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Re-evaluating Preventive Diplomacy in Southeast Asia

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Abstract

A look into the many ongoing situations of violent conflict in Southeast Asia brings us to question the effectiveness of prevailing conflict prevention mechanisms in the region, and more specifically, how preventive diplomacy – a specific function for thwarting the emergence or escalation of violent conflict, has flourished in the policy circles of Southeast Asia. However, ASEAN (the Association of Southeast Asian Nations) – the main regional intergovernmental organisation possessing a regional conflict prevention mandate in the region - has been struggling to define its own conceptual and practical understanding of preventive diplomacy. The point is that ASEAN is a collection of states that are still trying to develop and strengthen their own degree of intra-mural political and security co-operation. Diverging security perceptions and strategic assessments in many ways prevent the ASEAN states from taking on a more institutionalised approach to maintaining regional peace and security as a cohesive unit. Nevertheless preventive diplomacy is an important undertaking for a region that still harbours a host of situations that are prone to violent conflict and humanitarian crises. The efforts that have been taken on by the governments of Southeast Asia, in their own capacity, along with the work that has been done by other non-governmental organisations in certain preventive diplomacy functions, are encouraging signs. Not only do they compensate for ASEAN's mono-dimensional approach to regional conflict management, they also play an important role in fostering a much-needed culture of preventive diplomacy among the foreign policy circles in Southeast Asia. It is with such preventive diplomacy efforts outside the ASEAN framework that the international community should focus, provide operational support and ultimately build upon.

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Introduction

At a time when the international systems faces a precarious peace-building process in the Middle East and while we are trying to figure out the threat and nature of further global terrorist activity, it is important not forget that there already exists a number of complex conflicts in the international system that continue to disrupt peace and endanger the security of many peoples and societies. In Southeast Asia the situation in Aceh and the Moluccas in Indonesia, the Moro situation in the Philippines, the disputes involving the ethnic minorities in Myanmar – all these predicaments, bring us to question the ongoing efforts of conflict prevention in the region, and more specifically, how preventive diplomacy has been used in the policy circles of Southeast Asia. This paper will therefore attempt to understand the nature of preventive diplomacy in Southeast Asia by first discussing the practice of preventive diplomacy and then by analysing how it has been considered and approached by governments in this region. A key observation is that at first glance, preventive diplomacy appears not to have taken off in Southeast Asia, particularly when considering the efforts of ASEAN (Association of Southeast Asian Nations)¹ – the main regional intergovernmental organisation possessing a conflict prevention mandate. However it is suggested that we should look beyond the parameters of the ASEAN organisation to see how preventive diplomacy has begun to take on an important momentum in Southeast Asia in recent years. From this position, it is then put forth that it is with such preventive diplomacy efforts outside the ASEAN framework (that of which has been pursued by non-governmental organisations and some governments of Southeast Asia acting in their own capacity and not under the ASEAN banner) that the international community should focus, provide operational support and ultimately build upon.

Coming to Terms with Preventive Diplomacy

We begin our analysis by stipulating our term of reference for the practice of preventive diplomacy. Although in recent years, the term ‘preventive diplomacy’ has become modish parlance among policy makers involved with international conflict and security management, there seems to be little agreement on the meaning, scope and purpose of the term. A survey of the current literature on preventive diplomacy reveals a tendency to associate the

¹ The member states of ASEAN include Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam

term with a number of existing international conflict management practices, not to mention the inclination to define the concept from a rather broad perspective - often as any action that has the potential to prevent or thwart violence deriving from a political dispute and furthermore, any action that can quell such disputes before they emerge. As we look into some definitions of preventive diplomacy, it is not difficult to detect the variations in emphasis. For instance there are observers such as Desmond Ball and Simon Tay who emphasise the diplomatic disposition of preventive diplomacy. Ball contends that preventive diplomacy should only be about diplomacy and not about preventive deployments of military units or interference in the internal affairs of any country. He further argues that the conduct of preventive diplomacy should fully respect the principle of sovereign equality, political independence of states, territorial integrity and non-interference in matters that are essentially within the domestic jurisdiction of any state.² Not many would agree with this position, given that in recent years, it is those conflicts internal to a state that have proven most disastrous. Similarly Simon Tay has argued that preventive diplomacy, though more ambitious and immediate than conventional diplomacy and often presupposing a multilateral setting (or third party involvement), should be based fundamentally on the use of diplomatic, non-coercive and non-military measures in the effort to anticipate and prevent conflicts.³ As can be seen, both observers make it a point to preempt grounds for controversy by clearly omitting the potential use of force, and the implications of preventive diplomacy on sovereignty *vis-à-vis* the doctrine of non-interference.

There are of course other definitions, many of which cover intra-state and inter-state conflicts, governmental and non-governmental actors, conventional as well as unconventional security challenges, and a wide range of diplomatic, economic, political and even military instruments. For instance the Office for Democratic Institutions and Human Rights (the institution primarily charged with the 'human dimensions' within the OSCE) has suggested that preventive diplomacy is action meant to forestall policies that create political and social tension⁴, while scholar Rory Steele has offered that preventive diplomacy should focus on what might be done co-operatively by the international

² Ball, D., *Principles of Preventive Diplomacy*, paper presented at the Preventive Diplomacy Workshop of the CSCAP-CSBM Working Group, Strategic and Defence Studies Centre, Australia National University, 1999.

³ Tay, S., and O. Talib, 'The ASEAN Regional Forum: Preparing for Preventive Diplomacy', in *Contemporary Southeast Asia*, Vol.19, No.3, December 1997.

⁴ These policies, according to the ODIHR, include human rights violations, such as denial of an individual's freedom of expression and of his or her right to a fair trial, and discrimination against people on the grounds of ethnic, linguistic, religious identity, or political affiliation.

community to ensure peace before serious differences cross the threshold into conflict. Needless to say, calls for preventive diplomacy to resolve disputes before they turn violent are ever increasing as are suggestions that it should concentrate more on the human suffering dimension, while making use of other forms of action including preventive disarmament, preventive humanitarian action and preventive peace-building. Among the many proposals that call for the expansion of preventive diplomacy activities has been the suggestion by Amitav Archarya, who supplies us with another very broad definition which defines preventive diplomacy as diplomatic, political, military, economic and humanitarian action taken by governments, multilateral organisations and international agencies with the aim of preventing severe disputes and conflicts from arising between and within states, preventing such disputes from escalating into armed confrontation, limiting the intensity of violence resulting from such conflicts (preventing it from spreading geographically), and preventing and managing acute humanitarian crises associated with such conflicts.⁵

While it may be important to consider that broad definitions of preventive diplomacy have the advantage of constructive ambiguity, the point made by observers such as Michael Lund argue in favour of more practical proposals. Lund's recent work has received significant attention, as he makes a number of key points. First is the assertion that the many broad definitions of preventive diplomacy, in particular *An Agenda for Peace* (the notable publication in 1995 by former United Nations Secretary General Boutros Boutros Ghali which spelled out a framework for preventive diplomacy) do not pin point the essence of the concept and therefore do not distinguish it from other forms of diplomacy, foreign policy, and conflict intervention. A more precise definition should thus be generic and flexible enough to be applicable to different contexts and yet specific enough to be implemented. Importantly, it should indicate *when* preventive action should be taken during the emergence of a situation, *who* principally takes such action, *how* they take such action (in terms of techniques and instruments used), and *what* problem it targets. To this extent it is suggested that what can be prevented and what should be prevented are not underlying sources of conflict that arise naturally, but rather the pursuit of interests through armed force or through some other form of coercion.⁶ Here, the conceptual core of preventive diplomacy has to

⁵ Archarya, A., 'Preventive Diplomacy: Issues and Institutions in the Asia Pacific Region', in Bunn Nagara and Cheah Siew Ean (eds), in *Managing Security and Peace in the Asia Pacific*, Institute for Security and International Studies (ISIS), Kuala Lumpur, Malaysia, 1996.

⁶ Lund, M., *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy*, United States Institute for Peace, Washington D.C., 1997.

do with keeping peaceful disputes from escalating unmanageably into sustained levels of violence and significant armed force. Given this, Lund defines preventive diplomacy as “action taken in vulnerable places and times to avoid the threat or use of armed force (and related forms of coercion) by states or groups to settle the political disputes that can arise from the destabilising effects of economic social, political, and international change”.⁷ Such actions can be performed by governments, multilateral institutions, NGOs, individuals or the disputants themselves, and may involve a series of diplomatic, political, military, economic and other measures. The important thing to remember is that preventive diplomacy is especially operative at the level of unstable peace - a situation when tension and suspicions among parties run high but violence is either absent or only sporadic.⁸ In this dimension, preventive diplomacy comes into play only when policies, institutions, and procedures between states and groups (at the local, national or regional levels) that could handle disagreements, either do not exist, break down, or fail to regulate political disputes and conflicts of interest, thus creating a risk of the threat of use or use of armed force or the outbreak of widespread violence.⁹

It is important to observe how scholars like Lund have made the distinction that preventive diplomacy policies in the dimension of conflict management attempt to remove the ways and means of violent confrontation. In so doing they are not always directly concerned with the root causes of conflicts and therefore are not specifically aimed at conflict resolution. What is needed however, is the acknowledgement (and indeed clarification) that there are preventive diplomacy policies for conflict management and those for conflict resolution. The fundamental problem is that without making a clear distinction between policies for conflict management and conflict resolution, any study of preventive diplomacy will prove difficult. The fact of the matter is, definitions of preventive diplomacy will constantly attract debate, since its essence first involves accommodating the fundamental questions of preventive diplomacy: by whom, how, at what level and for what purpose. This is not to say that the numerous opinions of what preventive diplomacy should achieve are totally inadequate, but rather the contrary. As mentioned before, the danger here lies in the unnecessary amalgamation of the numerous definitions without making the important distinction between policies at the conflict management level and those at the conflict resolution level.

⁷ Ibid., p.37

⁸ Ibid., pp.39-40.

