cause with others," he adds later, "when our interests coincide. [But] even then, there is no guarantee of support when the crunch comes" (*ibid.* 112). And Bilahari Kausikan almost pre-empts Indonesian scholar Rizal Sukma's concept of a "post-ASEAN" policy when he writes that "we [referring to Singapore] are inescapably and forever part of Southeast Asia. But we must also never be limited to or be trapped by Southeast Asia" (Kausikan 2005: 105).

These beliefs may have been challenged in recent times by more liberal notions of the international order and their ideational origins may be more diffuse today; yet, as shown above, they are still widely present and shape state behavior. This sense of erstwhile marginalization and victimization through Great Powers and the external world, as well as justified pride over post-independence achievements, have given rise to strong aspirations for international recognition and reputation.[36] ASEAN states want to be seen, as Katsumata emphatically argues (Katsumata 2009), as on a par with the economically advanced countries of the West. In fact, one may liken their behavior to upwardly mobile members of lower social classes who, after having risen through merit and hard work to upper middle class status, display a particularly strong desire for social recognition.

3.2 Negotiation capacities

While the previous section has depicted the cognitive background against which ASEAN's behavior in international

[36] For examples, see *Straits Times*, 17 January 1999.

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organizations must be gauged, the subsequent sections discuss in greater detail how this "cognitive prior" affects the association's negotiation capacities and their national and regional institutional underpinnings. We thereby depart from the observation that, like many other regions of the Global South, ASEAN must operate in a global institutional environment in which the economically advanced countries of the West control access and membership, dominate decision-making and strongly influence the normative order.[37]

It is thus hardly surprising that Southeast Asian governments had realized early on that smaller and weaker developing countries would only have a chance to influence international decisions if they spoke with one voice. The Declaration of ASEAN Concord signed in Bali in 1976 (Bali Concord I), for instance, expresses an early commitment of ASEAN member states to unite for

> the reform of [the] international trading system, the reform [of the] international monetary system and transfer of real resources, in the United Nations and other relevant multilateral fora, with a view to contributing to the establishment of the New International Economic Order.

More recently, the ASEAN Charter reiterated the calls for more coordinated external policies. The Charter promoted "regional resilience" (Article 1, 2) and called for "enhanced consultations on matters seriously affecting the common interest of ASEAN" (Article 2, 2g). Article 41(4) was even more specific, demanding that

[37] For details, see Rüland (2012a).

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> In the conduct of external relations of ASEAN, Member states shall, on the basis of unity and solidarity, coordinate and endeavor to develop common positions and pursue joint actions.

Moreover, Article 41(6) urges ASEAN countries to pursue "consistency and coherence in the conduct of ASEAN's external relations." More specifically, the Bali Concord III, adopted in April 2011, urged the members to develop

> a more coordinated, cohesive and coherent ASEAN position on global issues of common interest and concern, based on a shared ASEAN global view which would further enhance ASEAN's common voice in relevant multilateral fora

and an

> enhanced ASEAN capacity to respond to key global issues of common interest and concern which would benefit all ASEAN Member States and its people.[38]

Finally, in January 2012, the enactment of "Rules of Procedure for the Conclusion of International Agreements by ASEAN" sought to strengthen ASEAN as a negotiator not *in* but *with* international organizations, although the new rules did little – as critics complained – to transcend the grouping's intergovernmental structure.[39]

[38] Available at: http://web.archive.org/web/20120502235821/http://www.aseansec.org/documents/19th%20summit/Bali%20Concord%20III.pdf (accessed 4 November 2014); see also *Jakarta Globe*, 7 June 2012.

[39] "ASEAN Adopts International Negotiating Procedures," available at: http://aseanec.blogspot.com/2012/01/asean-adopts-international-negotiating.html (accessed 1 February 2012).

The increasing attention ASEAN recently paid to developing common positions and a quasi-bloc cohesion in global forums is a vital precondition if Indonesian ambitions to strengthen the association's global role are to be more than cheap talk. In 2011, the Indonesian government placed its presidency of the grouping under the slogan "ASEAN Community in a Global Community of Nations."[40] For Indonesian Foreign Minister Marty M. Natalegawa ASEAN should intensify its contributions to creating greater stability in the world[41] and, as President Susilo Bambang Yudhoyono added, to "tackling global problems."[42] Vice President Boediono proposed "a post-2015 vision for ASEAN" with "a more cohesive ASEAN role in addressing global issues,"[43] a goal – we have seen – Indonesia was able to enshrine in the Bali Concord III.[44]

Taking the quest for a more assertive ASEAN in global issues seriously, the subsequent paragraphs focus on the internal dimension of ASEAN's negotiation capacities. This entails, first, that non-state resources of expertise exist, that, second, they are tapped, that, third, the more developed member countries support the negotiating capacity of less advanced ASEAN member countries and finally that conflicts of interests are reconciled among member governments. In

[40] *Jakarta Post*, 17 November 2011.

[41] *Bernama*, 17 December 2010. For a similar statement of Marty, see *Jakarta Post*, 13 January 2011.

[42] *Jakarta Post*, 5 January 2011. For similar quotes, see *Philippine Star*, 8 August 2011, which quotes Yudhoyono as saying that "We [ASEAN] have to contribute to the world's governance."

[43] *Jakarta Post*, 26 April 2011. [44] *Jakarta Globe*, 7 June 2012.

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this section we argue that, even though at a rhetorical and declaratory level ASEAN seeks to strengthen its cohesion in global forums, it continues to struggle with institutional weaknesses resulting from its cooperation norms. The rhetoric-action gap permeating many areas of ASEAN cooperation (Jones and Smith 2007; Jetschke 2009; Jetschke and Rüland 2009) is thus also visible in the conduct of its external affairs.

