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R2P ROADMAP IN SOUTHEAST ASIA: CHALLENGES AND PROSPECTS¹

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Introduction

This article attempts to draw a Responsibility to Protect (R2P) roadmap in Southeast Asia. Specifically, it examines the challenges and prospects for promoting the idea of responsibility to protect and its principles based on the views and perspectives of key respondents and participants in interviews and workshops conducted in eight cities in the region between February and March 2005. Promoting the concept of R2P and its principles in the region no doubt is an enormous and challenging task. It has to consider a number of factors, to wit: 1) the changing regional context of Southeast Asia; 2) the enabling environment; and 3) potential advocates or champions in the region. It also needs to consider the importance of creating constituencies for R2P at different levels (i.e., community, local, national, and regional) through short- and long-term projects that will bring together key actors and critical sectors that could influence state policies with regard to preventing conflicts and managing humanitarian crisis situations.

It must be noted that in promoting the idea of Responsibility to Protect and its principles, there is still a strong sense of caution in the region about the term *intervention*. Nevertheless, the informed public appears to be receptive to reexamining the concept of sovereignty to include the idea of the responsibility of states to protect their own people. They are also very interested in developing the preventive aspect of R2P elements and priorities, which was not elaborated upon in the basic R2P document as much as the military intervention principles. There is also keen interest in the region for developing its own set of norms and principles parallel to R2P that is anchored on existing practices and experiences of countries in dealing with intra- and inter-state conflicts. At the same time, there are also real concerns in the region about the prospects for promoting R2P principles on a global scale

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² *Las opiniones expresadas en estos artículos son propias de sus autores. Estos artículos no reflejan necesariamente la opinión de UNISCI.* The views expressed in these articles are those of the authors. These articles do not necessarily reflect the views of UNISCI.



without corresponding reforms in the structure and powers of the United Nations, especially in the face of hyper power and unilateralist tendencies of some developed countries.

1. R2P and humanitarian intervention: views from Southeast Asia

Responsibility to protect (R2P) and humanitarian intervention are fairly new concepts for many informed people in Southeast Asia. The novelty of these ideas and their corresponding principles are generally taken with some degree of wariness because they challenge traditional conceptions of sovereignty. For some participants in the R2P workshops and respondents to interviews conducted in the region, the word “intervention” is taboo – even a dirty word – especially if it is taken to mean undermining the authority and sovereignty of the state by external actors.³ Much of this could be attributed to the colonial experiences of most Southeast Asian countries, especially those that fought hard to gain or regain their independence, as well as those that are continuing to resist external influences or pressures from Western countries on issues that relate to human rights and democratization. The humanitarian dimension of the idea of responsibility to protect is somehow missed because of aversion to the term “intervention.” Nonetheless, other workshop participants and interviewees in the region are receptive to the R2P idea because it attempts to redefine the concept of sovereignty as incorporating the responsibility of states to protect their own people.⁴

1.1. Sovereignty as Responsibility to Protect

Seen in the context of the responsibility of the state to protect its people, a redefinition of the state sovereignty is properly appreciated by many key informants in the region. This is because Southeast Asia has had its share of humanitarian crisis situations in Cambodia in mid-1970s, East Timor in the late 1990s, as well as in the recent tsunami disaster in December 2004. These cases, along with similar situations in other parts of the globe, have become compelling issues that need to be confronted by national leaders and non-state actors in the region. For many workshop participants, there is no question that, in a more globalized world, states cannot anymore invoke absolute sovereignty even as security threats spillover beyond borders of countries. Globalization, notwithstanding its negative impacts, also means that states can no longer keep their people confined from the outside world. The international community has become an avenue or recourse for individuals if states fail to protect their own people. One Thai participant in the Bangkok workshop has put this more succinctly: there is a Thai proverb that goes, “there is a sky above the sky.”⁵

It is interesting to note that while most secular states in Southeast Asia subscribe to the traditional Western conception of sovereignty, the moral or religious dimension of the concept should also be considered if one has to examine the prospects for acceptability of redefining it. As was pointed out by one Muslim woman participant in the Manila workshop, the Islamic

³ This is the sense that the author had during workshops in Jakarta and Kuala Lumpur and interviews in Singapore.

⁴ This is the sense that the author had during workshops in Penang, Malaysia; Bangkok, and Manila. To some extent some participants in the workshop in Phnom Penh and a few that were interviewed in Hanoi were receptive to the R2P idea.