⁹ Ibid., p.42

It is argued that a clearer understanding of the term can be obtained by first acknowledging that there are two levels of preventive diplomacy, one that is short-term which seeks to control (detering, avoiding or settling) violent confrontations, and one that is long-term which attempts to remove the sources of conflict between entities through the creation of long-standing cooperative functional relationships and confidence. The focus of this study is preventive diplomacy at the short term or conflict management level and it is defined here as specific mechanisms taken in a timely manner, to prevent the transformation of disputes (deriving from unmanageable political, ethnic, economic, and social tensions) into violent conflicts, or to prevent such violent conflicts from escalating if they have already begun. It is preventive diplomacy that is concerned with the subject of violence and with thwarting crisis situations, in particular the emergence and the escalation of violent confrontations between entities. The specific mechanisms here refer to a series of activities that fall into the categories of early-warning, diplomatic good offices, confidence-building measures and only as a last resort, preventive deployment measures. Such preventive diplomacy measures are aimed at preventing violent conflict at the inter-state and intra-state level, in particular, situations that involve a humanitarian crisis. They are aimed at controlling violence and therefore may be more concerned with settling a dispute or avoiding military engagements, rather than the resolution of a conflict. The emphasis on the ability to respond to an emerging conflict in such a timely manner however indicates that preventive diplomacy depends considerably on well prepared plans of action. From this position, preventive diplomacy is by nature, a pro-active task. In the sense that it is 'progressively active' or continuous in trying to identify the potential for a dispute to turn violent (so that certain measures can be applied to thwart the use of force), it is not a reactive or ad-hoc set of operations that are applied when violent conflict has already ripened. To further understand our stipulated definition of preventive diplomacy, a brief discussion of its functions is provided below.

Early Warning of Conflict Situations

When considering the function of early warning, it is first essential to consider it as the collection and utilisation of information that can provide a timely alert to potential conflicts.¹⁰ Being aware of a potential conflict involves analysing tensions deriving from political, economic or social backgrounds

¹⁰ Shelton, G., 'Preventive Diplomacy and Peace-Keeping: Keys for Success' in *African Security Review*, Vol. 6, No. 5, 1997.

and how they originate and gain momentum so that violence is imminent. Furthermore, research into the means by which violence is achieved is critical, and this may involve observation into armament supplies, troop movements, overall military capability, fuel and logistical support movement and even source of arms procurement funding. The rapidly advancing global telecommunications and media industries can provide us with vital information on such factors, as can specific organisations that may have a field work advantage in observing them such as the International Red Cross, the United Nations Commissioner for Refugees, or non-governmental research institutions such as International Alert. Of course foreign policy offices and academic institutions have an important role to play in this field of conflict awareness. In recent years, the growth in the study of early-warning has produced a substantial literature on how to conduct the activities of information analysis more accurately and expeditiously. This trend has seen a number of scholars making significant proposals for more systematic processes of data collecting and management.

Research into the use of specific indicators for early-warning against violence has led to a number of scholars advocating a variety of models, which although they may overlap on some issues, emphasise different points. Jurgen Dedring, for example, has proposed the idea of comprehensive early-warning – a combination of a systematic process of fact-finding along with analysis based on an historical, socio-economic, and socio-political indicators for the task of capturing the key dimensions of social disturbances and conflicts.¹¹ The point made here is that because violent conflicts internal to a state are more frequent yet more difficult to monitor and analyse¹², it is particularly important to be aware of the factors that give rise to social tensions and confrontations, and these may include the enforcement of unjust rules, severe division of national groups, discrimination against minorities and the displacement of the elite.¹³ We must then consider the important work by Ted Gurr who suggests a Risk Assessment Model to detect signs of

¹¹ Dedring, J., 'Socio-Political Indicators for Early Warning Purposes', in K. Rupesinghe and M. Kuroda (eds.), *Early Warning and Conflict Resolution*, Macmillan Press, London, 1992, p.211

¹² In a study by Wallensteen and Sollenberg, 91 of the 96 conflicts which occurred since the end of the Cold War were within a state. See Wallensteen, P., and M. Sollenberg, 'The End of International War? Armed Conflict, 1989-95', in *Journal of Peace Research*, Vol. 2, No. 32, 1996.

¹³ Dedring has also suggested that the ability to monitor potential conflict within a state must allow for a number of obstacles in fact-finding. Given that early warning in this situation may involve retrieving information concerning the host government, it is possible that access to relevant data pertaining to the treatment of minorities, for example is restricted or distorted. Dedring then emphasises that the key is to have a system that allows for the collection and processing of extensive data needed to make reliable and timely reports.

ethnopolitical conflict.¹⁴ In this case Gurr suggests that the likelihood for a politically active ethnic group to initiate violent rebellion against a state is dependant on three conditions, namely, collective incentives, the capability for joint action, and the opportunity for joint action.¹⁵ What then is needed is a set of indicators for recognising each of the previously mentioned conditions, and these range from a loss of collective autonomy and active political (or economic and cultural) discrimination, the existence of militant parties, the probability of major and abrupt regime changes, and whether there is external support for a communal rebellion.¹⁶ Another important suggestion has been posited by Barbara Harff, advocating a sequential model for detecting an imminent humanitarian crises or situations of gross human rights violations. With the notion that it is essential to identify the factors that move a conflict along a predictable path (or in other words which factors at which stage of crisis development lead to escalation or de-escalation) Harff then suggests the categorisation of certain indicators as ‘triggers’ or ‘accelerators’ of a conflict.¹⁷ To explain the difference between the two in terms of a conflict situation, Harff makes reference to the analogy of how ‘triggers’ are the equivalent to a match thrown on to a combustible pile, while ‘accelerators’ can be seen as the petrol poured on the pile to make it combustible. ‘Triggers’ are more difficult to identify as they are single events (such as violent coups) that precipitate the final stages of a crisis. The main point then is to note how the occurrence of particular accelerators can worsen a conflict situation - most common of these being international involvement in a conflict (such as international support for a targeted group), and the occurrence of violent opposition by kindred groups in neighbouring countries.¹⁸

However in certain situations, learning about a potential conflict may call for the dispatching of an analytical unit to the actual location of the dispute. This act of retrieving information on the opportunity and motives to engage in violent confrontations is commonly referred to as fact-finding. Fact-finding should be undertaken by qualified observers, those who are technically capable (specialists), politically aware, and accepted by disputing parties to

¹⁴ Gurr, T.R., ‘A Risk Assessment Model of Ethnopolitical Conflict’, in *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*, Rowman & Littlefield, Oxford, 1998, p.15

¹⁵ *ibid.*, p.17

¹⁶ For more detail on Gurr’s Risk Assessment Model, refer to ‘A Risk Assessment Model of Ethnopolitical Conflict’, in *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*, Rowman & Littlefield, Oxford, 1998, p.15 -26

¹⁷ Harff, B., ‘Early Warning of Humanitarian Crises: Sequential Modles and the Role of Accelerators’ in, J.L Davies and T.R Gurr (eds.) *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*, Rowman & Littlefield, Oxford, 1998, p.70

¹⁸ *ibid.*, p.76

enter local territories. Fact-finding can also employ several techniques such as formal or systematic institutions (senior official meetings, observer missions), appropriate intelligence gathering (avoiding cloak and dagger operations), contacts with the media or simply informal personal consultations. The important point is that undistorted information is gathered and received, and that the information be of relevance to suggest preventive action. However and most importantly, what the history behind fact-finding and observation has taught us is that without political will, such information, no matter how revealing, will prove value-neutral.¹⁹ In essence fact-finding, to be effective, requires not only a clear approach to what is gathered and how it is gathered, but also a compelling determination to utilise such information for early-warning and subsequent preventive action.

There have been a number of practices associated with the functions of fact-finding and some of the more well-known examples include the use of observation missions, special representatives, or commissions of enquiry. Observation missions and special envoys, employed by intergovernmental organisations within the short-term diplomacy dimension, can serve a number of purposes. These range from monitoring a particular dispute which has the potential to escalate into violence so as to recommend the most appropriate preventive mechanisms (such as the use of good offices or confidence-building measures), or even monitoring a cease fire in the event that preliminary violence has already broken out. The key factor however, is timing. In the event of an emerging dispute, observation or fact-finding missions will not only have to be deployed quickly, they will also have to be well trained in order to know what to monitor and how to monitor it. Of course the composition of observation missions or special representative missions can take on particular forms, depending on the nature of the specific conflict. For example observation missions may comprise of senior diplomats, military personnel (particularly to provide safety), civilians with specialised knowledge (such as chemical weapons experts), or representatives from academic and research institutions. The point is to have qualified personnel operating in the field and this must also take into consideration whether the parties to a conflict accept the members of such an observation mission as an independent third party.²⁰ So far the use of observation missions and special representatives

¹⁹ For further review of the importance of political support for early warning operations see Suhrke, A., and B.Jones., 'Preventive Diplomacy in Rwanda: Failure to Act or Failure of Actions?' , in B.W., Jentleson (ed.) *Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World*, Rowman & Littlefield, New York, 2000

²⁰ Along with the necessary skills for monitoring a particular conflict, consideration for involvement in an observation team could depend on an individual's ethnic or religious character in light of nature of the dispute at hand.

has been undertaken by several intergovernmental organisations, each of course having their own methodologies and their own levels of success. The Organisation for African Unity (OAU) and the Organisation for Security and Cooperation in Europe (OSCE) for instance, have all made use of observation missions or special representatives in reaction to looming conflict situations.²¹

Diplomatic Good Offices

The use of diplomatic good offices is often seen as an underrated activity of preventive diplomacy, especially when they are performed behind closed doors or out of the public eye. They are broadly defined as diplomatic initiatives put into action especially in times of a looming crisis or an imminent violent confrontation. However, a more specific perception of good offices would be to consider them as diplomatic activity undertaken by a particular entity that possesses a unique political position or quality of being able to work with and be accepted by the parties involved in a dispute, as a genuine participant of a conflict management process. Good offices have known to take a number of forms such as goodwill missions, peace commissions, or special envoys. They are usually performed by an entity, itself not involved in the dispute (such as a accepted third party individual, state or an international or regional organisation), and have the crucial objective to stimulate the process of conflict settlement. For this, good offices attempt facilitation, mediation, conciliation, or even arbitration so as to avoid or put an end to violent confrontations.

In this case it could mean that an intergovernmental organisations charged with an explicit peace and security mandate should have the responsibility to provide a series of diplomatic measures such as negotiation channels, a forum for quiet diplomacy or other related negotiation facilities, in order to prevent the use of force between member states or to contain a violent confrontation which has already begun. In some cases states involved in an intensifying dispute may not call upon a regional organisation to provide such good offices, as it may be seen as an encroachment on national sovereignty (especially on territorial issues). The important point is that within the

²¹ In the Rwandan civil war (1993-1994), the OAU utilised a series of observation teams in support of the Arusha Accords – an arrangement for cease fire which was to be followed by a power sharing plan among the conflicting parties. To monitor the observance of such accords and check for signs of instability, the OAU (in conjunction with the UN) dispatched an observation force, the Neutral Military Observer Group (NMOG). Although at first this operation was able to maintain some degree of stability, it was unable to detect the activities of the Hutu authorities who were planning for widespread violence. In a later conflict in Burundi, the OAU also responded to the indication of emerging violence by organising and dispatching its own Military Observer Mission (OMIB). However, this mission was also unable to bring sufficient attention and response to the escalating violence.

confines of our stipulated definition of preventive diplomacy, good offices operate only within the domain of diplomacy and do not pre-impose any intervention measures. Much has been written on techniques of mediation, arbitration and negotiation in conflict prevention.²² And although it would be inappropriate for us to review the numerous processes linked to such activities at this juncture, it is nevertheless important to consider several key points as they relate to the practice of preventive diplomacy.

