

Association of Southeastern Asian Nations (ASEAN) Plus Big Three

In Bangkok, Thailand, the ASEAN Declaration established the Association of Southeast Asian Nations on August 8th 1967. In order to achieve “peace, progress, and prosperity,” ASEAN ties together the member nations to create “equality and partnership.” ASEAN began with five members, Indonesia, Malaysia, Philippines, Singapore and Thailand. The association has now grown to 10 permanent members now including Vietnam, Myanmar, Laos, Cambodia, and Brunei along with many other Asian countries representatives. This intergovernmental organization brings foreign ministers and officials together to meet and discuss topics in forums. Members talk and diplomatically try to reach joint statements together. According to the United Nations Population Division, ASEAN’s population will increase at a rate of 0.85% per year from 2015 to 2035.¹ Along with this population growth, ASEAN nations plan on furthering its rapid economic growth through the establishment of the ASEAN Economic Community by the end of 2015, which will increase business trade and investment in the world market.

During this session, ASEAN will address the South China Sea Dispute and Environmentally Stable Economic Integration. Neither topic has passed a joint resolution that all members could agree on. ASEAN does not give itself the authority to intervene in conflicts or disputes as a higher governmental power. Instead ASEAN represents a mediator between members, in order to solve problems peacefully and to encourage members to act in transparency. This committee will focus on successfully making resolutions to the aforementioned issues, while keeping in mind the varied interests of member states.

South China Sea Dispute

Introduction to the Problem

The economy controls political agendas in Southeast Asian Countries. The South China Sea, located between the coasts of Vietnam, China, Malaysia, and the Philippines, is a hub of economic activity, not only for the surrounding nations, but also the entire world. It has provided a source of economic growth for the inter-governmental organization. Trade routes cross over the body of water carrying natural resources and finished products from different nations. Natural resources lay beneath the waters, waiting for exploitation near the Spratly and Paracel Islands. This prosperous economic zone has garnered interest from many nations, including members of the ASEAN community and the "Big Three" (China, Japan, South Korea).

Background

Trade routes and lines of communication lay across the sea. Vessels fitted with finished products and natural resources use the South China Sea to transport their cargo. An estimated \$5.3 trillion bilateral annual trade crosses the waters, \$1.2 trillion belonging to the US.² By 2035, a prediction of 90% of Middle Eastern Fossil Fuel Exports will go through the waters.³ ASEAN-6, which consists of Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand, has predicted average real GDP growth rate of 4.56% for 2014-2018. Their growth rate doubles the rate of the US in 2013 (1.6%).⁴ This region supports an international state of trade reflecting the growth of the surrounding nations. The region's value to the ASEAN community is marked at a high price.

New sources for economic exploitation are required for economic growth. Asian countries see an increased demand for primary energy in the future. Global demand for energy will increase a third by 2035.⁵ Asia will double its demand to around 9 billion TOE (Tonnes of Oil Equivalent) by

2035.⁶ Energy demand of industries and infrastructure grows directly with the success of the economy. China, Indonesia, Vietnam, and other nations rely on oil imports as primary energy sources. Domestic production of primary energy scarcely exists in many Asian countries in the forms of hydrocarbons. The South China Sea's potential can change the future of energy consumption in Asia. Beneath the waters, the World Bank estimates more than 900 trillion cubic feet of natural gas and 7 billion barrels of oil.⁷ Hydrocarbons like oil and natural gas produce primary energy to drive industries. Domestic production of primary energy curbs the need for imported oil, thereby cutting expenditures and using capital efficiently.

The South China Sea now represents a source of domestic primary energy, a source valuable enough for a dispute to occur and continue. The two main disputed waters in the South China Sea include the Spratly and Paracel Islands. Both groups of islands boast rich fisheries and natural resources near the rocks and reefs.⁸ In order to exploit the lucrative potential of the islands, a nation must be able to show proof of sovereignty and obtain an Exclusive Economic Zone (EEZ). United Nations Convention on the Law of the Sea (UNCLOS) established maritime laws and regulations including the establishment of EEZs. An EEZ allows the sovereign nation to have jurisdiction for "exploring and exploiting, conserving and managing the natural resources."⁹ An EEZ allows the nation to have complete control of the surrounding 200 nautical miles.¹⁰ The nation has the authority to restrict access of the territory. UNCLOS establishes the rights of an EEZ, but it does not have authority to rule on resolutions to sovereignty claims. The 3rd UNCLOS did establish a separate court that can, along with many other things, settle maritime disputes. The standoff between China and several ASEAN members seeks to resolve the issue of sovereignty. Each nation claims that they have established an EEZ and another nation has violated their rights to the territory.