⁵ Comment by Dr. Kobsak Chutikul during the R2P workshop in Bangkok on 24 March 2005, Pan Pacific Hotel.



view of sovereignty is not focused on states but on people.⁶ Redefining state sovereignty as responsibility to protect its people is consistent with Hence, from an Islamic perspective, sovereignty becomes problematic if leaders invoke it to abuse – instead of protect – their people.

In Vietnam, scholars and think tank analysts still believe that national sovereignty is very important even in a globalized world, but they are open to examining the idea of responsibility to protect. They recognize that the tension between traditional conception of sovereignty and the need to protect people in humanitarian crisis situations is a relevant issue that should not be ignored. There is, therefore, a need to strike a balance between these two opposing interests or values. Some Cambodian participants in the Phnom Penh workshop expressed similar views.

In Thailand, some workshop participants highlighted the moral and ethical values being promoted behind R2P principles. Accordingly, R2P puts protection of people above all things. However, in Thailand, protection of the nation is more important in some cases.⁷ Some Thai participants believe that promoting R2P in Thailand and in Southeast Asia may be premature at this point for two reasons: 1) non-intervention principles are still important for most countries in the region; and 2) the promotion of R2P concepts and principles need broader constituencies. More importantly, majority of Southeast Asian countries were colonized and they are still sensitive to the idea of intervention.

1.2. Humanitarian Crisis

When should a situation be considered a humanitarian crisis? This is an important question raised by many key informants and workshop participants in different capitals of Southeast Asia. In order to gauge their level of “tolerance” as to what constitutes a humanitarian crisis situation, three concrete cases specific to Southeast Asia were raised for their consideration: 1) Cambodia’s genocidal situation and Vietnam’s subsequent intervention; 2) the situation in Burma or Myanmar and ASEAN’s external pressure; and 3) the situation in southern Thailand. Not surprisingly, there were variations in their views about these cases as far as judging whether a situation is one that may be considered a humanitarian crisis.

On the question of whether or not the Cambodian case is a good example of a humanitarian crisis situation that justified Vietnam’s “humanitarian” intervention, there is a general agreement that it was a crisis situation. However, many saw the Vietnamese invasion of Cambodia as a violation of non-intervention principle in international law and did not see it as a case of humanitarian intervention. Even among Vietnamese key informants, they admit that the occupation of Cambodia was primarily anchored on protecting Vietnam’s national security interest more than humanitarian consideration. Even so, the context at the time did not leave the Vietnamese any choice but to continue its occupation of Cambodia because: 1) Hanoi was ostracized in the international community and in the United Nations due to ASEAN’s diplomatic campaign and the Western trade embargo led by the United States; and 2) the threat of the Khmer Rouge was still formidable even as the Vietnamese-installed government in Phnom Penh was then still weak. On hindsight, the Vietnamese informants argued that if the context was so much different then, Vietnam’s occupation of Cambodia could have been terminated sooner and the UN could have come in for peacekeeping. In

⁶ Comment by Ms. Baibonn Sangid during R2P workshop in Manila on 18 April 2005.

⁷ Comment by Dr. Mark Thamtai during R2P workshop in Bangkok on 24 March 2005, Pan Pacific Hotel.



Phnom Penh, Cambodian workshop participants remain divided on whether to call the Vietnamese occupation intervention or liberation. However, most of them agreed that had it not been for the Vietnamese intervention, many of them would not have survived the genocidal regime of the Khmer Rouge.

With regard to some ASEAN countries' pressure on Myanmar, many workshop participants generally agreed that the primary reason for this "intervention" in the domestic political situation of the country is anchored more on protecting the image of the Association than strong humanitarian concern for the Burmese people. In fact, there were disagreements among key informants and workshop participants in the region on whether it is time for ASEAN to rethink its norm of non-intervention given the failure of the so-called "constructive engagement" approach towards the military junta in Myanmar. In Kuala Lumpur, some workshop participants stressed that the issue of Myanmar's chairmanship of ASEAN is about weighing the interest of the group vis-à-vis the national sovereignty of one member.