For instance in the case of mediation it is important to remember that no one formula or methodology will fit all circumstances, given that every conflict situation differs.²³ It would be fair to say that the complex nature of conflict situations stipulates that a considerable degree of flexibility must be given to those who devise and participate in mediation efforts. However within the realm of preventive diplomacy, the chief objective of mediation should be relatively clear. When signs of emerging conflict are evident, mediation aims to prevent the disputing parties from engaging in violent confrontation. When conflict has already broken out, mediation then entails bringing disputing parties to cease hostilities so that a process of conflict settlement, acceptable to all sides, can develop.²⁴ However as scholars such as Zartman and Touval have mentioned, though a cease-fire is likely to ease the pain and create a tolerable stalemate between the disputing parties, mediators must also acknowledge that cease-fires could also be short-lived since the motivation for conflict remains.²⁵ In general mediation efforts should be able to engender awareness for a non-violent alternative to the conflict among the disputing parties. We must also be aware of how mediation efforts will undeniably need to focus on providing channels of communication, given that imminent conflict will likely prevent disputing parties from dialogue. To this extent mediators may find themselves in a position to suggest formulas of conflict settlement, while emphasising the unattractiveness of continued confrontation.

Without question, the ability for mediation or arbitration efforts to function depends considerably on the character of those providing such good

²² For valuable analysis on negotiation and mediation techniques, see Bercovitch, J., (ed.), *Resolving International Conflict: The Theory and Practice of Mediation*, Lynne Rienner Publishers, London, 1996. See also Zartman I.W and J.L Rassmussen (eds.), *Peace-making in International Conflict: Methods and Techniques*, United States Institute for Peace Press, Washington D.C., 1997.

²³ Lund, M., *op cit.*, p. 131

²⁴ Zartman I.W., and S.Touval, 'International mediation in a Post Cold War Era' in, *Managing Global Chaos : Sources and Responses to Global Conflict*, United States Institute for Peace, Washington D.C, 1997,p.446

²⁵ *Ibid.*, p.459

offices.²⁶ For this it is fundamental that those who offer to provide good offices be accepted by all the parties involved in the dispute. For this, a variety of factors may come into play, depending of course on the nature of the conflict at hand. In some cases it may take distinguished politicians or senior diplomatic officials, in others it may take well-known specialists, a prestigious research institution, elder statesmen or academics. Furthermore, such good officers will also need to be proficient for the task, meaning that they should possess advanced skills for negotiation, or for keeping the disputing parties engaged in a process of communication. However, whether such good officers form peace commissions, engage in shuttle diplomacy, introduce problem solving workshops or sponsor negotiations behind closed doors, promptness is the key factor to their performance. The implication here is that for the specific task of preventive diplomacy, good officers have to be prepared for conflicts at the inter-state and intra-state level. Given this, it is important to consider how it may be worthwhile to have institutionalised forms of good offices such as the Secretary-General of the United Nations, the Secretaries-General of other intergovernmental organisations such as the OAS, OAU, and the High Commissioner of National Minorities in the case of the OSCE. In other cases good officers can be organised on a more unstructured framework such as register of eminent persons or special representatives who are viewed as having the potential to play a role in mediation or conciliation efforts. In other cases good offices may be provided by a well informed and familiar network of diplomatic and academic officials who contribute to a Track Two or unofficial security dialogue forum. Without question the use of good offices is a function of preventive diplomacy that depends considerably on the effectiveness of early warning operations. Again we make the observation that the credibility of the good officer and the timing of action are the crucial factors for this aspect of preventive diplomacy.

Confidence Building Measures

Although there is no general theory of confidence-building measures, it would be fair to assume that they are more or less, genuine measures for reducing the chances of unintended conflict and enhancing assurance between states of their peaceful intentions. In this sense one of their main concerns is to prevent crisis, a parallel of which is short-term preventive diplomacy. The other primary focus, that is to develop a process of co-operation between entities,

²⁶ Franck T.M., and G. Nolte., 'The Good offices role of the UN Secretary-General', in Roberts, A and B. Kingsbury (eds.) *United Nations, Divided World*, Clarendon press, Oxford, 1993, p.174

correlates to the objectives of long-term preventive diplomacy - seeking measures progressively to improve relations within the international system on a host of issues. Confidence-building measures (CBMs) do not always have to depend on early warning mechanisms to be operational. In many cases they are already in place and continuous. Confidence-building measures are vital components of preventive diplomacy activities because they imply the actual forging of positive functional relationships between entities. If such measures perform well, that is if those already in place are able to create a working system of tension reduction, then it is likely that other functions of preventive diplomacy such as mediation or preventive deployment need not come about in the first place. CBM's come in a variety of forms, though in the scope of preventive diplomacy it is possible to categorise them as those within the political dimension or those within the military dimension. In the simplest of terms, those that are political in nature include certain measures to engage the disputing parties in a non-confrontational interaction in the advent of escalating tensions. An example in this case would be a 'good officer' using shuttle diplomacy to arrange an informal emergency meeting between select members from the disputing parties. In the military dimension, confidence-building measures involve specific mechanisms to promote restraint and prevent misunderstanding or miscalculation between armed forces. Some examples here include the establishment of risk-reduction centres, non-official workshops, a frequent exchange of military observers, defence white papers, mutual disarmament programmes or specific information systems designed to thwart accidents or severe misunderstandings.

Confidence-building measures, to produce results, require the existence of several inter-related factors, some of which include, transparency, a minimum level of political will, a certain level of reciprocity, a modest beginning void of ambitious designs, and of course adequate provisions for verification. For instance it has been suggested that transparency, between military components can encourage a measure of trust between entities, while reassuring them that others do not initiate military hostilities against them. Transparency can also create the conditions for military units from different countries to co-operate and work together in ways that build confidence and reduce the risk of conflict.²⁷ At the same time, it is important to acknowledge how it would be more appropriate to start confidence-building processes modestly, with steps that will widely be perceived as successful rather than

²⁷ Uren, R., 'Enhancing Confidence: Transparency in Defence Policies and Military Acquisitions' in, *The Making of a Security Community in the Asia-Pacific*, 1997. p.47

with suggestions that are overly complex.²⁸ After all, the confidence building process can be encouraged with follow up meetings or other techniques to maintain a momentum of institutionalised co-operation. However measures to build confidence should not be enforced upon entities, they should be agreed upon and developed based on the will of concerned parties considering such activities. The literature on confidence-building is vast, often suggesting that they are by no means a proven solution or plan of action with regards to preventing violence. What is frequently stressed is that it is not what is being done to build confidence that matters, but rather how it is being done.

Preventive Deployment

The idea of preventive deployment was first mentioned in *An Agenda for Peace* and was referred to as the deployment of military, police and civilian personnel in volatile areas with the objective of preventing the outbreak or escalation of a conflict.²⁹ Preventive deployment stipulates that it can come about in a variety of formulae, both in inter- and intra-state conflicts to alleviate suffering and to limit or to control violence in order to develop a safe environment conducive to negotiations and the peaceful settlement of disputes.³⁰ For this, it has been seen as a last resort of preventive diplomacy. Its utility may be premised on the effectiveness of fact-finding and early-warning on violent confrontations. That is, if fact-finding does manage to produce evidence of forthcoming violence and such evidence is used to justify an early-warning, but a violent confrontation is imminent anyway, then preventive deployment could thus be put into effect. However it could also be the case that fact-finding missions recommend that preventive deployment be undertaken as the best possible chance of preventing violence.

Although there is considerable overlap between the literatures on preventive deployment and peace-keeping there are some key distinctions which should be articulated. Preventive deployment is more restricted in scale and in scope. It seeks primarily to prevent the outbreak of violence through the establishment of a neutral domain so that safer conditions will prevail whereas in most cases, peace-keeping seeks to prevent the escalation of violence once it has already occurred. Because of this it has often been referred to as the early stages of peace-keeping. Whereas peace-keeping usually supports or enforces a

²⁸ Krepon, M., 'The Decade for Confidence-Building Measures', in *A Handbook for Confidence-Building Measures in Regional Security*, The Henry L. Stimson Centre, Washington D.C 1995. The source was obtained from website: <http://www.stimson.org/cbm/decade.htm>

²⁹ Boutros-Ghali, *An Agenda for Peace*, United Nations, New York, 1995, p.16

³⁰ Bjorkdahl, A., *Reconceptualising Preventive Deployment – Lessons from the Macedonian Case*, Paper presented at the Third Pan-European Conference of the ECPR, Vienna, September 1998., p.4.

political solution that has already been reached, preventive deployment usually takes place without a political settlement except permission for the deployment of the multinational force. As preventive deployment aims at establishing a position before violent clashes commence, then they would seem to require fewer personnel than peace-keeping forces.

Marshalling preventive deployment activity must first address the question of who is going to be involved. Preventive deployment forces will inevitably be military-based, but this is not an exclusive characteristic as creating safe conditions may involve police or civilian-oriented activities such as mediation or the observation of human rights. It is also important for preventive deployment forces to have an impartial identity and sufficient credibility to be accepted and respected by disputing parties. They would need to be seen as politically, ethnically or even religiously acceptable for intervention by all disputing parties, while at the same time having credible self-defence mechanisms so as to thwart off any acts of intimidation. It could even be that specialist observers make up a key portion of preventive deployment forces in order to convey a message of immediate intervention if violent actions by disputing parties are not constrained. But perhaps the true test for such operations depends on their capacity to be expeditious. In a large part the ability of preventive deployment to be operational would depend on ready and available forces as well as constantly available logistical support. It has even been argued that the credibility of preventive deployment depends on a rapid response capacity.³¹ After all violent conflicts do not wait for secondary attempts at mediation or conciliation, no matter how formidable they may seem to be.