National negotiation capacities

As in a globalized and rapidly modernizing world policy issues increase in complexity, generalist bureaucrats no longer have the expertise to appraise with sufficient competence policy alternatives in terms of effectiveness, costs and long-term benefits. This is particularly true for policy areas such as trade, finance, climate change and nuclear non-proliferation. To cope with the growing technicality of policy matters, governments must thus increasingly rely on epistemic communities that provide them with the knowledge needed to set agendas and to negotiate favorable agreements in international forums. Such epistemic communities and advisory capacities may be an integral part of the government apparatus, but normally extend to the expertise of academic institutions, economic interest groups and non-governmental organizations (NGOs).

Not surprisingly, given the deeply entrenched ideas of government paternalism and the executive dominance we had identified as one of ASEAN's cognitive dispositions in the previous section, the size, influence and ability of the non-governmental elements of epistemic communities to generate

knowledge are limited, although they vary across Southeast Asian countries. Crucial factors for them to flourish are the level of economic development and the degree of academic liberty in a country as essential elements of an enabling institutional environment. More-affluent countries can afford to finance more, better-staffed and better-equipped universities and think tanks than poor countries, whereas a modicum of political pluralism and, as a consequence, academic liberty is a precondition for free-flowing policy discourses and "arguing"[45] without taboos. The strength of a national epistemic community, of course, also depends on the extent to which it is embedded in international scholarly debates and in how far its members are aware of cutting-edge research in the respective policy field.

Government ministries are a first, albeit – as stated above – often insufficient resource for the generation and management of knowledge needed for the successful conduct of international negotiations. This entails the availability of government personnel with experience in international negotiations, foreign language proficiency and access to centers of knowledge. In these respects, capacities and practices of ASEAN countries differ widely. While ASEAN founding members have been able to develop a competent diplomatic and ministerial staff, often with degrees from foreign or leading national universities, the situation is – despite improvements over time – quite different in the new mainland member countries of Myanmar, Laos and Cambodia.

[45] On the concept of "arguing," see Risse (2000).

After joining ASEAN, these countries hardly had the capacity to send well-trained, English-speaking staff to the rapidly increasing number of ASEAN meetings.

This variation is particularly evident with regard to the staffing of key missions such as in New York and Geneva, the locations of many international organizations. Sally has documented how much ASEAN member countries' trade delegations based in Geneva varied (Sally 2004). These differences persist, albeit in somewhat less marked form than previously. While Indonesia has a delegation of twenty-three diplomats based in its Geneva mission to the UN, WTO and other international organizations, Singapore and Cambodia have only seven, Laos six and Brunei Darussalam four. Yet the delegations of ASEAN's small member countries also perform other diplomatic functions such as representing their country in Switzerland, Italy and other countries.[46] The number of WTO negotiators also varies; with about ten, Indonesia again has the largest staff pool. Smaller and economically less advanced countries such as Cambodia and Myanmar have only one or two negotiators.[47] Figures for New York also show variation: somewhat surprisingly, the Philippines has the largest delegation (twenty-four), followed by Indonesia (twenty-three), whereas Laos eight and Singapore and Cambodia (seven) have the smallest delegations. Compared with Western countries, ASEAN missions tend to be markedly smaller and, in particular, to be professionally less diversified (see Table 3.1).

[46] Authors' interview, 14 December 2012.
[47] Authors' interviews, 14 December 2012.

Table 3.1 *Diplomatic and expert staff of Permanent Missions at the United Nations, New York and Geneva, 2012*

Country	Diplomatic and expert staff, UN Mission, New York	Diplomatic and expert staff, UN Mission, Geneva
Brunei Darussalam	10	4
Cambodia	7	7
Indonesia	23	23
Laos	8	6
Malaysia	12	8
Myanmar	8	11
Philippines	24	13
Singapore	8	7
Thailand	12	13
Vietnam	18	11
	For comparison	
European Union	31	32
Germany	74	37
Italy	24	14
India	30	30
USA	172	54

Source: Compiled from the Blue Book, "Permanent Missions to the United Nations No. 303," dated April 2013 (last update 21 February 2014) and "Missions permanentes auprès des Nations Unies à Genève," No. 112 (2014).

All of these missions, even the larger ones, are short of expert staff. This holds particularly true for highly technical matters such as trade, disarmament and environmental negotiations. If the need arises, ASEAN missions tend to reinforce their delegations with government experts from the respective

line ministries. In negotiations under the auspices of the World Health Organization (WHO), the Thai government, for instance, would strengthen the country's mission with experts from the Health Ministry. If agriculture was negotiated in the WTO, officials from the Ministry of Agriculture would join the delegation. If trade facilitation was on the agenda, the Customs Department would second expert officials. And if other trade-related issues were at stake, the Ministry of Commerce would dispatch officers. The majority of Thai WTO negotiators have a professional background in law, economics and business administration, but in our interviews we did not find evidence that either Thailand or other ASEAN countries would also integrate corporate lawyers, academics, civil society representatives or other private consultants in their negotiation teams, unlike the USA, Germany[48] and other economically advanced countries.[49] Also, the Indonesian mission would mainly rely on government expertise available in the capital.[50] Larger countries, however, differ in the extent to which they rely on government expert staff. While in the Thai case, the majority of WTO negotiators have been seconded to Geneva from the Department of Trade Negotiation for four years, the Indonesian delegation seems to rely more on diplomats from the Ministry of Foreign Affairs.[51] With the partial exception of Singapore, interaction of the missions with think tank researchers, university scholars, business organizations and, in particular, civil society, is rare,