Since the fall of the Japanese Imperial Empire, Asian countries have seen a steady increase in military production. Malaysia, Indonesia, and Singapore have doubled their conventional arms.¹¹ China remains a superpower in the Pacific region, but a coalition of ASEAN nations with their combined armaments keeps China wary. Increasing arms and defense budgets have led to concerns for a potential naval arms race. The increased spending can be seen as a byproduct of modernization, an infrastructure cost increase for the growing economies. However, Japan and South Korea have sold high grade military weapons and vehicles to smaller nations. Their interest in the militaries of the Southeast Asian countries worries foreign policy makers in the Western Hemisphere, the United Kingdom, France, Canada, United States and more. Japan donated \$110 million worth of coast guard ships to the Philippines.¹² A military conflict does not serve in the best interest of any country, but the economic potential of the region calls for it as the final option to resolve the dispute.

Developments

ASEAN members and Chinese diplomats recognized conflict in the South China Sea in 2002. They wrote the Declaration on The Conduct of Parties in the South China Sea (DOC) in hopes of not escalating disputes any further.¹³ The DOC states that all parties should resolve any future and present conflicts as peacefully and diplomatically as possible. Many smaller scale disputes involving standoffs and collisions between Chinese and other national fishing, shipping, or military vessels took place.¹⁴

In April 2012, a Philippine vessel attempted to arrest Chinese fishermen in Scarborough Shoal until a Chinese coast guard ship appeared.¹⁵ A standoff ensued, naval blockades set up, and the dispute escalated. An ASEAN Regional Forum (AFR) took place in Phnom Penh, Cambodia. China extended its economic control over Cambodia, the acting chair, bringing sharp division between ASEAN members. It led to the first failure to finish a final communiqué in the 45 year period history of the

inter-governmental organization.¹⁶ After the summit, Indonesia's foreign minister, Marty Natalegawa, over a two day period visited 5 capitals to lobby other ASEAN members to find common ground.¹⁷ The members unanimously agreed to 6 principles in "ASEAN's Common Position" on the South China Sea.¹⁸ These principles included the full implementation of the previous DOC in 2002 and an early conclusion of a Code of Conduct on the dispute (COC).¹⁹

In 2013, the Philippines submitted a case to the International Tribunal on the Law of the Sea (ITLOS). China does not recognize neither the authority nor the effectiveness of the court. Several other members have submitted different cases to the International Court of Justice.²⁰ Chinese claims originate from maps published officially in atlases in 1947. Maps of the South China Sea marked Chinese territory by encompassing the majority of the sea with 9 line segments, referring to it as the "Nine Dash Line." Chinese officials claim historical evidence, including that the "Nine Dash Line" supports China's "indisputable sovereignty" of the South China Sea.

In 2014, the 47th ASEAN Foreign Minister's Meeting (AMM) took place in Myanmar. Many countries outside of ASEAN, including South Korea, and Australia participated. China rejected several motions for any type of serious action in the South China Sea. US officials called for a "Freeze" in action within the disputed area, while other ASEAN members motioned for other plans.²¹ Philippine representatives presented a "Triple Action Plan" (TAP) to motion for decreased activity in the disputed waters while submitting a joint case to resolve the issue.²² All sides hoped for a resolution to keep peace and stability within the Pacific region, but no resolution formed by the end of the AFR. However, the forum concluded with a joint statement reaffirming the resolve to deescalate the dispute, noting the DOC and the 6 point common principles.²³

Analysis of the Dispute

China has received the blunt of the blame for the escalation and absence of a resolution. However China, like ASEAN members, simply seeks the best for its people. Each country claims its own EEZ to benefit its national economy. In fact, ASEAN members Brunei, Vietnam, Philippines, and Malaysia claim territory that conflict even each other. All parties involved issue statements and declarations for other nations to follow the DOC, and to ease activity in the South China Sea until a solution can be formed. A Chinese company began drilling in 2012 while India's nationalized Oil and Natural Gas Corp partnered with PetroVietnam to also drill in the waters.²⁴ Instead of a decrease in movement, China and ASEAN members have increased their activity.