In general, through our brief sampling of the functions associated with our stipulated definition of preventive diplomacy, we find that timing or the ability for them to be put into place promptly is a fundamental priority. For this purpose, such activities of preventive diplomacy have to be prepared or organised in advance. To be prepared and well organised, there must exist a certain degree of political will. The fundamental observation here is that this may not bode-well for an intergovernmental organisation with a conflict management mandate such as ASEAN – the key problem being that the development of such a preventive diplomacy role ultimately entails the harnessing of adequate political support from the member states to develop such capabilities. The invariable point then is that it cannot be assumed that all intergovernmental organisations will readily be able to develop and sustain enough intra-mural political backing for these endeavours. Room must be

³¹ *ibid.*, p.5

given to changing security perceptions and strategic assessments within such a grouping of diverse countries. In the case of ASEAN, this relatively appears to be the case.

Preventive Diplomacy and Southeast Asia – Not the ASEAN Way

Having explained what we mean by the concept and practice of preventive diplomacy, we now turn to the question of how such an idea has settled in the international relations of Southeast Asia in recent years. Our task here is to see whether and how any of the previously discussed functions of preventive diplomacy have been implemented by foreign policy machinery within Southeast Asia. It has been a common trend when trying to understand the application of preventive diplomacy measures in Southeast Asia, to first look through the lens of ASEAN, the chief regional intergovernmental regional organisation mandated with regional political and security co-operation in the region. This is due to the fact that ASEAN had created a sub-grouping, the ASEAN Regional Forum that promulgates a specific preventive diplomacy agenda. And moreover, when considering the notion that a certain aspect of preventive diplomacy may involve military confidence building measures and as a last resort, the preventive deployment of military units - it is only appropriate that we consider the role played by the inter-governmental regional organisation in this respect. But also, given that other intergovernmental regional organisations such as the OSCE (Organisation for Security Cooperation Europe), and the OAU (Organisation of African Unity) have developed a preventive diplomacy agenda in their own regions, the similar assumption has been made for ASEAN. We must also mention here how ASEAN has often proclaimed itself to be the principle operator in regional efforts for conflict prevention and management. In this light, it is only appropriate for us to ask how such an intergovernmental organisation as ASEAN, having declared a preventive diplomacy machinery, has made preparations for the creation of active early warning mechanisms that work at the interstate and intra-state level, well prepared facilities for providing 'good offices' at such levels, the ability to marshal confidence-building measures (in particular those that focus on military restraint), and the ability to contribute and participate in well trained and ready preventive deployment units.

A review of ASEAN efforts in preventive diplomacy in recent years would reveal lack lustre performance in this area. It would be fair to say that since its formation eight years ago, the ARF has not institutionalised all of the four

main activities of preventive diplomacy mentioned above. A review of the development of the concept and practice of preventive diplomacy within the confines of the ARF will attest to this. In the early 1990s, rhetoric from the ASEAN dialogue network pointed towards the assumption that although Southeast Asia at the time was in a period of relative calm and stability, it was not completely free from a number of issues that could become sources of regional conflicts. More importantly however, it was felt that the end of the Cold War represented an opportunity for the ASEAN members to develop an indispensable foundation of political and security arrangements with the countries of the wider Asia-Pacific region. This was a new security arrangement that reflected the Association's needs to bring the main regional powers into a new security order and to construct a politico-security grouping where it could play an important, if not central, role.³² Correspondingly ASEAN was seen to be in a prime position to act as interlocutor between the region's major powers,³³ while the organisation's approach to intergovernmental dialogue was thought of as conducive for bringing together such a wide range of participants (since it did not imply the creation of any formal security structures and therefore did not demand a high political duty for such co-operation).³⁴ ASEAN's efforts thus came into effect at the 4th ASEAN Summit (1992), when the members officially expressed a willingness to develop a new mechanism for exploring the areas of increased political and security co-operation. Although the ASEAN Post Ministerial Conferences (PMCs) were already providing a venue where ASEAN and its select dialogue partners had been getting accustomed to the trend of discussing political issues, it was felt that such a venue was too limited for extended discussions (especially with additional participants) on regional security.³⁵ The ASEAN members therefore came to an agreement to create a separate forum for such a purpose and at the 23rd Ministerial Meeting (1993), it officially made mention of establishing the ASEAN Regional Forum. This marked a key

³² Department of East Asian Affairs, Document on the Background of the ARF, the Ministry of Foreign Affairs, Bangkok, Thailand, 1997.

³³ To this extent some observers have stressed that the establishment of the ARF was largely a result of a compromise between China and the United States though with ASEAN in the drivers seat. For instance see Mak, J.N., 'ASEAN and Southeast Asia: multilateralism and cooperative security' in A. McGrew and C. Brook (eds.) *Asia-Pacific in the New World Order*, Routledge, London, 1998, p.116. In addition to this, Mak has pointed out that the ARF is unique in that the big powers were prepared to allow a grouping of small-middle powers to be at the head of the regional security initiative.

³⁴ Leifer, M., *The ASEAN Regional Forum*, Adelphi Paper No.302, International Institute for Strategic Studies, Oxford University Press, New York, 1996, p, 26

³⁵ ASEAN, Press Release, 1995.

stepping stone for ASEAN since it was the first time that specific reference was made to the organisation's political and security role.³⁶

The ASEAN Regional Forum was officially established in 1994 (Bangkok) where it was stated that a key purpose was to develop an institution that would have the task of researching into the possibilities of implementing the practices of preventive diplomacy and confidence-building for the participating countries.³⁷ With such a declaration, it was easy then to make the assumption that this new organisation had the potential to serve as a catalyst for ASEAN to gradually take on pro-active conflict prevention mechanisms. Although ASEAN had made reference to the importance of preventive diplomacy from the very on-start of its new security forum, it had also made the point that a more complete understanding of the term was needed before moving on to the possibility of putting it into practice. As such, the early references to preventive diplomacy made by ASEAN were so that this new forum would be able to conduct research into the concept on an informal basis. The actual debate and research into preventive diplomacy within the ARF suggests, however, that the participants were perhaps overtly cautious towards putting forth any definitive suggestions as to how the such a capability can be developed under ASEAN guidance.

For instance it was at the first set of ARF inter-sessional meetings in 1995 that preventive diplomacy seminars came to be introduced as a permanent fixture of the Track Two or un-official processes. At this first informal seminar many proposals concerning the scale and scope of preventive diplomacy were submitted. These included for example the notions that preventive diplomacy serves as a clear separation from normal diplomacy, that the definition of the concept given in *An Agenda for Peace* was to be utilised as a reference point for the ARF framework, and that preventive diplomacy was more than just crisis management. However, while the corresponding Third ARF's Chairman's Statement (1995) had also referred to "intra-state problems such as those in Cambodia and Myanmar" (and how "organisations must

³⁶ For a critical account of the regional political environment which accommodated ASEAN's initiative, see Leifer, M., *The ASEAN Regional Forum, 1996*, pp.21-26. Importantly Leifer makes the point that the ability of ASEAN to create the ARF was highly conditional to the fact that ASEAN could not afford to construct a post Cold War security arrangement without the rest of the countries of the Asia Pacific, that ASEAN's well known process of dialogue made no unpalatable political or economic demands on potential members, and that the major powers of the region were incapable of forming such a concert arrangement among themselves.

³⁷ At this first ARF meeting, the official participants consisted of the ASEAN members, the Dialogue Partners (Japan, Republic of Korea, the United States, Canada, Australia, New Zealand, and the European Union), the Observers (Laos, Vietnam, Papua New Guinea), and the Consultative Partners (China and Russia). See Appendix B, Chairman's Statements from ARF Meetings I to VI. The Chairman's Statement of the First ARF Meeting in 1994 states that 'the ARF would be in a position to make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region'.

strive to establish themselves as legitimate and impartial through a variety of institutional measures”), it did not lead to any follow up suggestion that ASEAN or the ARF would be directly involved in such a capacity. Instead the report indicated that the ARF was able to make a “tangible contribution to preventive efforts via the promotion of confidence-building measures”, while proposals for a regional conflict prevention (risk reduction) centre and crisis prevention exercises needed to be left to further study under the Track Two process.³⁸

There have been a number of subsequent ARF seminars on preventive diplomacy since the first in 1995 and a look at how the concept has advanced within this dimension reveals that the participating members often have been at odds over its form and purpose. For instance at the second seminar in 1996, discussions mentioned how ARF preventive diplomacy should be about non-military trans-national concerns³⁹, while on the other side of the spectrum, a suggestion was also made to the possible establishment of an ARF unit to operate “on the basis of equal and full participation of all ARF members”.⁴⁰ By the third seminar in 1997, discussions again produced an extensive list of recommendations that reflected a continued debate over the goals and methodologies of preventive diplomacy.⁴¹ Although the seminar saw the introduction of several new propositions, progress was only achieved in the recognition that multilateral co-operation was a form of preventive diplomacy⁴² and the recognition that confidence-building measures, in the context of the ARF, had the best prospects of success in the immediate future.⁴³ By the time of the fourth seminar on preventive diplomacy in 1999 (at the time of the sixth ARF meeting), the participating members were still finding it difficult to agree on a process with which to introduce the issue to the Track One agenda. However, the Bangkok meeting was finally able to produce a generally accepted definition of preventive diplomacy that was agreed upon by the participating members.

³⁸ Ibid.,p.4

³⁹ These include drug trafficking, terrorism, piracy, the illegal movements of peoples, and even environmental degradation good offices or mediation may prove useful in reducing tensions.

⁴⁰ Chairman’s Statement, ARF Working Group on Preventive Diplomacy, Paris 1996.

⁴¹ Some of the ideas raised at this meeting included the codification of norms regulating international behaviour in the region, the possibility of cooperating with the UN in developing regional early-warning capabilities, and the importance of norm-setting with regards to the situation in the South China Sea.

⁴² In this case the proposed areas of functional co-operation included simulation map exercises designed to enhance understanding and co-operation in a crisis situation, an annual Security Outlook to be discussed in Track One but produced at the Track Two level, and co-operation on specific trans-national issues such as maritime safety and terrorism.

⁴³ Co-Chairman’s Report, ARF Track Two Conference on Preventive Diplomacy, Singapore, September 1997.

At this meeting preventive diplomacy was defined, according to the participants, as “consensual diplomatic action with the aim of preventing severe disputes from arising between states which pose a serious threat to regional peace and stability, preventing such disputes from escalating into armed confrontation, and limiting the intensity of violence and humanitarian problems resulting from such conflicts and preventing them from spreading geographically”.⁴⁴ This definition further asserts that the conduct of preventive diplomacy should fully respect that principles of sovereign equality, political independence of states, territorial integrity, and non-interference in matters that are essentially within the domestic jurisdiction of any state. It is a perspective which essentially draws from the understanding that preventive diplomacy relies on diplomatic methods (such as quiet diplomacy, persuasion, negotiation, conciliation and mediation), that such methods are to be employed only at the request of the parties directly involved in a dispute (or with their consent), that measures involving military action or other coercive policies (such as sanctions) are outside the scope of preventive diplomacy, and that it is premised on timely action at an early stage of a dispute or crisis. It is a version of preventive diplomacy that has been amalgamated from various definitions (and in many ways a ‘compromise definition’) and one that can be considered as general rather than specific in nature.⁴⁵ Closer scrutiny of the term would also indicate that though it does make provisions for preventing violence deriving from humanitarian crises, it does not consider violence at the intra-state level as a subject. This is not surprising given that the ASEAN creed of ‘non-interference in the domestic affairs’ has been prevalent throughout the ARF’s Track One and Track Two deliberations.