[48] Authors' conversation with a German diplomat, 11 December 2012.
[49] Authors' interviews, 14 December 2012; *Jakarta Post*, 6 September 2003.
[50] Authors' interviews, 14 December 2012. [51] *Ibid.*

underdeveloped and, in many cases, possibly due to persisting distrust towards non-governmental expert staff, not actively sought.[52]

The situation is quite similar in climate change negotiations. The Thai negotiating team, for instance, comprises twenty members. Economically more advanced countries such as Japan have more than seventy negotiators. Thai negotiators tend to compensate for this disadvantage by relying on friends from the G77, according to a high-ranking government source.[53] This does not rule out ASEAN cooperation, as all ASEAN countries are also G77 members, but it does reveal the limited degree of ASEAN regional identity that the source referred to the G77 instead of ASEAN.

Some foreign ministries, such as that of Indonesia, have built up a planning staff that provides policy inputs to the ministry or have formed advisory teams. In Indonesia, the Ministry of Foreign Affairs is supported by a Policy Analysis and Development Agency that writes policy papers for the minister and other relevant government agencies. One subdivision of the agency, the Centre for Policy Analysis and Development on International Organizations, has a watchful eye on global fora and advises negotiators and high-ranking ministerial officials.[54] Apart from this intra-ministerial think tank, retired senior diplomats form an advisory body offering

[52] Authors' interviews, 30 and 31 July and 14 December 2012.

[53] *Bangkok Post*, 30 June 2010.

[54] Information available at: http://web.archive.org/web/20100521220309/http://www.deplu.go.id/Pages/Orgz.aspx?IDP=11&IDP2=63&l=en (accessed 4 November 2014); authors' interviews, 10 April 2014.

expertise to the Ministry of Foreign Affairs.[55] "Indonesia," argued former ambassador to Australia Sabam Siagian, a member of the body, "has increased its leverage in international forums and we are looking to use our experience and knowledge to enhance the ministry's diplomatic capacity."[56] Earlier in the last years of the Suharto era, the Indonesia Council of World Affairs (ICWA) was founded, an independent organization serving as a platform to discuss foreign policy issues, inform the public on international affairs and provide expertise to the government. In an attempt to reach out to a broader section of foreign policy stakeholders, Foreign Minister Hassan Wirajuda organized the Foreign Policy Breakfast, a forum in which academia, media representatives, politicians, religious leaders and civil society representatives were invited to the Foreign Ministry to discuss contemporary events (Nabbs-Keller 2013).[57] Under Hassan the meeting took place on a regular basis, at least once a month,[58] but the frequency of the meetings seemed to have declined (*ibid.* 72). At the same time, Indonesia also began to set up advisory boards in other policy fields. In the field of trade policy, in 2002, President Megawati Sukarnoputri set up a forum composed of economists, businessmen and NGO representatives to study the issues of the upcoming WTO Ministerial in Cancun, Mexico.[59] Another example is a panel set up during the global financial crisis of

[55] *Jakarta Post*, 7 April 2010.

[56] However, observers such as University of Indonesia international relations scholar Hariyadi Wirawan believed that the real contribution to shaping foreign policy is limited: *ibid.*

[57] *Jakarta Post*, 15 September 2011. [58] Authors' interviews, 10 April 2014.

[59] *Jakarta Post*, 25 March 2003 and 24 September 2004.

the late 2000s advising the President and officials in advance of the G20 Summit meetings that was established to reform global financial policies.[60] A third case is the National Council on Climate Change (DNPI), which was set up in 2008 with the objective of strengthening Indonesia's position in climate change negotiations.[61] Yet creating such bodies is not a panacea for knowledge generation if there is only a limited scholarly basis as a publication of the DNPI deplores, citing the fact that Indonesia has only 138 climate-related experts in universities, research centers and public agencies.[62] In the Philippines in 1998 the Department of Agriculture organized a Task Force on Agreement on Agriculture (Re)negotiations (TF-WAR) as a multi-sectoral consultative body, including selected civil society organizations, to prepare WTO negotiations on Agriculture (Madriaga-Quinsaat 2013: 986). However, at least in Indonesia, these advisory bodies often seem to be composed mainly of experts who do not fundamentally oppose government policies. Moreover, as much as providing the government with expertise, these forums were also founded for "explaining basic foreign policy orientation to the public in general."[63] In other words, rather than "arguing" about the issues at stake and providing professional advice and expertise, they perform

[60] *Antara*: "Indonesia to Propose Global Expenditure Support Fund in G20 Summit," available at: www.ssig.gov.my/blog/2008/11/11/indonesia-to-propose-global-expenditure-support-fund-in-g20-summit/ (accessed 15 November 2014).

[61] *Jakarta Post*, 4 September 2010. [62] *Jakarta Post*, 29 September 2013.

[63] *Jakarta Post*, 15 September 2011. Megawati had formed her advisory team also with the aim of "boosting people's awareness and understanding of the benefits of market liberalization." See *Jakarta Post*, 25 March 2003.