Resolving the dispute could go many different ways. The military option strikes fear into every nation. China by far has the largest force in the Asia-Pacific region, but the rest of the Asia-Pacific region is building its force as well. Experts concerned over a potential escalation of the South China Sea dispute see the Asia-Pacific region as a possible repeat of 20th century Europe when war devastated the continent. A conflict in the South China Sea activates treaties, drawing the US and other Western allies into a foreign conflict. Escalation will occur, with China and the United States pitted against each other, and actual war will be entirely possible. Legally a case can be submitted to ITLOS or the International Court of Justice (ICJ) to determine the sovereignty of the sea as the Philippines have in 2013. The court predicts a ruling in 2016. The dispute strains relationships within ASEAN and can put off the Economic Community past 2015.

ASEAN Secretary General Le Luong Minh stated "The South China Sea issue is not just about competing claims; it's about peace and stability in the region." Achieving peace and stability is no small feat. Exploiting the economic potential remains the top interest for each nation. Exploiting the sea together gives all parties an incentive to work together. In 2008 in the East China Sea, China and Japan

agreed to a co-development of a gas deposit.²⁵ The idea of co-development ensures all parties involved will benefit from the potential of the South China Sea. China and ASEAN can look to the Spitsbergen Treaty of 1920 as a model. Newly discovered mineral deposits led to a territorial and maritime dispute in Svalbard (Spitsbergen), Norway.²⁶ Spitsbergen treaty states that Norway had full sovereignty over the Svalbard archipelago, but other countries have access to the minerals, fishing, and hunting in the waters. ASEAN can vote to create a process to mediate between all sides during conflicts. Admiral Robert Willard, Pacific Naval Command, states “the South China Sea, a vital interest to the region... an area that carries an immense amount of commerce, and an area in which we must maintain maritime security and peace.”²⁷

Conclusion

In order to keep stability in the Asia Pacific region, ASEAN should work to mitigate any current and future conflicts in the South China Sea. The South China Sea has the potential to boost an entire country's economy with the abundance of natural resources. Claimants completely giving up control over each of their EEZs is highly unlikely. However with economic integration on the way in 2015, ASEAN members can also broaden cooperation to the possibility of sharing the region's potential. Delegates must factor in that any resolution passed, participation by member countries is voluntary. Passing a resolution with all members voting “for” would be a great achievement.

Questions to Consider

- How fast is the Asia-Pacific region growing economically, politically, and militarily? What feeds the rapid growth of this region?
- How valuable is the South China Sea to the claimants? Specifically, why is military conflict worth risking over the South China Sea?

- Growing nationalism in Asia concerns experts, who fear 21st century Asia can become war torn like 20th Century Europe. What can be done to curb hate and racial discrimination toward other nationalities?
- The Asia-Pacific region has strengthened its military and conventional arms significantly in the 21st century. Should this raise any concern? Does it raise the stakes for ASEAN to settle the dispute?
- Every month more vessels are captured on both sides, fueling the dispute. What can be done now to help these fishermen and cargo vessels? Is there any way to decrease activity in the South China Sea?
- Can the nations share and profit from the territory together or can there only be one? What barriers are there to stop either choice from happening?

Additional Resources

- <http://www.cfr.org/> - Council on Foreign Relations has material on recent and past foreign policy issues.
- <http://www.nbr.org/> - The Nation Bureau of Asian Research provides reports, publications and interviews on Asia-Pacific situations.
- <http://www.sipri.org/> - Stockholm International Peace Research Institute has resources on all national militaries from spending to size.
- <http://www.washingtonpost.com/wp-srv/world/special/south-china-sea-timeline/index.html> - A helpful timeline that can guide you through the many conflicts surrounding the South China Sea dispute up to 2012.
- http://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm - UNCLOS definition of what a EEZ defines itself as.

Environmentally Stable Economic Integration

Introduction

The Association of Southeast Asian Nations has set 2015 as the target year for economic integration. This will bring the establishment of the ASEAN Economic Community (AEC), first envisioned by the leaders at the Bali Summit in October 2003, with four key characteristics: a single market and production base, a highly competitive economic region, a region of equitable economic development, and a region fully integrated into the global economy. At the 13th ASEAN Summit in November 2007, the member states adopted the ASEAN Economic Blueprint to transform ASEAN into a single market “with free movement of goods, services, investment, skilled labour, and freer flow of capital.”²⁸ Within the AEC Blueprint, the member states emphasized their commitment towards sustainable development, especially recognizing the limited global reserve of fossil fuels and strengthen renewable energy development.