Since the development of this definition in 1999, the ARF has managed to keep preventive diplomacy more or less as an area of research rather than a definitive policy. At the sixth ARF meeting in 2000, reference was made only to the 1999 seminar on preventive diplomacy while the participants managed to supply us with an official statement that endorsed the recommendations of the ARF Senior Officials Meeting and the ARF Inter-sessional Support Group on Confidence Building Measures (which discussed the concept and principles of preventive diplomacy and noted that ASEAN would be preparing the draft paper on the concept and principles of Preventive Diplomacy for discussion among ARF members). It was therefore at the seventh ARF meeting in 2001 that apparently saw more work on preventive

⁴⁴ Chairman’s Summary, CSCAP Working Group on Preventive Diplomacy, Bangkok, March 1999.

⁴⁵ This was specifically intended so that it would have a chance to enter into the ARF’s Track One agenda.

diplomacy. This came in the form of an official report on the *Concept and Principles of Preventive Diplomacy*, which when considered, did not deviate much from the initial proposal that was put forth in the previous year. In this report, the attempt was made to elaborate on the ARF approach to preventive diplomacy by mentioning that the definition concept and principles of PD as agreed by ARF members were not legal obligations, and that the core measures of this endeavour should include confidence building efforts (efforts to build mutual trust and confidence between states), norms building (the nurturing of accepted codes or norms of behaviour guiding the relationships among states in the Asia-Pacific region so as to enhance predictability and strengthen cooperative behaviour), enhancing channels of communication (the creation of open, easy and direct communications or channels among ARF participants which would serve to promote transparency with a view to facilitate dialogue, avoid misperception or misunderstanding and encourage information-sharing, and possibly even provide early warning), and to enhance the role of the ARF Chair (to be determined by ARF members in due course). At this juncture, there was also mention of the working parameters of the ARF Register of Eminent Persons, in a Chairman's Paper that stipulated the guidelines on the selection procedure and management process of this register. As far as the role of this group of eminent persons was concerned however, there was still a reasonable amount of vagueness as it was merely suggested that such a group 'may provide non-binding and professional views to the ARF participants, when they are requested to take in-depth studies on issues of relevance'.⁴⁶

The mentioning of these four measures of preventive diplomacy was undoubtedly a clear indication of how the ASEAN version of preventive diplomacy remained limited to an 'unobtrusive' approach to regional conflict management, confining itself to inter-state situations and a non-legal but voluntary modus operandi. This was confirmed once again at the Eight ARF meeting in 2001 where it was re-iterated that the principles of preventive diplomacy were shared perspectives that would only apply to the ARF and that although the main focus of preventive diplomacy was undeniably the management of violent conflict in the region, the practices that would pertain to ASEAN were only those of a voluntary nature.⁴⁷ Considerations were given to the idea that the enhanced role of the ARF Chair could see an increased role in good offices, but this did not involve in any further initiative

⁴⁶ See Co-chairs Paper on the Terms of Reference for the ARF Experts/Eminent Persons at website: www.aseansec.org/print.asp?file=/amm/arf8doc7.htm

⁴⁷ See ASEAN Regional Forum (ARF) Concepts and Principles of Preventive Diplomacy, retrievable from website www.aseansec.org/print.asp?file=/amm/arf8doc5.htm

specifically spelling out how this was to be done. By the time of the ninth and most recent ARF meeting in 2002, preventive diplomacy as a policy in ASEAN did not move much beyond what was achieved in the previous year, though having had to take a secondary role to the organisation's reaction to recent events in the international system involving terrorism. Nevertheless the organisation still declared its' intention to make further progress on preventive diplomacy while linking how its recent efforts in tackling terrorism represented a key development in the ARF's preventive role. Despite this recent indication that ASEAN's efforts in combating regional and international terrorism may serve as a catalyst for the development of more pro-active conflict management techniques, it is still early days. A study into the counter-terrorism efforts currently being considered by ASEAN will reveal that many of the proposals overlap with certain functions preventive diplomacy, particularly the use and creation of more institutionalised early warning capabilities. What still cannot be denied though, is that there have been fundamental political barriers, in particular the principle that it should only apply to inter-state conflicts and should only be voluntary and not legally-binding, that have contributed to the restricted evolution of preventive diplomacy in the ASEAN process within the past eight years. For this we can see how ASEAN's role in regional conflict management in the past few years, has congruently been restrained.

The Confines to Preventive Diplomacy by ASEAN

It is only appropriate at this juncture that we consider some explanatory factors that have come to limit ASEAN's experience with preventive diplomacy. Perhaps it has been ambitious for us to expect an organisation such as ASEAN to consider a preventive diplomacy agenda at such a multilateral level as the ARF. Whatever the case may be, the important observation is that ASEAN is currently focused on proving itself as an organisation that can have a significant impact on the emerging patterns of security co-operation in the wider Asia-Pacific region. This has been expressed in a number of ASEAN documents, including the Chairman's Statements from ARF meetings where it is mentioned that:

“The Ministers had substantive discussions on major regional and international issues that had an impact on the regional security environment. The exchange of views was candid and focussed and helped to create better mutual understanding of the security perceptions and concerns among ARF participants.”

The drawback is that for the time being, such arrangements do not appear to accommodate any multilateral initiative at pro-active conflict management. In this case it is important for us to understand the principle assumption that the organisation will need to develop certain measures to thwart episodes of violent intra-state conflict has not been favoured by all the ASEAN states.⁴⁸ This lack of consensus on the issue of reforming ASEAN's institutional capabilities in conflict management goes to suggest that for many of the member states, the unobtrusive style of regional diplomacy or the 'ASEAN way' remains sacrosanct and not subject to any alteration. ASEAN's style of quiet and behind-the-scenes diplomacy therefore contradicts the transparent and open manner of conflict management that is advocated by a truly multilateral approach. In this case a review of the core principles of ASEAN's system of conflict management would also reveal that they stand in the way of the development of more pro-active approaches such as preventive diplomacy. This is because the ASEAN approach relies perhaps too much on a process of dialogue characterised by no formal agenda, a protracted negotiation procedure based on consultation to reach a consensus, a closed environment where key officials work on specific issues behind closed doors, and the preference for actual ASEAN interaction on security issues to be at the bilateral level. In this case one needs to consider the possibility that the lack of an effective transparency mechanism may hold back the creation of certain crisis-oriented confidence-building measures while the practice of achieving consensus may prohibit effective decision making on such activities as early warning.

From another viewpoint, it has been suggested by T. Nischalke that the inability of the ASEAN members to maintain a consensus on the issue of modifying the organisation's diplomatic traditions (for the sake of introducing preventive diplomacy) should not be too difficult for us to understand. This is premised on the argument that ASEAN co-operation has always been a matter of convenience rather than a sacrosanct commitment to co-operation premised on the idea of building a community.⁴⁹ Here, Nischalke advocates the importance of realising how ASEAN co-operation was based more on behavioural norms of the Treaty of Amity and Cooperation rather than prevailing guidelines of consultation and consensus, and that unanimity came

⁴⁸ Though some ASEAN states have indicated that ASEAN will need to do more in regional conflict prevention (Thailand and the Philippines for example), others have refused to endorse any fundamental change to the organisation's diplomatic principles (Myanmar and Vietnam). This can be illustrated by looking at the debate over ASEAN's policies of constructive engagement and enhance interaction.

⁴⁹ Nischalke, T.I., 'Insights from ASEAN's Foreign Policy Cooperation: The ASEAN-Way, a Real Spirit or a Phantom?' in *Contemporary Southeast Asia*, Vol.22, No.1, April 2000, p.105

about only after extensive negotiation behind closed doors (and not by gradually converging views). This point is taken further by E. Solingen who argues that ASEAN has persistently worked as a regional cluster of internationalist coalitions that co-operate with one another to advance their grand strategy (encompassing domestic regional and international objectives).⁵⁰ Correspondingly we should be aware of the idea that there may be too many conflicting interests within ASEAN for such behind-the-scenes negotiations to prove effective. ASEAN's recent incorporation of Vietnam, Burma, Laos and Cambodia, has brought into the group new strategic perspectives and interests that are sometimes incompatible with those of other ASEAN states.⁵¹

Moreover it has been quite obvious that since membership expansion, the main issue of disagreement between the ASEAN states is the issue of non-interference. Many observers have come to the position that such a cornerstone of ASEAN's creed will need to undergo certain modifications. But the arguments favouring a continued commitment to non-interference are well voiced within the organisation. The general thesis has been to say that a change to the policy of non-interference will put severe strain on ASEAN political relations. For example Singapore Foreign Minister Jayakumar has made the point that,

*“most of us have diverse populations, with significant differences in race, religion and language, all of which are highly emotive issues. The surest and quickest way to ruin is for ASEAN countries to begin commenting on how each of us deals with these sensitive issues.”*⁵²

At the same time, former Indonesian Foreign Minister Ali Alatas has also made the comment that,

*“if the proposition is to talk publicly about internal problems, we will be back to when ASEAN was not formed, when Southeast Asia was full of tension, mutual suspicion, and only because ASEAN was created, we have had more than 30 year of stability, of common progress”.*⁵³

⁵⁰ See Solingen, E., 'ASEAN, Quo Vadis? Domestic Coalitions and Regional Co-operation', in Contemporary Southeast Asia, Vol.21, No.1, April 1999

⁵¹ Narine, S., op cit., p.211

⁵² Cited in Hacke, J., op cit., p.594

⁵³ Quoted in The Nation, July 24, 1998, p.1. This was cited in Hacke, J., op cit., p.593