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transmission belt and legitimating functions for the government in its quest for support and public reassurance.[64]

Virtually all ASEAN governments get academic support from the Institutes of International and Strategic Studies (ISIS). ASEAN founding members began to set up these think tanks in the 1970s, providing them with expertise with particular regard to regional security and economic issues. These think tanks joined forces in 1988 to become ASEAN-ISIS, a network recognized by ASEAN as entities associated with the grouping (ASEAN Charter, Annex 2) (Kraft 2000; Stone 2000; Simon 2002; Morrison 2006). Since then ASEAN-ISIS scholars have had regular access both to their national governments and to ministerial and senior officials meetings of ASEAN, to the ASEAN Secretariat and occasionally also to the Leaders (Hernandez 2007). However, the competence and performance of these institutes vary markedly. ASEAN-5 institutes have developed remarkably well, particularly in countries such as the Philippines and Indonesia where they benefited from democratization and a more open atmosphere for academic discourse. In these countries and also in Thailand (prior to the 2014 coup), ISIS emancipated itself from government control and managed to increase their academic autonomy. Especially in Indonesia democratization provided a fertile ground for the rise of new think tanks and also for university-based scholars to participate in the foreign policy discourse. Far from the monopoly of government access that the Centre for

[64] This at least is the impression we gained from insights into the foreign ministry's "breakfast meetings." See *Jakarta Post*, 20 August 2005.

Strategic and International Studies (CSIS) enjoyed during the Suharto era,[65] advisory services became more competitive and allowed the government to draw from a wider spectrum of scholarly inputs, including think tanks such as the Habibie Center, the Indonesian Institute of Science (LIPI), SMERU Research Institute and an increasing number of universities (Guggenheim 2012: 146).[66]

This is less the case in the region's authoritarian or semi-authoritarian political systems, where they remained closely affiliated with governments. In Vietnam, Myanmar, Laos and Cambodia especially, all countries that joined ASEAN in the 1990s, ASEAN-ISIS are government appendices. Singapore has developed probably the most extensive academic infrastructure supporting the government, with the Institute of Southeast Asian Studies (ISEAS), the Rajaratnam School of International Studies (RSIS) at Nanyang Technological University (NTU) and the Singapore Institute of International Affairs (SIIA) spearheading the phalanx of influential think tanks. All of them, including university-based institutes such as the Lee Kuan Yew School of Governance and RSIS, are headed by prominent ex-diplomats, ensuring that academic output has a strong policy orientation and that researchers are in close contact with government officials. The Singaporean think tanks, as well as those in Indonesia, the Philippines, Thailand and Malaysia, are productive, highly visible in public debates through opinion pieces in the media, well embedded in global academic networks and in constant

[65] Jusuf Wanandi, *Jakarta Post*, 16 September 2011.
[66] *Jakarta Post*, 15 September 2011.

exchange with their peers in East Asia, North America and Europe. While they are thus familiar with novel trends in their respective disciplines, their links to universities with their greater orientation towards theory-guided basic research, is less well developed. In the more reclusive new member countries, they are much less integrated into global and regional epistemic communities and therefore have usually not reached the same academic standards as their counterparts in the original ASEAN-5. More than providing technocratic expertise to their governments, they often chiefly perform legitimizing functions for government policies.

While at least in some ASEAN countries knowledge generation and management capacities are improving, a comparison with countries at a similar stage of economic development reveals major shortcomings. This holds particularly true for Indonesia, which – despite the changes described above – is still reeling from the centralistic and bureaucratic legacies of the New Order period that curtailed academic freedom and suppressed critical thinking (Guggenheim 2012: 147). If the share of research on a country carried out by domestic researchers is taken as a benchmark, Indonesia and the Philippines noticeably trail other countries inside and outside the region. By contrast, Brazilian scholars publish more than four times as much on their country as those of Indonesia do (*ibid.* 144). A similar picture emerges if research intensity, that is, the number of international publications per 1 million people, is measured. Again, Indonesia, the Philippines and Vietnam are far behind other countries, although Singapore appears here on top of the ranking, whereas Malaysia and Thailand occupy rankings in the middle (*ibid.*

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145). More-recent UNESCO research also reveals that, except for Singapore, ASEAN countries' government expenditure on Research and Development (R & D) is miniscule compared with other newly emerging economies (*ibid.* 162). At the same time, very much in line with the executive dominance highlighted in the previous section, government R & D expenditure relative to the country's total R & D expenditure is very high in the ASEAN region, with the sole exception of Malaysia (*ibid.* 163).

Quality media also play a vital role in defining a country's position for international negotiations. They are a forum for debate in which the pros and cons of certain policy options can be discussed. To fulfill such functions, the media need to operate under conditions of at least a modicum of political freedom that does not a priori rule out policy alternatives for ideological reasons. Vibrant quality media both vernacular as well as English language can be found in particular in Thailand (prior to 2014) and Indonesia, to a lesser extent in Singapore, Malaysia and the Philippines. In the new member countries, the media hardly perform any such forum functions. Hence, there are markedly fewer channels for feedback that would help the government to sound out and determine its negotiating positions in international organizations.

Hardly less important is a vociferous, knowledgeable and well-connected sector of NGOs. NGOs have often acquired a lot of know-how in areas where government presence is limited, such as in the social consequences of trade liberalization, or in issues like labor migration, sustainability and environmental protection, human rights, and women's and children's rights, to name some very obviously contested

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policy fields. Despite lingering suspicions about NGOs in Indonesia and to a lesser extent the Philippines, Thailand and Malaysia, governments have established channels for regular consultation and interaction. Such interactions can provide not only expertise that officials may not have, but also defines the win sets government negotiators may expect in international fora. During its ASEAN chairmanship in 2011, the Indonesian government, for instance, hired a consultant with an NGO background as a liaison person for civil society.[67] Ignoring civil society views could become particularly costly at the stage of policy implementation when NGOs and social movements frustrated with international agreements may organize public protests and demonstrations. WTO deals and (bilateral) free trade agreements often give rise to such campaigns. Yet even though in the countries named above state–society interactions have multiplied and improved markedly, there is still a tendency to limit their role to transmission belts in "socializing" government policies and decisions to the wider public rather than including them in the preparation of negotiation positions or even in the negotiation teams. This suggests that there is still a quite strong top-down dimension in public–private discourses.