Declining Natural Capital (Stock of Natural Assets in the Ecosystem)

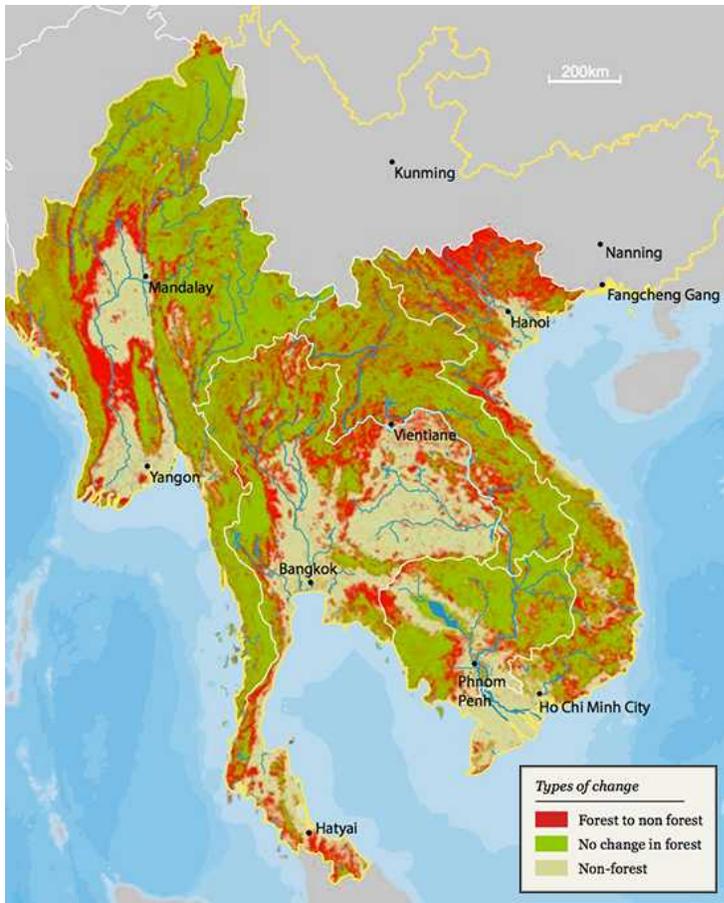
As Vice-President Stephen P. Groff of the Asian Development Bank said in a speech in June of 2013, “unfortunately, not enough attention has been paid to the region’s declining natural capital. Without action, this decline in both quality and quantity threatens to undermine the gains made these past few decades.”²⁹ ASEAN’s developing member states should consider policies that effectively sustain and expand the environmental resource base since economic growth that disregards environmental consequences will hinder future development. As the Finance Secretary of the Philippines Cesar Purisima points out:

“More than 500 million ASEAN citizens are dependent for their food, livelihood and other needs on the resource base of forests, seas, rivers, lands, and other ecosystems. Their protection must therefore be reconciled with the growth rate targets of the ASEAN economic integration, in 2015 and beyond. Being inherently vulnerable to the impacts of

climate change and other environmental challenges, ASEAN cannot afford to grow and clean later.”³⁰

Deforestation and Agricultural Management

The majority of ASEAN’s member states are experiencing rapid deforestation in order to satisfy their economic developmental needs. Deforestation threatens the biodiversity of the Mekong Region, and which includes Vietnam, Thailand, Laos, Cambodia, and Myanmar, which is home to thousands of unique species discovered annually. In Vietnam, forests have been cut down for furniture export, an industry worth more than \$2.4 billion annually. The deforestation also has served to make way for the planting of coffee bushes, where the country currently ranks second, behind Brazil, in global coffee production. Vietnam’s economic development goes hand-in-hand with the rise in deforestation. After an economic restructuring in the mid-1990s, its economy has grown by an average of 7% each year for the past decade, while from 1973 to 2009, Vietnam and Thailand each lost 43% of their forest cover. If the present rate of deforestation continues for the Mekong Region, then according to the World Wildlife Fund, by 2030, only 14% of the region’s forests will consist of contiguous habitat capable of sustaining viable populations of many wildlife species.³¹