However ASEAN's timid response to the East Timor crisis is a primary example of how non-interference has come to degrade the Association's effectiveness as a security organisation. In this case a number of regional observers have made the argument that ASEAN has not had (nor has it developed) a culture of moral intervention even though this had taken root in the international system after involvement in conflicts in Somalia, and Bosnia. The point to consider is that ASEAN has not been sensitive to the growing constituency for moral intervention because the foreign policy establishments have taken the traditional view of "ASEAN first, everything else second".⁵⁴ Because of this, the organisation was largely trapped with the notion that East Timor was an internal matter for Indonesia to solve by itself. To add to this, the decision not to intervene was compounded by the fact that the ASEAN members simply did not want to irritate the conventional leader of the organisation. On this account Alex Magno has commented that "there was a certain cynical attitude, that because the Indonesian military was involved, we [the ASEAN states] did not want to displease that single institution that will outlive any presidency in Indonesia."⁵⁵ This is a point that has been concurred by Soedjati Djiwandono of Jakarta's Centre for Strategic and International Studies, who suggests that the primary reasons for ASEAN's reluctance to get involved in East Timor centred around avoiding a strained relationship with Indonesia.⁵⁶ The East Timor case reveals a key aspect of foreign policy positioning between the ASEAN states and this is the idea that the ASEAN states will not jeopardise inter-state co-operation for the sake of an internal problem. What was at stake for the ASEAN members, during the East Timor crisis, was not the credibility of ASEAN as a security organisation, but their own bilateral relationships with Indonesia, ASEAN's largest member. The implication here is whether it is a customary practice for ASEAN to sacrifice episodes of internal instabilities and violence for normalcy in their regional relations? When asked about this, a senior ASEAN diplomat has made the revealing response of, "yes, what ever makes ASEAN ticks, it works."⁵⁷

Another response to the question why several ASEAN states strongly resist changing 'non-interference' has been that they are facing increasing internal problems that, if interfered with from external sources, could undermine regime survival.⁵⁸ In this case it is important to be aware of how certain

⁵⁴ Remarks by Professor Alex Magno, in 'Politics behind ASEAN's Inaction', in Straits Times, October 17, 1999

⁵⁵ Ibid.

⁵⁶ 'Politics behind ASEAN's Inaction', in Straits Times, October 17, 1999

⁵⁷ Interview with Dr. Charivat Santiputra, Bangkok, March 1999.

⁵⁸ Hacke, J., op cit., p.595

ASEAN members regard questions relating to regime legitimisation (and thus the protection of values or interests of the ruling political or military elite) as a fundamental aspect of national security considerations.⁵⁹ For instance Anthony Smith has suggested that Indonesia is not in favour of changing this principle because it would bring more attention to Jakarta's inability to cope with internal conflict in Aceh, Ambon, Kalimantan, and Irian Jaya, as well as the internal conflict deriving from anti-Chinese sentiment within the army and wider society. Here, we must also consider continuing sectoral violence between the Muslim and Christian populations throughout the country. Though the decline of Indonesian leadership within ASEAN (due to recent internal difficulties) has also had significant impact on ASEAN political direction, the point is to acknowledge how the matter of reforming the principle of non-interference could eventually polarise the organisation.⁶⁰ This is due to the fact that for many of the ASEAN members, internal security situations still do not constitute ASEAN institutional intervention.⁶¹ For instance in Malaysia, divisions within the leadership and the problem of radical religious elements threatening national security are such issues which Kuala Lumpur refuses to bring to the multilateral spotlight.⁶² While in Myanmar, a country facing strong ethnic and ideological divisions (along with accusations of human rights violations), the ruling junta does not want to relinquish its 'international legitimacy' recently gained by becoming a part of ASEAN.⁶³ In essence the change to the principle of non-interference calls for the ASEAN states to be more open about the difficulties they have within themselves and with each other, and this seems to be a political position that is beyond the reach of the organisation for the time being.

Preventive Diplomacy in Southeast Asia

– Where it Does Work

So what of preventive diplomacy in Southeast Asia? Do ASEAN's institutional deficiencies mean that preventive diplomacy and its functions are fundamentally lacking in Southeast Asia in general? While it is true that

⁵⁹ Ramcharan, R., op cit., p.81

⁶⁰ Smith, A., 'Indonesia's Role in ASEAN: the End of Leadership?' in *Contemporary Southeast Asia*, Vol. 21, No.2, August 1999, p. 248

⁶¹ For an analysis on regime security within ASEAN and its considerations on foreign policy, see Hacke, J., op cit., pp.595-598

⁶² Abdullah, K., 'National Security and Malay Unity: The Issue of Radical Religious Elements in Malaysia' in *Contemporary Southeast Asia*, Vol.21, No.2, August 1999

⁶³ Hacke, J., op cit., p.597

preventive diplomacy has more or less not been able to flourish within the institutional facilities of ASEAN, it nonetheless has been able to take form by other means throughout the region. In the past few years we have seen a series of preventive diplomacy activity that has taken place, not under the direct initiatives of ASEAN itself, but by the individual governments of Southeast Asia and of course extra-regional international organisations, both governmental and non-governmental. Prime examples here include the work of the Henry Dunant Centre for Humanitarian Dialogue (based in Geneva) in facilitating the peace process in the Indonesia province of Aceh, Thailand being asked to act as dialogue co-ordinator on peace talks between the ethnic minorities in Myanmar and the regime in Rangoon, the use of Thai armed forces in peace-keeping in East Timor and now more recently in preventive deployment in the case of Aceh, and the work of the Indonesia government as facilitator in conflict between the Moro separatists and the government in the Philippines. From this few steps, we can gather that a culture of preventive diplomacy is gaining momentum, though slowly, in Southeast Asia. Compared to the ASEAN framework, such efforts have proven to be considerably more effective. They have been initiatives aimed at intra-state conflicts – those that have been the most violent, and the way they have been approached is an encouraging sign. It is through these unique unilateral or bilateral efforts that institutional support and guidance should be directed and sustained.

An important example we can look into of preventive diplomacy taking place in the region has been the work by the Henry Dunant Centre (HD Centre) in the Indonesian province of Aceh. Launched in January 1999 as an independent international institution for promoting humanitarian dialogue, the Centre for Humanitarian Dialogue (HD Centre), based in Geneva, Switzerland, works to facilitate dialogue on challenging humanitarian issues and between warring parties to resolve conflict. It is an institution that puts forth that what improves opportunities for peaceful conflict resolution as well as enhancing our understanding of acute and future humanitarian problems is high-level yet low-key dialogue among the principal actors, stakeholders and aid recipients. As such the Centre promotes efforts to design effective operational approaches to humanitarian issues and provides an independent forum to exchange information collected from field experience. Through this creed the HD Centre seeks to craft better, more sustainable solutions to present and future humanitarian problems. The HD Centre is currently involved with the series of projects such as the conflict in Myanmar, small arms proliferation in Southeast Asia, and the development of a negotiators

network to support the work of humanitarian organisations and their staff. The Aceh project is concurrently the biggest project of the HD Centre. A review of the role of the HD centre in this Aceh dialogue process will allude to an intricate utilisation of facilitation and mediation techniques (good offices) that have so far, been extremely important to the conflict management process.

In January 2000, the HD Centre began activities to facilitate dialogue between the Government of the Republic of Indonesia (GoI) and the Free Aceh Movement GAM by convening leaders of both parties. After a year of confidential talks (in Switzerland) carefully managed by the HD Centre, the signing of a Joint Understanding for a one month Humanitarian Pause in Aceh was achieved. This particular agreement was designed to provide for the delivery of humanitarian assistance to the population of Aceh, security modalities to assist reduction in the levels of violence and tension, and the promotion of confidence-building measures. Importantly, the GoI and GAM in this process were able to agree on a regular Joint Forum to monitor and review this Joint Understanding. Each side also selected representatives from Aceh to form two committees to implement the agreement - one for Security Modalities (JCSM) and one for Humanitarian Action (JCHA). To support this, the HD centre was instrumental in the development of two independent monitoring teams (Humanitarian and Security) to monitor compliance and violations of the agreement in Aceh. In December 2000, four District Monitoring Teams were also created to increase the monitoring capability and decentralise at least one aspect of the process.

By January 2001, representatives of both parties agreed to establish mechanisms for finding lasting solutions to the conflict. This eventually allowed security arrangements to implement a moratorium on violence, meetings among field commanders, as well as the creation of a framework for a process of democratic consultations on political participation by the people of Aceh. With the continuous support of the HD Centre, the representatives agreed to establish a Joint Council to review address issues raised through the democratic consultation process and ensure adherence to agreements. This first Joint Council met in February 2001 where the parties came around to endorsing the agreements reached earlier between field commanders. Crucially at this juncture, the parties were able to reaffirm their commitment to preliminary consultations with the Acehnese people. In the meantime the HD Centre continued to facilitate initiatives in Aceh to advance the process of finding solutions to the conflict. This included attempts to set up peace zones,

initiate humanitarian projects for devastated communities, pursue democratic consultation processes and extend the activities of the monitoring teams.

By the time of the second Joint Council meeting in June 2001, a period of increasing violence in Aceh and uncertainty about the political leadership in Jakarta had proved as obstacles to the peace process. Though both parties were able to reaffirm their commitment to dialogue, they decided to dissolve the Joint Committee for Humanitarian Action (JCHA) and suspended the Joint Committee for Security Modalities (JCSM). Nevertheless their support for humanitarian projects did continue as did support for the creation of a Steering Committee to advise the process on democratic consultations. But further difficulties were experienced in July of that year when increasing violence in Aceh and the inability of both parties to implement and adhere to previous agreements threatened the entire dialogue process. This prompted the HD Centre to invite a group of international dignitaries to Geneva in July 2001 to act as its advisers. Fortunately following a change of government in Jakarta and the expression of support by the new Megawati government for this dialogue process the leaders of the GAM agreed to the integration of the Centre's international advisers into the dialogue process in September 2001. During this time, it is important to mention how the HD Centre in Aceh, continued its work with members of the monitoring teams and representatives from civil society, local government, and non-governmental groups.

By February 2002, both parties agreed to engage in another round of talks in Switzerland which saw agreement on a timetable for future talks focusing on autonomy, a cessation of hostilities, all-inclusive and transparent political dialogue and elections. In May 2002, the parties were able to produce a signed joint statement giving a clear mandate for future negotiations to focus on an all-inclusive dialogue process. This paved way for the "Preparatory Conference on Peace and Reconstruction in Aceh" in Tokyo, Japan, (December 2002) hosted by the Governments of the United States, Japan, the European Union and the World Bank. In attendance were delegates from Australia, Canada, Denmark, France, European Union, Germany, Japan, Malaysia, Netherlands, Norway, the Philippines, Sweden, Switzerland, Thailand, the United Kingdom and the United States of America. All participants expressed their support for a peaceful resolution to the conflict in Aceh, and called on the GoI and the GAM to continue their ongoing dialogue with a view toward concluding an agreement on cessation of hostilities as soon as possible. On 9 December 2002, after months of bilateral negotiations with both parties on the COH and the international monitoring operation, the HD Centre brought the GoI and GAM to Geneva to sign an Agreement that

stipulated the establishment of a Joint Security Committee (JSC) to monitor and maintain the security situation in Aceh through the placement of 144 monitors from the three sides. The HD Centre contingent of the JSC and the tripartite monitoring teams were provided by officials from Thailand and the Philippines. It is important to note how throughout this dialogue process, the HD Centre employed a variety of techniques not only to sustain the momentum of dialogue between the two parties, but perhaps more importantly to convey to the parties involved how an acceptable peace agreement was obtainable through such a process of communication. Though at the time of writing this peace accord has suffered a major setback due to the inability of the conflicting parties to eventually comply with the conditions of cease-fire, it is hoped that the efforts of the HD centre in Aceh has been able to set an important precedent in the region on how preventive diplomacy (good offices) methods can be utilised by an international facilitator if given the opportunity.