Business groups are in many countries a prime source of information for government negotiators. Their expertise may be particularly valuable in trade negotiations and in fora concerned with international finance. When they have their own research facilities, they may provide detailed data on the putative effects of policy choices on the economy

[67] Email information ASEANcats@googlegroups.com, 5 November 2010.

as a whole or on individual economic sectors. They may help develop negotiation strategies, gauge the trade-offs inherent in package solutions, or even act as advisors of the negotiators behind the scenes.

Comparatively close links between the government and the business sector do indeed exist in the ASEAN-5. Exchanges are here much closer and more frequent than between governments and civil society representatives. The national Chambers of Commerce and Industries and other business and professional associations are usually lobbying the government and also comprise a useful source in the recruitment of economic ministers. Yet, as Sally showed in the case of WTO negotiations after the Uruguay Round in the second half of the 1990s and under the auspices of the Doha Round (since 2001), bottom-up flow of information is limited and the influence of economic interest groups on government policies is rather modest (Sally 2004). In Indonesia, for instance, they are primarily vehicles for rent-seeking activities of their board members who instrumentalize business associations for providing them access to government contracts (Hicks 2012: 6). Revealing is also the remark of former Indonesian WTO-chief negotiator in Geneva, Gusmardi Bustami: referring to the ever increasing significance of services in trade, he admitted in an interview with the *Jakarta Post* that "[t]he service sector has been somewhat neglected. We know it exists, but we do not know how big its contribution is to our economy. [. . .] Frankly speaking Indonesia has no figures on the sector."[68]

[68] See *Jakarta Post*, 24 September 2004.

Even more than in the case of civil society organizations, ASEAN governments tend to use business associations as transmission belts with the task of explaining the business sector government policies. A major reason for this practice is the still-strongly corporatist pattern of interest representation in many ASEAN countries highlighted in the previous section (Rüland 2012a). Moreover, most business associations, including the Chamber of Commerce and Industries, have only weak research capacities and are thus hardly able to convey to government negotiators more than very general concerns of their membership. Owing to their proximity to the government, business representatives are less prone to criticize or oppose government policies and decisions than civil society organizations (Yoshimatsu 2007; von Lübke 2012). More often than not business influence on trade agreements negotiated by the government is thus of an *ex post* nature. Economic interest groups only start mobilizing their members and building anti-government coalitions with trade unions and NGOs when something has gone utterly awry. A good example is the protest wave in Indonesian business circles after the ASEAN–China Free Trade Area (ACFTA) went into effect in January 2010, which raised fears of a flooding of the Indonesian market with cheap Chinese-manufactured goods.[69] By contrast, business influence on the negotiation of the modalities of the ACFTA was very limited.[70]

[69] See, inter alia, *Jakarta Globe*, 9 February 2010; 9 June 2010; *DetikNews*, 9 February 2010; 4 May 2010.

[70] On the limited participation of civil society organizations and business groups on bilateral trade negotiations, see also Chandra (2005).

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Regional negotiation capacities

Successful negotiation in international fora is not only strongly dependent on national knowledge generation, but also on regional capacities of fact finding and data collection, identifying and tapping existing sources of expertise, exchange of information, developing policy alternatives and consolidating diverging national preferences into a binding common position. In an intergovernmental organization such as ASEAN, one would expect the preparatory steps in the process of developing a common negotiation position to fall into the domain of the grouping's Secretariat. Other important bodies involved in defining the agenda to be pursued and the strategies employed to achieve agreed goals in the negotiation process are the regional decision-making bodies such as the Summit, the ASEAN Council and ministerial meetings and, as "sherpas" evaluating and preparing the political dimensions of the envisaged common position, the Committee of Permanent Representatives (CPR). Finally, a diplomatic infrastructure is needed at the venue of the negotiations. ASEAN countries have therefore established ASEAN Committees in major capitals. Crucial for negotiations in the UN and the WTO are the ASEAN New York and Geneva Committees. In the subsequent paragraphs we scrutinize the extent to which this institutional infrastructure helps ASEAN to develop common negotiation positions.

The ASEAN Secretariat has never been an actor in the preparation of common negotiation positions of ASEAN. Even though the position of the Secretary General has been strengthened over time, the Secretariat has few formal

powers. The Secretariat has thus basically remained a service provider for ASEAN decision-making bodies with virtually no scope for autonomous action.[71] At best, the Secretary General is able to influence the decision-making processes at the leaders' or ministerial levels informally, depending on his or her personality, acceptance and role perception and the expertise he or she has to offer on the issue at stake. He or she may also influence decision-making by briefing the leaders and ministers, framing the issues, portraying the context in which decision-makers operate, and appraising the effectiveness of previous policies.