Caption: This map shows the forest loss in the Greater Mekong region from 1973 to 2009

Source: The World Wildlife Fund Greater Mekong Programme

Deforestation is a result of the expansion of palm oil plantations in Indonesia and Malaysia. Both countries produce 87% of the world's palm oil—which is also a primary raw ingredient for Europe's biodiesel demand.³² Indonesia is the world's third largest greenhouse gas emitter, primarily because 85% of the nation's carbon footprint results from "deforestation and uncontrolled land conversion."³³ Land degradation can have a serious impact on food security for these populations. The continuing deforestation and increase in drainage of swampy peatland, marshy land filled composed of decaying vegetable matter, for fuel usage can cause a rise in soil erosion and soil salinity, or salt composition. This depletion can greatly decrease the soil arability, or suitability for

farming, and it could increase desertification. Thus, a decrease in soil quality and subsequent decrease in sustainable agriculture threatens food security of Southeast Asia. In 2011, the Food and Agricultural Organization estimated that “in 2/3 of ASEAN nations (excluding Singapore) 40% of land is suffering either severe or very severe degradation due to human activities.”³⁴ Without proper management, Southeast Asia could suffer severe consequences. In June 2013, as a result of smog from fires that resulted from land clearing for agricultural use in Sumatra Indonesia, Singapore, Malaysia, and Indonesia suffered record-breaking haze pollution. This week-long haze pollution exceeded three times the hazardous limit for air quality, closing down schools and businesses, affecting tourism, and increasing respiratory illness reports. In 2002, ASEAN nations signed the ASEAN Agreement on Transboundary Haze Pollution in an effort to recognize the effects of haze pollution and take steps towards mitigating this phenomenon through national efforts and international cooperation. There has been criticism over how the ASEAN Agreement on Transboundary Haze Pollution is only being enforced through amicable “consultation or negotiation.”³⁵ This lack of enforcement is another problem that ASEAN faces in implementing environmental policy. Indonesia’s parliament finally pledged to adopt the ASEAN Agreement in May 2014. Singapore’s government has drafted legislation that would impose fines on local and international firms that cause transboundary hazes, with fines up to US\$238,000. According to the World Health Organization and UNICEF, 80.2 million people are without access to improved water sources in ASEAN nations.³⁶ Water is essential in Asian agricultural practices and tourism. Therefore, ASEAN must also pay attention to its water management for industrial wastewaters.

The Impact on the Poor

Another issue that plagues most ASEAN members is poverty. According to the World Bank, the incidence of poverty in Southeast Asia is 21%, with Cambodia, Laos, Indonesia, and the

Philippines having more than 20% of their respective populations below the poverty line.³⁷ People who live in extreme poverty in ASEAN nations live in areas that depend on biodiversity for food, health, and livelihood. Thus, their household income relies on natural resources, such as collection of wild food, materials, and medicine. With continuing land degradation, the immediate impact will be on the rural poor. Therefore, sustainable management of natural resources and biodiversity could have an overall positive impact on the livelihoods of the poor.

Analysis by Experts & Examples

In a published paper, "Balancing Trade Growth and Environmental Protection in ASEAN: Environmental Issues in Trade and Investment Policy Deliberations in the Mekong Subregion," the International Institute for Sustainable Development proposes new possibilities that may arise with the ASEAN Economic Integration. Along with the formation of ASEAN's economic community by 2015, the reduction in trade barriers may reinforce the tendency for the exportation of commodities that make use of resource intense production factors. Secondly, countries could also lower their environmental standards to attract Foreign Direct Investment (FDI) to become more competitive in a global market. Therefore, it is more important than ever that in order to continue economic development successfully in the future with the economic integration, ASEAN must implement policies that promote sustainable development. Greenpeace Southeast Asia, Eastern Regional Organization for Public Administration and the Ateneo School of Government debated their vision regarding the ASEAN community's green future. This group of environmental experts suggested actions such as drafting a clean production framework for industrial production and creating a level playing field where renewable energies can compete with other energy sources. In addition, they recommended that ASEAN draft policies shift the funding support from industrial agriculture to

sustainable farming practices, and collaborate on the protection and conservation of the remaining forests and peat lands of Southeast Asia.³⁸

