

2013 ASEAN REGIONAL FORUM CONCEPT PAPER ON MOVING TOWARDS PREVENTIVE DIPLOMACY

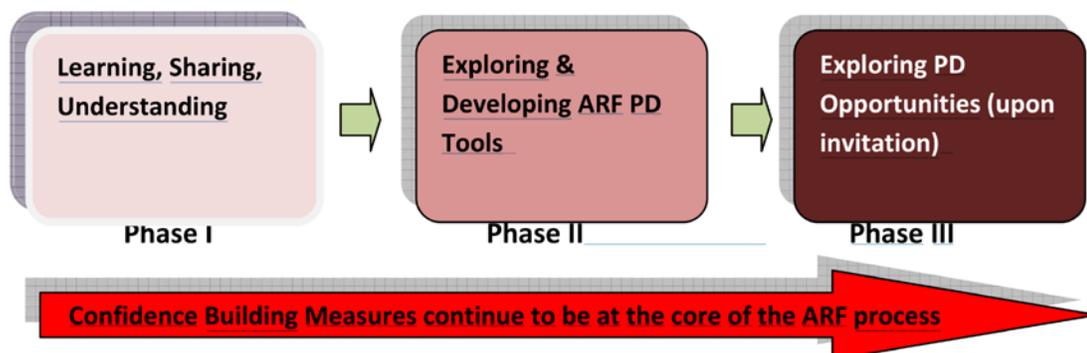
Adopted in Bandar Seri Begawan, Brunei Darussalam on 2 July 2013

Background

1. Instrumental in moving the ARF towards the preventive diplomacy stage is the ARF Preventive Diplomacy Work Plan adopted at the 18th ARF in Bali, 2011. The Work Plan outlines the objectives, definition and principles guiding the implementation of preventive diplomacy.
2. Preventive diplomacy however remains a delicate issue for certain ARF participants. And as acknowledged during its infant stage, 'a successful ARF requires the active participation and cooperation of all participants', therefore calling for ASEAN to 'be sensitive to and take into account the interests and concerns of all ARF participants' (ARF Concept Paper, adopted at the 2nd ARF, 1995).
3. ARF's definition of preventive diplomacy is broad and its activities can be wide-ranging. The guiding principles, which include, operating based on consultation and consensus, non-coercive and voluntary in nature, have been critical in making preventive diplomacy acceptable to all ARF participants.
4. Also key in making the ARF an acceptable process to all participants is the gradual evolution of the ARF identified as the three-stage process (CBM, PD and Conflict-Resolution). This made the ARF a more predictable and constructive political-security forum in the Asia-Pacific region.

The Approach into the Preventive Diplomacy phase

5. Calling on the creativity of its members to ensure that the ARF enjoys the support of its diverse participants, the paper is suggesting for a gradual progression of preventive diplomacy, dividing the PD activities into stages and allowing a more acceptable and comfortable move towards preventive diplomacy by all its participants.
6. The diagram below outlines the suggested flow in the Preventive Diplomacy phase:



7. The first phase of the Preventive Diplomacy stage is **defined** by familiarization of preventive diplomacy through process of learning and sharing. As it aims to create better awareness and understanding, it should not touch on issues that may be uncomfortable to participants.
8. **The Learning, Sharing, Understanding** phase has two components: the learning component is about the familiarization of ARF participants to preventive diplomacy, by conducting workshops and training programmes. It could also include partnering with other regional and international organizations to share their experiences with preventive diplomacy (see annex for example of activities).
9. While the second component is about sharing session - sharing of best practices and information on non-controversial and non-sensitive issues such as early notification of military exercises among the ARF participants.
10. As the ARF participants attain greater understanding of preventive diplomacy, the ARF could proceed to **Phase II – Exploring and Developing of ARF Preventive Diplomacy Tools**. The Second phase is **defined** by the designing of preventive diplomacy mechanisms with consideration to the unique ways of diplomacy in the Asia-pacific region.
11. ASEAN has always valued its quiet-diplomacy, non-confrontational and away from internationalization of conflicts. While good offices roles, fact-finding and observer missions have proven to be useful tools in some parts of the world, the ARF may wish to add-value to these tools by incorporating its ways of diplomacy to best handle the region's case.
12. The **Phase III of the PD process – Exploring Preventive Diplomacy opportunities (upon invitation)** is **defined** by the implementation of preventive diplomacy in regional dispute which has the potential of escalating into armed conflicts. Such activities include mediation, facilitated dialogue and conciliation would require strict adherence to the ARF Preventive Diplomacy guiding principles i.e. by consensus and with consent of the sovereign state.

Overall objective of the Approach

13. Its objective is to secure greater participation and the continuing success of the ARF as it moves to the next phase of the three-stage process.

The application of the approach

Principles and Flexibility

14. Given the diversity of our region and divergent interest and priorities among countries, principles to guide the practice of PD are necessary to increase understanding of the scope and mechanism of PD and explore a PD modality suited to the realities of our region. These principles would include, among others, building trust and confidence, consultation and consensus, voluntarism, non-coercion, non-interference in the internal affairs of members. In terms of its actual application, a phase by phase approach is encouraged. At the same time, flexibility would be maintained, depending on particular cases, based on consensus and upon invitation.

Confidence Building Measures

15. Important to note is that confidence building measures will continue on as the ARF progress along the preventive diplomacy stage.

Relationship with Preventive Diplomacy Work Plan

16. In terms of its relationship with the ARF Preventive Diplomacy Work Plan, the approach will merely compartmentalize the activities into different phases with the view of fostering better understanding on the nature of activities the ARF participants can undertake in the early days of the preventive diplomacy stage.

ANNEX

PHASE I – LEARNING, SHARING AND UNDERSTANDING

- 1) Shares defence white papers, expenditures and regional security outlook, the annually published **ARF Security Outlook (ASO)** assists in avoiding misunderstandings of military build-up and exercises among the ARF participants;
- 2) Military exercises among the ARF participants should aim to promote mutual trust and not target any other participant, or endanger the security of other country and the stability of the region.
- 3) Encourage early notification where the ARF participants, on a voluntary basis, inform in advance and/or invite each other to observe relevant joint military exercises.

PHASE II – EXPLORING & DEVELOPING PREVENTIVE DIPLOMACY TOOLS

The region has developed the following mechanisms which can act as tools to prevent disputes from escalating into armed conflicts:

- 1) **Treaty of Amity and Cooperation (TAC)** - key instrument in governing interstate relations, which inter alia, offers a framework for discussions and negotiations to resolve disputes between the parties to the Treaty.
- 2) **Terms of Reference of the Friends of the ARF Chair** – a mechanism that could be convened to support the ARF Chair in performing good office role and in facilitating discussions and negotiations on issues of critical significance for regional peace and security.

PHASE III – EXPLORING PD OPPORTUNITIES (UPON INVITATION)

- 1) Cooperate on transnational issues of concern to the ARF participants, such as trafficking in persons, illegal drugs, cybercrime and maritime security.
- 2) Encourage parties concerned to utilize the side-lines of the ARF meetings and processes as an opportunity for them to have a dialogue.