The Secretariat installed in the mid-1970s was hardly able to perform these functions systematically and effectively. Initially, Secretariat staff was way below 100 and consisted mainly of career diplomats. However, at the time, owing to its limited authority, a posting in the Secretariat was not regarded as an advancement of a diplomat's career. The latter's generalist orientation and the low prestige a post in the Secretariat bore, contributed to the Secretariat acquiring the reputation of a unit characterized by inertia and a lack of professionalism. How weak the Secretariat actually was is well illustrated by President Suharto's decision unceremoniously to replace Indonesian ASEAN Secretary General Hartono Dharsono in February 1978 after the latter had dared to criticize his government (Anwar 1994: 113). As a keen observer and one-time Secretariat official caustically remarked: "The job [of the Secretary General of the ASEAN Secretariat, as the post was initially designated] was literally to serve as a channel

[71] Authors' interviews, 30 and 31 July 2012.

of information, in other words, running errands as a senior postman to deliver messages between capitals."[72]

By the early 1990s, ASEAN governments began to realize that a stronger Secretariat was a requisite for a more cohesive process of regional cooperation. At the Singapore Summit in 1992, ASEAN elevated the Secretary General to ministerial status and, in an attempt to upgrade competence, allowed the Secretariat to hire professional staff by open recruitment based on merit (Haas 1997: 335). Today, the Secretariat employs a staff of about 270, many of them professionals, and seventy-nine recruited in an open process from all member countries.[73] The ASEAN Charter further strengthened the position of the Secretary General, who can now speak on behalf of ASEAN, provide good offices, conciliation and mediation in intra-regional disputes and monitor compliance with decisions resulting from the dispute settlement mechanism.[74] The increased significance the Charter attaches to the Secretariat is also highlighted by the addition of two more Deputy Secretary Generals (Article 11, 6). Yet, compared to the European Commission, which has a staff of more than 23,600 (albeit that this includes a huge number of interpreters), this is still a miniscule technocratic support base, though larger than that of other non-Western regional organizations.[75] This was even admitted by the late Indonesian

[72] *The Nation*, 21 May 2012.

[73] *Ibid*. See also ASEAN Deputy Secretary General, Bagas Hapsoro, *Jakarta Post*, 23 January 2010.

[74] *Jakarta Post*, 23 January 2010; ASEAN Charter, Article 23(2) and Article 27(1).

[75] Mercosur, for instance, has a secretariat staff of 160 officials.

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Foreign Minister Ali Alatas – during his time in office an ardent adherent of the ASEAN Way and its underlying sovereignty norms. Alatas, who served for Indonesia on the Eminent Persons Group in drafting a blueprint for the ASEAN Charter, stated in an interview with the *Jakarta Post*:

> Then, we should also establish a new body, called the ASEAN Institution, because we found that the secretariat lacks the capacity for thorough research and analysis and so on. They are taken up too much by day-to-day tasks.[76]

Moreover, after the Asian financial crisis of 1997/98, and amid growing clamor to transform ASEAN into a more people-oriented organization, leading Secretariat officials markedly intensified their interaction with non-governmental stakeholders. More frequently than before, high-ranking ASEAN officials attended the annual meetings of regional NGO-networks such as the (now defunct) ASEAN People's Assembly (APA), the Solidarity for Asian People's Advocacy (SAPA) and the ASEAN Civil Society Conference (ACSC)/ASEAN People's Forum (APF) (Igarashi 2011). Yet NGO critics frequently complain that these interactions are confined to the opening ceremonies and keynote addresses rather than representing a full-fledged dialogue.[77] More regular interaction is still restricted to a highly non-representative and largely irrelevant group of fifty-eight civil society organizations recognized by ASEAN (Collins 2008; Rüland 2012a; Gerard 2013). However, the expertise many of the independent regional NGO networks mentioned above have to offer for negotiations in global forums is

[76] *Jakarta Post*, 17 January 2007. [77] Authors' interviews, 26 March 2012.

largely ignored. There is also no evidence that the ASEAN University Network (AUN), established in 1995 with the objective of "promoting collaborative study, research and educational programs in the priority areas identified by ASEAN" and serving as "a policy-oriented body," has been systematically tapped by the ASEAN Secretariat and other ASEAN decision-making bodies.[78]

An intensification of interactions can also be noted with think tanks and, in particular, with ASEAN-ISIS. The expertise the Secretariat can draw from these think tanks is substantial, even though, following ASEAN enlargement, diversity and disagreements among ASEAN-ISIS likewise increased markedly.[79] But, despite a modicum of emancipation of ASEAN-ISIS in the ASEAN-5 countries from too much proximity to governments, many observers still complain that ASEAN-ISIS are in general closer to government positions than to civil society (Kraft 2000; Stone 2000; Morrison 2006; Freistein 2008). Yet apart from ASEAN-ISIS new think tanks emerged that increasingly provided backstopping services to the ASEAN Secretariat. One of them is the Economic Research Institute for ASEAN and East Asia (ERIA), established in 2008 on Japanese initiative and strongly supported by Japanese funding. However, ERIA mainly provides expertise in the domain of regional economic integration. Among the many publications of ERIA, there

[78] An article in the *Jakarta Post* discussed the opportunities such a university network, which currently consists of thirty member universities, would create: *Jakarta Post*, 17 November 2011.

[79] Authors' interviews, 19 February 2010 and 25 August 2010.

is only one that discusses ASEAN's role as a negotiator in international forums (Tay 2013). More relevant for international negotiation is a project launched in March 2010 by the National University of Singapore's Centre for International Law (CIL) that established an online searchable database of ASEAN and International Law documents. Along with over 320 ASEAN and International Law documents accessible through the database it also contains over 120 significant global treaties and legal documents.[80]

The Secretariat, leaders and economic ministers also cooperate with regional business networks such as the ASEAN Business Advisory Council (ABAC) and the ASEAN Chamber of Commerce and Industries (ASEAN-CCI). Both groups, however, share many traits of national business groups. ABAC consists of representatives handpicked by the leaders, whereas ASEAN-CCI has been bogged down by highly particularistic nationalist policies for a long time.[81] Overall, rather than being forceful representatives of regional businesses, both organizations are much more transmission belts supporting ASEAN governments in conveying their regional policies to the business sector (Yoshimatsu 2007; Rüland 2012a). The conclusion is thus that even though the Secretariat has tangibly improved its interaction with stakeholders there are still two major flaws: first, there is a tendency of the Secretariat to interact with stakeholders such as economic interest groups

[80] "NUS Research Centre Pioneers the Region's First Online Searchable Database of ASEAN Documents," National University of Singapore press release, 18 March 2010.

