contacts were threatened for opposing the law. This episode demonstrates that the civil society sphere can still be fraught with tension, even danger, and that not all NGOs support broad notions of citizenship. Finally, the speaker mentioned that Myanmar hosted a very successful ASEAN People’s Forum in March 2014, which over 3,000 people attended. The government did not impose any restrictions and cabinet members came to speak on behalf of the president in support of ASEAN’s people-centered focus. However, the governments of three of the ASEAN countries – Cambodia, Malaysia and Singapore – refused to allow attendance by the civil society representatives invited by the organizers. This turn of events shows clearly that though, regionally, civil society organizations are strengthening their ranks, not all governments are ready to work with autonomous organizations pushing for greater democratization.

Q: Why wasn’t English language training, which came up in an earlier session, mentioned by any of the panelists? Is this an area that Malaysia is thinking about when it establishes its priorities for 2015?

A: One speaker responded that while Malaysia itself has issues with the English language, it welcomes the active expansion of the Fulbright English Teaching Assistant program. However, this general subject is not likely to be included on the educational part of Malaysia’s proposed 2015 agenda. Another speaker commented that ASEAN’s working language is English, and building English capacity is a part of most of ASEAN’s bilateral, trilateral, and multilateral initiatives. It was established as a feature of what the six ASEAN countries offered to the newer countries under the “Initiative for ASEAN Integration” and has become a regular feature of regional cooperation. Some jokingly say that you need to do three things to be an ASEAN member: speak English, eat durian, and play golf.

Q: Are civil society organizations working for the people or working for themselves? What are other ASEAN countries’ policies on civil society organizations?

A: A speaker responded that in Indonesia civil society organizations have to be registered by the Ministry of Justice, whether they are think tank or community-based organizations. Though it is important to Myanmar’s development, it is very unfortunate that there is no effective mechanism for building inter-ASEAN civil society networks. The ASEAN Civil Society Forum’s efforts are commendable for producing wish lists to governmental leaders, but there is never a stock-taking of what happens to those wishes after they are delivered. In Indonesia civil society organizations continue to play a major role, including during the recent presidential election. There is much
progress in Myanmar, but in Malaysia they are not given much of a voice. Another speaker commented that while Malaysia also requires civil society registration, it is making plans for a civil society organization gathering to be held alongside next year’s Youth Summit.

Q: Civil society organizations in Myanmar have begun playing a mediating role that usually is taken by the courts. Have you seen other examples of this? Is it becoming a trend, or is it temporary?

A: One note on the law in Myanmar: any organization that receives foreign funding must be registered. You’re right that people are looking for other avenues to resolve disputes outside of the court system, because of corruption or the lengthy process of dealing with the court system due to distance for rural communities. People are trying to avoid going to the courts and instead turning to civil society organizations and political party members to help resolve their disputes.

Q: Given that there are so many initiatives and programs planned for 2015 by the Malaysian government, a considerable budgetary outlay will be required for their implementation. How can you ensure the sustainability of these projects, and how can you ensure that these projects will be successfully implemented?

A: One speaker responded that Malaysian Prime Minister Najib has talked about the need for reform and a revision to the ASEAN contribution structure for implementing projects. Any outlays above minimal contribution levels will be used to strengthen relevant ASEAN institutions. A second speaker commented that getting domestic funding for ASCC initiatives is very difficult. The people’s pillar, which shows little prospect of offering short-term payoffs, is low priority in national budgets, while the ASEAN economic pillar consistently does much better.

Q: How possible is it to create this people-centric identity when every ASEAN country is struggling with its own multiethnic problems?

A: One speaker, repeating a comment heard at the ASEAN Secretariat, said that ASEAN identity will be strong only when, or if, member country citizens can live, work and travel for leisure in any country of the region, as is true for the EU. With a region as diverse as ASEAN, and in countries like Myanmar that are still struggling with national identity, the goal seems very far off. However, ASEAN’s community building exercise revolves around an effort to encourage all the people in the region to see themselves as having common interests and aims. The post-2015 efforts will reveal how those who make up the ASEAN Community feel about the process and policies at different levels as it moves forward. Focusing on transnational and transboundary issues brings countries closer together and can be the best starting point for how regional cooperation can work effectively.

Q: So far the socio-cultural focus has been domestic. I think more attention should be paid to relations between ASEAN countries, since many of them are traditional enemies. Can our panelists from Malaysia and Indonesia tell us about the status of relations are between these two countries?
A: One speaker said that Malaysia and Indonesia have a sibling rivalry, while another called it a relationship of friendly rivalry. Dispute over which country deserves to claim credit for the invention of batik was cited as an example of the entertaining but manageable issues that arise, but Malaysia’s mistreatment of Indonesian domestic help and barbed cross-Straits insults from unfettered Indonesian media outlets indicate that sensitive issues requiring careful handling remain very much alive.