However, it is acknowledged that ASEAN still needs to arrive at a consensus on how to discuss sensitive domestic issues more openly during ASEAN summit meetings. A Singaporean respondent supported this idea and proposed that before the region could even begin to talk about responsibility to protect, ASEAN must start examining and agreeing to adopt the principle of "responsibility to discuss issues" that affect the group without having to be threatened by any leader of a member state that he or she would walk out of any summit meeting if sensitive domestic issues are brought up for discussion.⁸ Thus, there are opinion leaders in the region that are open to the idea of re-examining ASEAN's norm of non-interference if it would mean adopting more effective approaches in dealing with internal conflicts that could avert humanitarian crisis situations.

On the issue of southern Thailand, there is no consensus among Thai participants in the Bangkok workshop on whether it can be considered a humanitarian crisis problem. A participant stressed that the situation in the south is strictly not a state-sponsored – but more a culture-based – violence. For his part, a Muslim participant from southern Thailand pointed out that many young people do fear ethnic cleansing. He also argued that the military approach in southern Thailand is essentially aimed at protecting national security (i.e., territorial integrity) and not the protection of people per se.

In Kuala Lumpur, some participants underscored the emotional links of Muslim Malaysians with their brothers in southern Thailand and Aceh, Indonesia and because of this, they are likely to look at these problems from a humanitarian perspective. There is no doubt that what is essentially a domestic problem for Thailand could become a bilateral conflict with Malaysia as the humanitarian crisis spills over into the latter's territory. Malaysia certainly cannot ignore the situation in southern Thailand because the problem also has ethnic and religious dimensions.

In Hanoi, one think tank analyst pointed out that the problem of humanitarian crisis has not been clearly thought about in ASEAN. He considers the problem in southern Thailand as an example that ASEAN needs to deal with as a group, especially in the face of increasing importance and role of civil society groups in the region. He argued that ASEAN civil society and Track II could exert pressure on governments in dealing with conflicts that may potentially become humanitarian crisis situations.

⁸ Interview with Dr. Teo, Eric of the Singapore Institute of International Affairs, Jakarta, 18 February 2005.



1.3. Humanitarian Intervention

Apart from the problem of defining what a humanitarian crisis situation is, many workshop participants and key informants in the region were also concerned about the criteria and mechanisms for humanitarian intervention. In Hanoi, an international law specialist underscored the fact that humanitarian intervention is quite a sensitive issue in Vietnam, which springs from a very strong sense of independence and nationalism of the Vietnamese people. He argued that there is a need for establishing both the legal framework and mechanisms for humanitarian intervention in the region, even as he also stressed that it is important to link these mechanisms with the UN at the international level and ASEAN at the regional level. Accordingly, there is a need to define the concept of humanitarian intervention in order to ensure that big powers do not use the idea for their selfish interests. This could be a major hurdle that ASEAN must overcome first because, in the absence of a common definition or understanding of the concept, it would be quite difficult to develop the pertinent legal framework and mechanisms for humanitarian intervention. The difficulty in arriving at a common definition is demonstrated, for example, in the case of developing a legal framework for human rights in Southeast Asia.

In Kuala Lumpur, an international law scholar expressed his support for humanitarian intervention but only within the context of the United Nations. He argued that sovereignty is no longer the same in the post-Cold War, post-9/11 world. However, procedural safeguards must be in place to ensure that humanitarian intervention is properly implemented. For instance, the decision to allow humanitarian intervention should not rest on the UN Security Council alone and that the General Assembly must therefore be empowered vis-à-vis the Security Council.⁹

In Bangkok, one workshop participant opined that there is a need to highlight the importance of victims in humanitarian crisis situations, which could then address the issue of sovereignty vis-à-vis humanitarian intervention. In his opinion, while there can be no universal standard in judging when to intervene, the exception to this is in genocide situations.¹⁰ Another Thai participant stressed that although intervention has taken place throughout history, there is a need to spell out the criteria for when to intervene in humanitarian crisis situations. He also recognized that in implementing international norms, there is a misconception among developing countries that most of these are Western norms when in fact they are not.

In Jakarta, workshop participants were generally wary of humanitarian intervention. A retired diplomat argued that amidst so many conflicts in the world today, the target of intervention are usually young and small developing countries that are in the process of nation-building and are in their growing pains stage. Accordingly, it is difficult to help small countries through humanitarian intervention without arousing their suspicion that their sovereignty is already being infringed upon. Thus, there is a need to bridge the concepts of sovereignty and responsibility to protect even as neither is absolute. While it may be that the UN has an important role to play in humanitarian intervention, it can be argued that it is still a weak institution that is often sidelined by US power and unilateralism.¹¹ Other Indonesian

⁹ Comment by Professor Shad Faruki during R2P workshop in Kuala Lumpur on 15 March 2005.