[81] Authors' interviews, 1 March 2010 and 23 March 2010.

that are believed to be sympathetic to ASEAN executive bodies; and second, owing to the limited staff and resources, there is a lack of absorptive capacity of the Secretariat regarding non-governmental inputs. Former Secretary General Surin Pitsuwan's strategy to develop a "Networked Secretariat" with the objective of tapping "into the vast pool of intellectuals and local wisdom in member countries" has so far improved absorption capacity only to a limited extent.[82] Much more than that, it also primarily serves as a transmission belt, as Surin himself explained: "The ASEAN Secretariat would cooperate with various entities (business or otherwise) with a large clientele base that already have their regular gatherings and activities in disseminating the idea of ASEAN, its vision and mission and its noble objectives so as to raise the awareness of the people of ASEAN about a new chapter in our regional organization."[83]

Finally, with the enactment of the ASEAN Charter, the funding of the ASEAN Secretariat through the annual contributions also improved from US$1 million per member to US$1,576,300 in 2012 (see Table 3.2), translating into US$0.026 per capita for operating costs. In comparison, the European Union had a budget of well over 147.2 billion euros

[82] *The Nation*, 21 May 2012.

[83] "Getting ASEAN Ready to Realise its Vision With the ASEAN Business Community," speech by Dr. Surin Pitsuwan, Secretary General of ASEAN, at the Launch of the ASEAN Business Club (ABC), 28 October 2011, available at: www.asean.org/news/item/speech-by-dr-surin-pitsuwan-secretary-general-of-asean-at-the-launch-of-the-asean-business-club-abc (accessed 20 January 2014).

Table 3.2 *Operational budget of the ASEAN Secretariat*

Budget year	Operational budget (US$)	Percentage increase from previous budget year	Percentage of utilization of the allocated budget
June 2003–May 2004	7,320,000	+ 1	104 (overspending by 4)[1]
June 2004–May 2005	7,680,000	+ 5	101 (overspending)
June 2005–May 2006	7,990,000	+ 4	103 (overspending)
June 2006–May 2007	8,490,000	+ 6	104 (overspending)
June 2007–May 2008	9,680,000	+ 14	99 (underspending)[2]
June–December 2008[3]	7,830,000		84 (underspending by 16)
January–December 2009[4]	14,350,000		75 (underspending)
January–December 2010	14,330,000	standstill budget[5]	82 (underspending)
January–December 2011	14,360,000	standstill budget	100%
January–December 2012	15,763,000	+10	

[1] Overspending was caused mostly by higher numbers of ASEAN meetings than projected. ASEAN Secretariat staff are expected to attend and serve on every ASEAN meeting everywhere.

[2] Underspending was caused mostly by unfilled staff vacancies, which has been a recurring problem in recent years.

[3] In the past, the budget or financial year of the ASEAN Secretariat ran from June to May of the following year. In 2008, there was a decision to change the duration of the budget or financial year to the calendar year, to parallel the Chairmanship of ASEAN, which runs from January to December. Hence the need to have the seven months of bridging budget from June to December 2008.

[4] A major staff build-up in response to increased workload and new functions of the Secretary General of ASEAN and the ASEAN Secretariat following the entry into force of the ASEAN Charter on 15 December 2008.

[5] ASEAN member states decided to go for a standstill budget in the wake of serious underspending.

Source: ASEAN Secretariat; updated email information, provided by a former high-ranking ASEAN official, 10 September 2012.

(or 295 euros per person) for the same year.[84] The Secretariat's budget thus certainly does not allow for the marked expansion of professional staff that would enable it to perform the functions mentioned at the beginning of this subsection much more effectively.

In recent years especially, the Secretariat has tried to compensate its resource constraints through external funding such as from the ASEAN Project for Regional Integration Support (APRIS) I and II programs supported by the EU or German assistance to upgrade the Secretariat's absorptive capacity (Jetschke and Portela 2012). Yet it is unlikely that these projects will solve the Secretariat's capacity problems, as they primarily seek to improve the Secretariat's ability to disseminate information to the public and to mobilize societal support for ASEAN policies.[85] Moreover, the external support is not without drawbacks as it confronts the Secretariat with charges that as a core institution of ASEAN it is open to external influences that may compromise the association's independence and capability of pursuing its interests in international forums.

Given the weakness of the Secretariat, summits, the ASEAN Council, Ministerial Meetings and the Committee of Permanent Representatives are thus the key bodies in coordinating and finding common ground for forthcoming negotiations in global forums. While the Secretary General presents assessments of the situation, defines points of departure for

[84] *The Nation*, 21 May 2012.