Big Three's Commitment and Other Examples

As the world's most populous country with the fastest developing economy, China realizes that its future prosperity also relies on today's actions. The People's Republic of China released its 12th Five year Plan for 2011-2015, emphasizing "green growth" and investing \$473.1 billion on clean energy investments over the next five years. China hopes that within five years, non-fossil fuel will account for 11.4% of primary energy consumption and carbon dioxide emission per unit of GDP will be cut by 17%. Furthermore, in combating deforestation problems, China hopes that its forest coverage rate will rise to 21.66% and that forest stock will increase by 600 million cubic meters.³⁹ Since 1978, China has continued the Three North Shelterbelt Project, or the "Great Green Wall" along China's northern deserts, with billions of trees stretching 4,500 km and covering 405 hectares by 2050. As the world's top investor of renewable energy, China has also encouraged its partially state-owned power generation conglomerates to generate solutions for increasing transmission efficiency, and gives tax credit or subsidies to hybrid car consumers and solar and wind power plants.

Another Big Three country, Japan, has also made significant steps towards reducing environmental harm. Japan's Ministry of the Environment Government states in their philosophy that:

"Due to the cumulative effects of individual environmental problems and the great impact they can have on the earth-our base for survival, it is vital for central and local governments, enterprises and individuals to cooperate and coordinate actions, both on the international and domestic levels, to effectively respond to these issues."⁴⁰

In the 1950s, the Japanese people experienced Minamata Disease and Cadmium contamination as a result of inadequate control of river contaminations and subsequent fish poisoning. After ignoring the environmental impact in the midst of rapid economic growth in the 1950s and 1960s, Japan implemented a series of reforms, known as the Pollution Diet, such as the Water Pollution Control Law and the Interim Law for Conservation of the Environment of the Seto Inland Sea, which regulated the total amount of pollutants in effluents. Japan has also set national emission standards for factories and vehicles to combat air pollution. It seems that proper law enforcement and restrictive limits effectively improved Japan's environmental quality.

South Korea underwent a major reforestation after the excess cutting and resource exploitation during the Japanese occupation and Korean War. Since the 1970s, South Korea increased its forest resources by 11 times through a series of government-driven forest rehabilitation plans that encouraged the public to plant trees. Now, as 64% of the country is covered in forests, South Korea serves as a green growth model nation. It shares its experiences through international conventions to prevent problems such as desertification and land degradation in other developing countries. China and Mongolia have adopted similar reforestation models.

Brazil, a country with effective environmental economic practices, is also a currently developing country that has vast land resources that could be potentially exploited for economic development. In 2006, Brazil's president announced the creation of a 6.4 million hectare conservation area, with 1.6 million hectares set off limits for logging and deforestation, greatly preserving biodiversity as well.⁴¹ Thus, Southeast Asia may choose to look at other countries that have instituted land protection policies and lead in sustainable land usage for inspiration.

Conclusion

In order to continue future economic development, ASEAN members must cooperate to implement an agenda that will alleviate environmental stresses such as deforestation and water management problems. The land degradation as a direct result of industrial growth will harm biodiversity and impact the poor, as well as exacerbate the pollution across these countries. In the midst of economic integration, ASEAN should possibly consider looking at other models such as the Big Three to balance growth and sustainability.

Questions to Consider

- What could the formation of ASEAN Economic Community mean for legislation enforcement?
- What types of environmental challenges does each ASEAN member nation face? As a group? Are there any similar occurrences in other nations?
- What types of environmental policies have been successful in developing nations in the past?
- How does current land degradation affect the population's future prosperity?
- What effect would regulation be on certain pertinent industries?
- How can ASEAN improve the effectiveness of its environmental policies?
- What actions can ASEAN take to encourage renewable energy usage or curb harmful environmental practices?

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<http://www.asean.org/archive/5187-10.pdf> -ASEAN Economic Community Blueprint, with more information regarding the integration vision

<http://environment.research.yale.edu/documents/downloads/h-n/koh.pdf> -A paper published analyzing ASEAN's regional system for environmental management, and how it may possibly hinder the effective implementation of programs

<http://www.rieti.go.jp/en/special/policy-update/039.html> -An overview on Japan's environmental policy

http://www.iisd.org/tkn/pdf/balancing_trade_growth_asean_brief.pdf -A paper published by the Trade Knowledge Network discussing environmental reforms that each ASEAN nation has begun to implement

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