On a similar note, it is important to observe how certain governments of Southeast Asia, have themselves taken on the role of facilitator and provider of good offices, in their own capacity, in a regional conflict. In this case senior Indonesian diplomat Dino Patti Djalal, has asserted that the Indonesian involvement in the Moro Dispute is a prime example of the use of preventive diplomacy for the region. The dispute between the GRP (Government of the Republic of the Philippines) and the MNLF (Moro National Liberation Front) had already been brewing for almost twenty years before Indonesia became involved, and only in its capacity as a member of the Organisation of Islamic States (OIC). Though the dispute had been brought to the OIC (of which the MNLF was an observer member) since 1972, it was not until 1991 that Indonesia had been given the mandate to deal with the issue when it became chairman of the OIC Ministerial Committee of Six - a specially created grouping to handle the Moro case. This represented the first time in two decades that a Southeast Asian country, an ASEAN member and a friendly neighbour of the Philippines was presiding over such a committee.

The Indonesian 'good-office' role as facilitator was a case of third-party involvement in an intra-state conflict for the purpose of assisting efforts to end military fighting and to find a lasting political settlement. For this it initially employed the use of an informal session of explanatory talks - an approach previously used in the Cambodian peace process whereby through the 'cocktail party' concept, the disputing parties were urged to meet informally and without preconceptions. From this point onwards, Indonesia was able to continue with its role as facilitator by hosting the first Formal

Peace Talks in 1993 and chaperoning the negotiation process until the Final Peace Agreement was reached in 1996.⁶⁴ Importantly the negotiations were only able to arrive at their goal because both the parties (driven by the necessity of their own respective circumstances) mustered a strong political will to reach such a settlement. However in reflecting on the nature of Indonesia's participation Djalal emphasises that Jakarta was only willing to play a role in preventive diplomacy insofar as such a role was requested and accepted by both sides of the conflict. There was never a question of Indonesia imposing its role into the conflict. Given this, the role of a third party was mainly to facilitate, from a position of neutrality, a process and venue whereby the two conflicting parties could engage in talks in a 'comfortable, neutral and constructive environment'.⁶⁵ He then recalls how it also mattered that much of the significant progress of the negotiations were reached not by way of media debate or political posturing but by whispered attempts at persuasion behind closed doors. In general Djalal suggests that the important lesson to be learnt from this experience is that preventive diplomacy is context bound, while arguing that:

*“Different cases of conflict require different methods and doses of preventive diplomacy. There is no panacea, no fixed formula, no set procedures, and no single strategy for preventive diplomacy. Attempts at preventive diplomacy by a third party require assessments to determine the appropriate entry point into the conflict, the acceptability of that third-party to do the job, the method and the terms of such involvement, as well as the ambition of preventive diplomacy (whether to delay, manage or solve the conflict)”*⁶⁶

The case of Indonesia's involvement in the Moro conflict presents us with insight on how the practice of using good offices is not totally uncommon to the ASEAN states. The fact that this case involved preventing the escalation of violence in an intra-state situation is a sign that there are possibilities for the ASEAN governments, in their own capacity, to engage in subsequent projects of the similar kind.

At this point, it is important to mention how the experience of East Timor's violent separation from Indonesia provides us with other key lessons for the

⁶⁴ As a result of the Final Agreement the conflict was ended, the foundation of peace were established and the revolutionary faction of the MNLF have now been turned into government bureaucrats in control of their respective communities.

⁶⁵ Djalal, D.P., 'The Indonesian Experience in Facilitating a Peace Settlement Between The Government of the Republic of the Philippines and the Moro National Liberation Front', Statement to the CSCAP Preventive Diplomacy Workshop, Bangkok, March 1999

⁶⁶ Ibid., p 3.

possibilities of preventive diplomacy in Southeast Asia. Though this incident has shown us how ASEAN as an organisation was relatively unresponsive to the developments in the former Indonesian province, it has also shown how the ASEAN states on their own initiatives, were eventually able to work with the United Nations in peace-keeping operations. The United Nations operations in East Timor represented the first time that ASEAN states participated in peace-keeping activities within another member state.⁶⁷ This points to a fundamental observation – that well trained military units from the ASEAN governments could play an important role in future United Nations-led operations within the region. The suggestion here is that governments of Southeast Asia could play a complementary role to the United Nations in other fields besides peace-keeping. For instance ASEAN members can be more active in offering its good offices to the Secretary-General in the event of a regional conflict. The implication here is that the ASEAN governments could have, at the ready, a select team of senior diplomats or regional leaders who are able to assist the Secretary-General on negotiation or mediation efforts. It is important to bear in mind that since ASEAN on its own cannot be currently relied on to provide a preventive diplomacy regime, perhaps it would be more appropriate to consider ASEAN governments' co-operation with the United Nations as a better formula. There have been a number of recommendations as to how the ASEAN states can play a more effective role in regional conflict prevention if premised on co-operation with the United Nations. This has included the proposal to help establish a United Nations risk reduction centre within the region, an inventory of regional disputes to assist in fact-finding and monitoring of potential conflict situations, and perhaps even well-trained military units provided by the individual ASEAN states to assist in United Nations operations in preventive deployment.⁶⁸ Though discourse on an ASEAN-UN framework has yet to produce any blue prints on specific operations, it is important to accept how such a relationship can be considered to be the premise for forthcoming preventive diplomacy efforts in the region.

It is important to add that ASEAN governments should further develop its confidence building measures in the area of conflict prevention at the inter-state level. As previously mentioned, although Southeast Asia remains relatively free from major inter-state conflict, perhaps the key threat of armed

⁶⁷ This excludes the case of Cambodia which, during the time that saw regional assistance in peace-keeping, was not as yet a member of ASEAN.

⁶⁸ Perkin, L.J., 'ASEAN-UN Cooperation for peace and preventive Diplomacy: A United Nations perspective' in S. Viraphol and W. Pfennig (eds.) ASEAN-UN Cooperation in Preventive Diplomacy, Ministry of Foreign Affairs, Bangkok, 1995, pp.11-13

confrontation between states derives from the possibility of military miscalculations or misunderstandings. This refers particularly to contested border areas and of course, the territories in the South China Sea. The chief objective then would be for the ASEAN states to set out certain measures aimed at preventing accidents from occurring between the armed forces stationed in these areas. For this task, ASEAN should be able to apply two categories of confidence building measures – those involved with information and communication, and those based on constraint.⁶⁹ Though ASEAN as an organisation has already been active in the first type of confidence building measures (such as the exchange of security perceptions or defence white papers), it may be worthwhile for the ASEAN states themselves to study the development of communication hotlines between senior military leaders, a process of notification for certain military activities, or even the establishment of a regional contingency plan to deal with military accidents. The priority for the ASEAN governments here is to focus more on measures to promote transparency and confidence in military relations.⁷⁰ To this extent, Christopher Joyner has mentioned that it could be helpful to devise and coordinate a common set of operating procedures for navies and airforces of concerned governments in disputed areas such as the South China Sea.⁷¹

Of course not all the functions of preventive diplomacy stipulated in our definition have been able to develop in this region. Though we have made mention to the use of diplomatic good offices and preventive deployment units outside of the ASEAN framework as a positive development, another key observations that can be made about preventive diplomacy in Southeast Asia is that there is a fundamental lack of early-warning activities. It is easy to take for granted that certain practices of preventive diplomacy such as fact-finding and early warning, normally involve interference in the internal affairs of a state. This is particularly so when the scope of preventive diplomacy extends beyond some of the more traditional security concerns such as build-up of armed forces along border areas or an escalating dispute over contested territory. But researching into conflict will certainly involve investigating into the causes as well as the means of conflict. Not only will information on arms transfer or the mobilisation of forces be required, but an analysis into the political, social or economic causes of a potential conflict situation must also be undertaken. The conjecture here is that information on these matters are

⁶⁹ Dhavernas, D., op cit, p. 75

⁷⁰ Ibid., p.70

⁷¹ Joyner, C., 'The Spratly Islands Dispute in the South China Sea: Problems, Policies, and Prospects for Diplomatic Accommodation' in R.K Singh (ed.) *Investigating Confidence-Building Measures in the Asia-Pacific Region*, Report No.28, The Henry L. Stimson Center, May 1999, p.91

often deemed as critical to the national security of a particular state. This then raises fundamental questions of who would be the right agency to make effective fact-finding or conflict analysis units? Should the make-up of such an agency consist of impartial personnel? And how do we ensure that such sensitive information is kept in safe hands or that it will be used appropriately? As the experience of the now defunct Office of Research and Collecting Information (ORCI) of the United Nations has demonstrated, few states are willing to allow access to such confidential information to an entity that they do not fully trust. In this case it is unlikely that the ASEAN will develop such a task for the ASEAN secretariat or any other related regional bureau.

Nevertheless it is important for the governments of Southeast Asia to realise that the operations associated with early warning do not automatically involve cloak and dagger tactics. Fact-finding for signs of intra-state conflict, in most cases, involves studying levels of tension between disputing parties, the extent of erosion of political legitimacy of national governments, the level of acceptance of sectoral politics, the polarisation of communities or 'enemies' defined, and of course, sporadic low-level violent acts.⁷² The point is that such criteria of analysis do not necessarily involve investigations into confidential information, especially when considering the rapid advancements in global telecommunications and media technology. More importantly it is essential for the ASEAN states to not lose sight of the fact that situations of intra-state conflict have a direct effect on the security of the region as a whole. The incidents in East Timor, Myanmar and in Indonesia all go to demonstrate how unmanaged intra-state disputes have the ability to jeopardise the political, economic and indeed the diplomatic well-being of the region. For instance it is not difficult to see how the situation in East Timor has raised questions concerning other separatists movements in Southeast Asia, the economic and social costs involved with the humanitarian crisis caused by the escalation of the violence, and the diplomatic costs to ASEAN as an organisation premised on managing regional security. Although the principle of non-interference remains as the chief obstacle to ASEAN being able to take on a wider conflict prevention agenda, it is important to realise that the organisation can still contribute to providing humanitarian assistance in the event of severe intra-state violence in the region. To this extent Aderemi Ajibewa points out that the stipulation in the ASEAN declaration on the avoidance of interference in the internal affairs of member states was not designed to inhibit ASEAN or Southeast Asian leaders from assisting in

⁷² Lund, M., *op cit.*, p.149.

solving each other's problems.⁷³ The suggestion here is a crucial one for it strengthens the notion that that preventive diplomacy measures need not be under ASEAN auspices for them to be used in the region. Even more so, it implies that the ASEAN states must take it upon themselves to consider intervention for humanitarian purposes.