[85] See "Capacity Building for the ASEAN Secretariat," available at: https://www.giz.de/en/worldwide/16385.html (accessed 22 July 2012).

negotiations and clarifies where ASEAN stands on any given issue,[86] working out the details of an agenda pursued in global forums and determining the common preferences, positions and goals is a highly political process. Since the enactment of the ASEAN Charter the preparation of this process has been the responsibility of the Committee of Permanent Representatives (previously the Senior Officials Meetings) that jealously guards these prerogatives against the Secretariat. Decisions for common positions are then made either by the ministers responsible for the negotiation or the leaders. In an attempt to strengthen its influence in G20 Summits, in October 2009 ASEAN established a G20 Contact Group consisting of the ASEAN Chair, the ASEAN Secretary General, and Indonesia, the only G20 member from Southeast Asia. The association also agreed that prior to G20 Summits the finance ministers would meet in order to formulate the grouping's collective views, which at the Summit would be represented by the ASEAN Chair and the Secretary General.[87]

Yet it is very difficult to assess the extent to which these preparatory meetings have decisively improved intra-ASEAN policy coordination. The chairman statements of ASEAN Summits and the documents of ministerial meetings suggest that there are only intermittent consultations prior to UN, WTO or climate change negotiations, if any. If our information is correct, the G20 Contact Group has met only once.[88] Moreover, the declarations that summits and

[86] Authors' interviews, 12 March 2010.
[87] *Antara*, 24 October 2009 and *Jakarta Post*, 25 October 2009.
[88] Email communications, 9 January 2013 and 14 January 2014.

ministerial meetings have occasionally passed still leave member countries much leeway to pursue their national interests. In fact, such declarations are often little more than the lowest common denominator, devoid of (binding) obligations and precision.[89]

At major venues of international organizations such as New York and Geneva, ASEAN has set up consultative and coordinative mechanisms in the form of the ASEAN New York Committee and the ASEAN Geneva Committee. Members are ASEAN ambassadors accredited to these international organizations and the chair is the ambassador of the country holding the ASEAN presidency. While the ASEAN Geneva Committee was established in 1973 in order better to coordinate ASEAN policies in the GATT (Jorgensen-Dahl 1977: 45; Meepiarn 2009: 165), the ASEAN New York Committee was set up in the 1980s during the Cambodian occupation by Vietnam. Their coordination performance varies according to the issues at stake and the presidency. In New York, ASEAN ambassadors normally convene once a month or every six weeks like in 2012 under the Cambodian presidency.[90] Under the Indonesian presidency in 2011 it met more frequently, whereas under Vietnamese chairmanship in 2010 it reportedly met only every four to five months.[91] The intensity of activities under these chairs is similar in the ASEAN Geneva Committee,

[89] This view is corroborated by authors' interviews conducted on 30 and 31 July 2012.

[90] Authors' interviews, 30 July 2012. EU head of mission meetings take place once a week: see *Der Spiegel*, 26 August 2013, p. 65.

[91] Authors' interviews, 30 July 2012.

which at the time of research met monthly.[92] Preparatory meetings at an expert level take place more often, as do informal and rather casual meetings to exchange information.[93]

In the ASEAN Geneva Committee, UN affairs and WTO issues are separated. The larger ASEAN countries such as Indonesia, Thailand and Malaysia have thus posted two ambassadors in Geneva, one accredited to the UN, the other to the WTO. Comparing the frequency of meetings, we may conclude that there seems to be a decline in activity in the ASEAN Geneva Committee that, as Sally reports, met on a weekly basis in the 1990s (Sally 2004: 4). It is thus hardly surprising that overall, in the UN General Assembly but also in Geneva-based UN bodies, national perspectives prevail and ASEAN rarely acts in unison, even though there is a tendency for joint statements to increase in frequency over the last three to four years in UN bodies and the WTO (see also in Chapter 5).[94]

Occasionally ASEAN seeks to improve its coordination performance at the UN through holding Informal ASEAN Ministerial Meetings at the sidelines of the UNGA. Yet a careful reading of the chairman statements and press releases shows that much of the time given over to these meetings is occupied by regional affairs. Coordination of policies in the UN is limited to general issues of ASEAN-UN relations and the coordination of campaigns for leadership positions in the UN system.

[92] Authors' interviews, 14 December 2012.
[93] Authors' interviews, 30 and 31 July 2012.
[94] Authors' interviews, 30 July 2012.

Thus, unsurprisingly, mechanisms to overcome the divide in expertise among ASEAN delegation in New York and Geneva do not exist. One minor exception was the ASEAN-organized training of the government staff of the accession countries in the 1990s, which included English language courses and familiarizing officials with ASEAN procedures in order to enable them to participate meaningfully in the association's gatherings, chair ministerial meetings and represent their country and ASEAN in global forums. While this has helped to narrow the capacity divide between old and new members, it was not enough completely to eliminate capacity asymmetries. Also supportive of the smaller countries is the practice of ASEAN to provide member countries in the UN and the WTO the opportunity to send their staff to committees of their choice. They would then report to the other members and share the know-how and information acquired there.[95] Yet small ASEAN countries, often grappling with the complexities of the policy matters, do not trust fellow members enough to leave the formulation of bargaining positions to them and to support them. Better-staffed missions on the other hand provide expertise to the smaller and less developed ASEAN members only in cases where it is obvious that they share their positions. Overall, therefore, joint positions can only be developed where common interests have been identified. By contrast, in highly political and sensitive matters ASEAN members tend to bowl alone, a tendency for which we will provide more evidence in the next chapter. In the majority of cases and, for that matter, the politically

[95] Authors' interviews, 30 and 31 July 2012.

significant ones, we must therefore expect that ASEAN will act more frequently as a caucus than a quasi-bloc.

Summing up, with reference to our theoretical proposition, we can state that ASEAN's national and regional negotiation capacities are indeed affected by cognitive factors on three major counts. First, historically entrenched state-centrism accounts for the fact that the generation of expertise for international negotiations relies mainly on governmental resources and the state bureaucracy, while largely bypassing societal know-how. Second, the strong quest for national autonomy and mutual distrust explain why there is very little generation and provision of knowledge at the regional level and why the Secretariat is neither financed nor staffed adequately to act as an effective catalyst of knowledge for negotiating ASEAN member governments. And, third and finally, for much the same reason, negotiations in global forums are not prepared with the primary objective of increasing the association's cohesion by working out common standpoints and positions.