¹⁰ Comment by Dr. Mark Thamthai during R2P workshop in Bangkok, 24 March 2005, Pan Pacific Hotel.

¹¹ Comment by Ambassador Whydhoyono during R2P workshop in the Centre for International and Strategic Studies, Jakarta on 17 February 2005.



participants, however, recognize the value of the R2P document as one that serves as a wake-up call to governments to do better in terms of protecting their people and the need to put their house in order.

Overall, it is apparent that, notwithstanding the general wariness of some informed people in the region about humanitarian intervention, there is some degree of receptivity to examining the R2P concept. More research needs to be done in bridging humanitarian intervention principles with the historical, political, and cultural contexts of Southeast Asian countries.

1.4. Conflict Prevention and Post-Conflict Reconstruction

Most workshop participants in the cities covered by this study observed that the R2P document highlighted more the principles related to military intervention. There was hardly any elaboration of the preventive aspect of responsibility to protect. Understandably, the resistance to the idea of humanitarian *intervention* is the apparent misconception that R2P principles focus mainly on military intervention. For many, the R2P document must also have elaborate principles – both normative and operational – related to the preventive dimension. It is actually in this aspect that Southeast Asian countries could push for the promotion of R2P principles in the region given that there are already many sectors involved in conflict prevention as well as post-conflict reconstruction. Peace building is in fact an area where many civil society groups have made important gains in various parts of Southeast Asia. Thus, given the strong resistance to the very idea of *intervention* – whether for humanitarian reasons or not – it is only understandable that countries in the region are more willing to develop norms and mechanisms for conflict prevention in order to avoid resorting to military intervention. As can be seen in the later part of this report, there are more proposals for projects related to the preventive aspects of R2P.

2. R2P in the changing Southeast Asian context

Promoting R2P principles in Southeast Asia necessitates a deeper appreciation for the diversity of historical experiences, socio-cultural, economic, and political systems of countries in the region. For example, the resistance of many countries to the idea of *intervention* stems mainly from their shared experiences under colonial rule and bitter wars against outside powers, some of which as recent as the last quarter of the 20th century. National sovereignty and independence are principles that are still held sacred even as most states in the region still struggle with nation building in their predominantly pluralistic and ethnically diverse societies.

For almost 40 years, ASEAN has relied principally on norm-building and promotion to manage inter-state conflicts. For the longest time, it consciously avoided issues related to domestic conflicts that could seriously undermine the cohesion of the Association. However, the problem of East Timor in the late 1990s, Myanmar's chairmanship issue, and the situations in Aceh and southern Thailand are undoubtedly challenging the norm of non-interference in ASEAN. If anything, these problems demonstrate that there is growing pressure within the region to have a more open discussion of internal issues, especially if they spill over into, and potentially undermine the security of, other member countries. Much of



the pressure emanates from an increasingly networked civil society groups in Southeast Asia, which has undeniably become a moral force to contend with especially on humanitarian issues and concerns. In short, ASEAN states cannot just simply ignore the emergence of a regional civil society that now serves as the main avenue for promoting more people-oriented norms in ASEAN.¹²

Nevertheless, it is important to note that there is general agreement among workshop participants in the region that the promotion of R2P principles should not be externally imposed. It is also possible that the region itself could develop its own set of norms and principles parallel to R2P based on existing principles and practice in ASEAN and its member states, particularly in conflict prevention, peace building, and post-conflict reconstruction.

3. Promoting R2P in Southeast Asia: prospects and challenges

Promoting R2P in Southeast Asia is undoubtedly an enormous and challenging task. The prospects for advancing R2P principles and norms would depend primarily on the openness of the informed public in the region to the idea of rethinking sovereignty, as well as on the level of awareness of strategic actors (i.e., policy makers, government and non-government leaders) and sectors (i.e., civil society groups, academe, think tanks, mass media, the military) about the importance of these principles. To a large extent, many of these critical actors and sectors across the region are still partially in the dark about what R2P is all about mainly because they have not substantively read and digested the basic R2P document and the UN Report (A More Secure World), which adopted some of the R2P principles. An informed public debate in each ASEAN country on R2P principles cannot proceed accordingly because of this fundamental problem.