ASEAN as a regional organisation may not be able to have a direct affect on preventing future armed hostilities, especially those of the intra-state nature. But we must be willing to recognise that individual efforts, such as the Indonesian good office role in the Moro dispute and the role played by the HD Centre in the Aceh situation serves as the crucial way forward for fostering more commitment to utilise conflict prevention practices in the region's foreign policy circles. Though this does not make up for ASEAN's deficiencies in any way, it must be considered as a positive factor for the practice of conflict prevention in Southeast Asia. Whether it be through shuttle diplomacy, the facilitation of military-to-military consultations, or negotiations for the delivery of humanitarian assistance, it would be fair to say that such techniques, if continued to be employed and given support, will be a welcome development for the region for many years to come.

Conclusion

Perhaps the key observation that can be made in view of this analysis is that it cannot be assumed that ASEAN will be ever be able to take on such challenging activities involved preventive diplomacy. As discussed above, this approach to regional conflict prevention is a relatively specific activity that requires clearly defined goals, resources and above all, the political commitment to do so. In many ways ASEAN is a collection of states who are still trying to develop and strengthen their own degree of intra-mural political and security co-operation. Diverging security perceptions and strategic assessments in many ways prevent the ASEAN states from taking on a more institutionalised approach to maintaining regional peace and security as a cohesive unit. We cannot expect ASEAN to perform as the OSCE. Nevertheless preventive diplomacy is an important undertaking for a region that still harbours a host of situations that are prone to violent conflict and humanitarian crises. The efforts that have been taken on by the governments of Southeast Asia, in their own capacity, along with the work that has been

⁷³ Ajibewa, A.I., 'Regional Security in an Expanded ASEAN: A New Framework' in *Pacifica Review*, Vol. 10, No.2, June 1998, p.136

done by other non-governmental organisations in certain preventive diplomacy functions, are encouraging signs. Not only do they compensate for ASEAN's mono-dimensional approach to regional conflict management, they also play an important role in fostering a much needed culture of preventive diplomacy among the foreign policy circles in Southeast Asia.

Bibliography

Ajibewa, A.I., 'Regional Security in an Expanded ASEAN: A New Framework' in *Pacific Review*, Vol. 10, No.2, June 1998,

Archarya, A., 'Preventive Diplomacy: Issues and Institutions in the Asia Pacific Region', in Bunn Nagara and Cheah Siew Ean (eds), in *Managing Security and Peace in the Asia Pacific*, Institute for Security and International Studies (ISIS), Kuala Lumpur, Malaysia, 1996.

ASEAN, Press Release, 1995.

ASEAN Regional Forum (ARF) Concepts and Principles of Preventive Diplomacy, retrievable from website www.aseansec.org/print.asp?file=/amm/arf8doc5.htm

Ball, D., Principles of Preventive Diplomacy, paper presented at the Preventive Diplomacy Workshop of the CSCAP-CSBM Working Group, Strategic and Defence Studies Centre, Australia National University, 1999

Bercovitch, J., (ed.), *Resolving International Conflict: The Theory and Practice of Mediation*, Lynne Rienner Publishers, London, 1996.

Boutros-Ghali, *An Agenda for Peace*, United Nations, New York, 1995

Bjorkdahl, A., *Reconceptualising Preventive Deployment – Lessons from the Macedonian Case*, Paper presented at the Third Pan-European Conference of the ECPR, Vienna, September 1998.

Chairman's Statement, ARF Working Group on Preventive Diplomacy, Paris 1996.

Co-Chairman's Report, ARF Track Two Conference on Preventive Diplomacy, Singapore, September 1997.

Chairman's Summary, CSCAP Working Group on Preventive Diplomacy, Bangkok, March 1999.

Co-Chairmans Summary Report of the Meetings of the ARF Inter-sessional Support Group on Confidence-building Measures, Honolulu 1998, Bangkok 1999.

Co-chairs Paper on the Terms of Reference for the ARF Experts/Eminent Persons at website: www.aseansec.org/print.asp?file=/amm/arf8doc7.htm

Department of East Asian Affairs, Document on the Background of the ARF, the Ministry of Foreign Affairs, Bangkok, Thailand, 1997.

Dedring, J., 'Socio-Political Indicators for Early Warning Purposes', in K.Rupesinghe and M. Kuroda (eds.), *Early Warning and Conflict Resolution*, Macmillan Press, London, 1992

Djalal, D.P., 'The Indonesian Experience in Facilitating a Peace Settlement Between The Government of the Republic of the Philippines and the Moro

National Liberation Front', Statement to the CSCAP Preventive Diplomacy Workshop, Bangkok, March 1999

Franck T.M., and G. Nolte., 'The Good offices role of the UN Secretary-General', in Roberts, A and B. Kingsbury (eds.) United Nations, Divided World, Clarendon press, Oxford, 1993

George, A., and J.E. Holl., 'The Warning-Response Problem and Missed Opportunities in Preventive Diplomacy' , in B.W., Jentleson (ed.) Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World, Rowman & Littlefield, New York, 2000

George, A.L, ' Strategies for Preventive Diplomacy and Conflict Resolution', in Cooperation and Conflict, Vol.34, No.1, 1999

Gordenker, L., ' Early Warning: Conceptual and Practical Issues' in K. Rupesinghe and M. Kuroda (eds.), Early Warning and Conflict Resolution, Macmillan Press, London, 1992

Gurr, T.R., ' A Risk Assessment Model of Ethnopolitical Conflict' , in Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems, Rowman & Littlefield, Oxford, 1998,

Harff, B., 'Early Warning of Humanitarian Crises: Sequential Modles and the Role of Accelerators' in, J.L Davies and T.R Gurr (eds.) Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems, Rowman & Littlefield, Oxford, 1998,

Jentleson, B.W., 'Preventive Diplomacy: Analytical Conclusions and Policy Lessons' in, B. Jentleson (ed.) Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World, Rowman & Littlefield, New York, 2000

Joyner, C.C., 'The Spratly Islands Dispute in the South China Sea: Problems, Policies, and Prospects for Diplomatic Accommodation' in R.K Singh (ed.) Investigating Confidence-Building Measures in the Asia-Pacific Region, Report No.28, The Henry L. Stimson Center, May 1999.

Krepon, M., 'The Decade for Confidence-Building Measures', in A Handbook for Confidence-Building Measures in Regional Security, The Henry L. Stimson Centre, Washington D.C 1995. The source was obtained from website: <http://www.stimson.org/cbm/decade.htm>

Leifer, M., The ASEAN Regional Forum, Adelphi Paper No.302, International Institute for Strategic Studies, Oxford University Press, New York, 1996

Lund, M., Preventing Violent Conflicts: A Strategy for Preventive Diplomacy, United States Institute for Peace, Washington D.C, 1997.

Mak, J.N., 'ASEAN and Southeast Asia: multilateralism and cooperative security' in A. McGrew and C. Brook (eds.) *Asia-Pacific in the New World Order*, Routledge, London, 1998

Menkhaus, K., and L. Ortmayer, 'Somalia: Misread Crisis and Missed Opportunities', in B.W., Jentleson (ed.) *Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World*, Rowman & Littlefield, New York, 2000,

National Institute for Research Advancement, 'Defining preventive Diplomacy', Paper Prepared for the Conference on Preventive Diplomacy in the Asia-Pacific, Tokyo, December, 1994.

Peck, C., *Sustainable Peace: The Role of the UN and Regional Organisations in Preventing Conflict*, Rowman & Littlefield Publishers, Maryland, 1998,

Perkin, L.J., 'ASEAN-UN Cooperation for peace and preventive Diplomacy: A United Nations perspective' in S. Viraphol and W. Pfennig (eds.) *ASEAN-UN Cooperation in Preventive Diplomacy*, Ministry of Foreign Affairs, Bangkok, 1995

Schrodt, P.A., and D.J. Gerner, *The Impact of Early Warning on Institutional Response to Complex Humanitarian Crises*, Paper presented at the Third Pan-European International Relations Conference and Joint Meeting with the International Studies Association, Vienna, September 1998.

Shelton, G., 'Preventive Diplomacy and Peace-Keeping: Keys for Success' in *African Security Review*, Vol. 6, No. 5, 1997.

Suhrke, A., and B.Jones., 'Preventive Diplomacy in Rwanda: Failure to Act or Failure of Actions?' , in B.W., Jentleson (ed.) *Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World*, Rowman & Littlefield, New York, 2000

Tay, S., and O. Talib, 'The ASEAN Regional Forum: Preparing for Preventive Diplomacy', in *Contemporary Southeast Asia*, Vol.19, No.3, December 1997

Touval, S., 'Lessons of Preventive Diplomacy in Yugoslavia', in Crocker, C. and F. Olser Hampson (eds.) *Managing Global Chaos: Sources and Responses to Global Conflict*, United States Institute for Peace, Washington D.C, 1997,

Uren, R., 'Enhancing Confidence: Transparency in Defence Policies and Military Acquisitions' in, *The Making of a Security Community in the Asia-Pacific*, 1997.

Woodward, S., 'Costly Disinterest: Missed Opportunities for Preventive Diplomacy in Croatia and Bosnia and Herzegovina, 1985-1991' in, B.W.,

Jentleson (ed.) *Opportunities Missed, Opportunities Seized, Preventive Diplomacy in the Post-Cold War World*, Rowman & Littlefield, New York, 2000

Zartman I.W and J.L Rasmussen (eds.), *Peace-making in International Conflict: Methods and Techniques*, United States Institute for Peace Press, Washington D.C., 1997.

Zartman I.W., and S.Touval, 'International mediation in a Post Cold War Era' in, *Managing Global Chaos : Sources and Responses to Global Conflict*, United States Institute for Peace, Washington D.C, 1997,