**Summary Issue Commentary and Policy Notes**

The wrap-up session contributed the following summary issue commentary and policy notes:

1. **The role of Myanmar as ASEAN Chair:** It has been a good year for ASEAN. Myanmar has exceeded expectations as the chair, maintaining consensus and moving the organization forward. In addition, Myanmar has in a very short time shown that it has been socialized into the ASEAN process and the ASEAN Way.

   Policy Note: The U.S., other ASEAN and EAS countries should step up efforts in facilitating Myanmar’s political and economic liberalization and encourage Naypyidaw to take a more tolerant attitude toward its Muslim minority, especially the Rohingyas.

2. **ASEAN Centrality:** Myanmar has done well to protect ASEAN unity. It did so by exercising restraint and giving everyone a say in building consensus on the South China Sea in what became the longest ASEAN Ministers Meeting joint statement in history. However, no SCS Code of Conduct was forthcoming. The U.S. makes strong statements about supporting ASEAN centrality and considers the U.S. agenda to be ASEAN’s agenda, but sometimes does not seem to put that policy into practice. In any case, the U.S. will continue to maintain its support for ASEAN centrality, as there is no other institution that can match its unique convening power.

   Policy note: To retain its centrality ASEAN needs to maintain intra-ASEAN unity and engage more closely with the U.S. and other dialogue partners on pressing global transnational issues, such as the Ebola virus, ISIS /ISIL and climate change.

3. **ASEAN Identity Building and Public Awareness:** It is important to foster ASEAN’s identity building activities, mainly under the Socio-Cultural Community, as well as awareness of ASEAN in both the U.S. and throughout ASEAN. The existing ASEAN-focused curricula in universities in Southeast Asia, organized in the ASEAN University Network, remains weak.

   Policy Note: Efforts to promote the study of ASEAN in schools and universities, including through expansion of ASEAN Study Centers, both in the region and the U.S. should be stepped up, with priority given to programs within ASEAN member countries.

   Policy Note: Greater investment should be made in “ASEAN branding” capacity-building and information-sharing initiatives coordinated by the ASEAN Secretariat that will promote cooperative regional efforts to address common problems and aspirations.
4. **U.S. Rebalancing**: This policy has been commendably applied and meets with strong approval from ASEAN and its member countries, though some critics would like to see more effective engagement of China.

Policy Note: The policy should be continued and strengthened even further. It is essential that the U.S. demonstrate its continued support by ensuring that senior leaders attend the major gatherings supported by ASEAN, but ASEAN must equally demonstrate its continuing relevance for addressing major regional and global issues of concern to the U.S.

5. **Regional Institutions**: U.S. participation in the ASEAN Defense Ministers Meeting Plus is working well. The U.S. continues to emphasize that the EAS should give priority to regional security issues, while China and ASEAN prefer to give at least equal attention to economic cooperation. While only four ASEAN member countries are engaged in the TPP negotiations, and while China does not like it and supports the ASEAN-led RCEP, there is synergy and convergence in the competitive dynamics between the two free trade regional approaches that would benefit the region.

Policy Note: The U.S. give even greater emphasis to a range of institutions valued by the ASEAN member countries that also address U.S. priorities, such as the ADMM+ and RCEP. ASEAN should pay attention to U.S. global priorities like terrorism, climate change and disaster relief. These are relatively non-controversial issues more susceptible to generate cooperation than South China Sea disputes.

Policy Note: The EAS should be strongly encouraged to play a more activist role and establish a mechanism for bringing together experts and relevant officials in the event of crises such as the Ebola outbreak, terrorist actions or natural disasters.

Policy Note: The U.S. should clarify its policies towards the China-led Asian Infrastructure Investment Bank (AIIB) and work harder to persuade China that the TPP is not an institution that would be hostile to its interests.

6. **Human rights and Democracy**: While the democratic transition in Myanmar is progressing smoothly, and while there has not been significant backsliding (with the notable exception of the treatment of the Rohingyas) it is clear that there is still room for improvement in ASEAN, especially in the realm of civil society building. Without robust ASEAN-wide civil society networks, there cannot be grassroots identification of ASEAN with democratic principles.

Policy Note: Patient and continuing steps should be taken by the U.S. and other countries to help protect democracy in Myanmar over the long term.

Policy Note: The EAS sessions should begin to pay more attention to human rights and democracy.

Policy Note: ASEAN countries, such as Cambodia, Laos, Vietnam, Malaysia and Singapore, that are resistant to opening up space for civil society organizations should be encouraged to let their citizens participate in regional assemblies that focus on issues important to them.
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