Given that English is not widely used in the region, there is even a prerequisite to translate the basic R2P document in the local languages of each Southeast Asian country. This is an important starting point to which many workshop participants and key informants in Bangkok, Phnom Penh, and Hanoi find common agreement with and support.¹³ In Manila, notwithstanding a higher level of English proficiency, awareness and understanding of R2P principles even among the informed public are still very poor because of the absence of sustained forums for discussion or debate. It was suggested in the Manila workshop that instead of translating the basic R2P document into Filipino and other local languages, it would be more effective to hold echo seminars across the country, participated in by different

¹² A concrete example is the ASEAN People's Assembly (APA), which first met in 2000 in Batam, Indonesia, followed by meetings in Bali in 2002 and in Manila in 2003. The fourth meeting of APA will be held again in Manila on 10-13 May 2005. The APA is the main vehicle for non-government organizations and other civil society groups in the region to discuss more people-oriented issues and problems in ASEAN, and serves as an important springboard to channel through Track II policies that could be adopted by governments in the region. Discussions in APA cover a range of issues from human rights, gender, democracy, human development, humanitarian problems (e.g., refugees, human trafficking, displaced persons), to internal conflicts, security sector reform, good governance, corporate responsibility, and conflict prevention. In fact, in APA 2003 in Manila, a panel on Responsibility to Protect was included; it will also be included in the Fourth APA meeting in May 2005.

¹³ In Bangkok, Dr. Pranee Thiparat already translated into Thai the thin volume of Responsibility to Protect document but it still has to be published. The Canadian embassy in Bangkok initiated the project but for some reason the Thai version of R2P to this date has not been published yet. Participants in Phnom Penh and some scholars in Hanoi have expressed readiness to translate the basic R2P document into Khmer and Vietnamese, respectively.



sectors.¹⁴ A combination of document translation and echo seminars for other countries in the region could increase public awareness of R2P principles. The same may be undertaken for the UN document “A More Secure World.” Both documents could also be used as texts in tertiary education, such as in International Relations, Political Science, and international law courses, as well as incorporating them in military curriculum or training courses.

3.1. Are There R2P Champions or Potential Advocates in the Region?

For now, it is safe to say that there are potential advocates of R2P in Southeast Asia. Most of them are with academic institutions and think tanks, and who may have a much better understanding and in-depth knowledge of international relations issues and problems. Based on the R2P workshops and interviews conducted in the region, scholars and think tank representatives who took part in the exercise were the most open to examining the merits of redefining sovereignty as one that should include the responsibility of states to protect their own people. This openness to the idea stems mainly from the fact that they are the ones who primarily engage in intellectual discussions not only within their respective countries but also with other scholars and thinkers in the region and beyond. Thus, they are more abreast with current thinking about international relations.

Leaders of civil society groups, particularly those that are involved in conflict prevention, peace building, and humanitarian assistance are also potential champions of R2P, but their understanding and level of knowledge about the humanitarian intervention norms and principles may not be that substantive. Nonetheless, they may be able to contribute to developing parallel R2P norms and principles in the region based on their experiences and grounded knowledge of humanitarian issues and problems especially in armed conflict areas. Academic and policy research by scholars and think tanks could in fact draw insights from activities and practices of civil society organizations, specifically in developing norms and principles that deal with the preventive dimension of R2P.

Government officials and military officers involved in policy planning could also be potential advocates of some R2P principles, but may not be totally sold to the idea of humanitarian intervention *per se*. While they may be open to studying further the R2P norms and principles, there is still a strong resistance to the idea of humanitarian *intervention* even as a last resort, especially if the humanitarian crisis situation is within their own countries or within the region. Ironically, however, there is also willingness on the part of workshop participants from the government and the military for their countries to continue in their involvement in peacekeeping and humanitarian missions elsewhere under the auspices of the United Nations. The experience gained from participating in these UN humanitarian missions nonetheless could eventually soften such resistance by the military to the idea of humanitarian intervention.

3.2. Where Do We Start? A Bottom-Up Approach

The promotion of R2P principles in Southeast Asia should begin with creating constituencies at the local, national, and regional levels. It must be emphasized that at each level, the operationalization of R2P norms and principles may be different depending on the nature and

¹⁴ Comment by Dr. Carolina G. Hernandez during R2P workshop in Manila, 18 April 2005.



dynamics of conflicts within each country. Humanitarian crisis situations do not develop overnight, and there is a need for different actors and sectors in each level to have the capability to monitor events in conflict areas as they develop.

Constituency building at the local level may begin with education and training of local government leaders and residents on conflict prevention and management. This could be pursued through formal and informal education, with local non-government organizations, civic, or religious groups taking part in promoting the culture of non-violence in resolving conflicts and peace building.

Beyond the community and local levels, constituency building for R2P could also be pursued through increasing the capacity of civil society organizations to do advocacy work in conflict prevention as well as in responding to humanitarian crisis situations. National and local NGOs also need to be linked to a network of similar civil society organizations across the region so that they are able to exchange ideas and information, and develop models of conflict prevention and management based on good practices.

At the national level, academic institutions and think tanks channel policy inputs to government institutions through empirically based policy research. This may be done through the creation of working groups (WGs) that will study R2P principles and how these could be implemented in Southeast Asia. In fact, the creation of WGs has been the main mechanism adopted by various ASEAN and Northeast Asian think tank networks to study ideas, norms, and principles. Through these working groups, the acceptability of ideas is negotiated with particular consideration for the diverse historical and cultural context of the region. The creation of R2P WGs in Southeast Asia is therefore a crucial link to creating a constituent base in the official track.

The creation of a R2P Eminent Persons Group (R2P EPG) should parallel the establishment of working groups as part of constituency building in the region. The role of the R2P EPG is primarily to bring together eminent persons in the region who are fundamentally believers in the idea of the state's responsibility to protect its people. Just like working groups, the creation of EPGs has been adopted in ASEAN as a mechanism for building constituencies at the national and regional levels on various political, social, and economic projects of the Association.

In the government sector, or Track I, constituency building for R2P may be pursued at both the national and regional levels. This can be done through seminars and dialogues with Track II (academe and think tanks), as well as through short term training courses for diplomats and bureaucrats that directly deal with humanitarian issues. In-house training courses in the respective research institutes of the foreign affairs, defense, and related government ministries or agencies may be developed on a long-term basis with a view towards having a clear grasp of the R2P principles and norms. A parallel training course should also be developed for respective armed forces of each country, with focus on capacity building to respond to humanitarian crisis situations. Military academies, as was pointed out earlier in this report, should also incorporate international humanitarian law into their curriculum. At the regional level, regular meetings or conferences among the military forces in the region may be undertaken that aims for exchanging ideas, information, or good practices in peace keeping or simply sharing of lessons learned from humanitarian missions in other parts of the world.



3.3. Enabling Factors

The emergence of R2P champions and advocates, as well as building the appropriate constituencies for it at different levels in Southeast Asia will no doubt be sustained by some enabling factors. These include: 1) the growing acceptability of human security in national and regional security discourses; 2) the culture of norm building in ASEAN; and 3) the improved democratic space in the region.

A) Increased Focus on Human Security

Human security issues have become more prominent in national and regional security discourses in Southeast Asia. Since the publication of the *Human Development Report* in 1994 and the launching of the Millennium Development Goals by the United Nations, the informed public and national leaders in the region have become more aware of the need to focus more on people-centered development problems. There is in fact a growing recognition among ASEAN leaders that some traditional security problems such as internal armed conflicts may be linked to human security concerns like poverty and illiteracy.

The increased focus on human security in the region is also reflected in several ASEAN documents, most notably those that envision an ASEAN community of caring societies. Even in the idea of building an ASEAN Community composed of three pillars (security, economic, and socio-cultural communities), there is emphasis on human security issues. For example, in the ASEAN Security Community, the key components deal with the promotion of human rights, conflict prevention, humanitarian assistance, human resource development, education, and post-conflict reconstruction. Among other things, the ASEAN Economic Community focuses also on narrowing the development gap within the region by helping new members – Cambodia, Laos, Myanmar, and Vietnam – in the areas of poverty, literacy, and health. Under the Initiative on ASEAN Integration (IAI), for example, some projects are designed to help these new members to develop their infrastructure, improve the quality of their human resources, and harness information and communication technology. Meanwhile, the priorities in the ASEAN Socio-Cultural Community are health, labor, environment, social welfare, gender, disaster management, as well as culture and education.

Overall, the growing importance being given by governments at the national and regional levels to human security issues augurs well for promoting R2P in Southeast Asia. Specifically, some of the R2P norms and principles – especially those that deal with commitment to prevention of conflicts – could be incorporated by national governments and ASEAN. The development, for instance, of an early warning system for conflict prevention in Southeast Asian countries is very much welcomed by many participants in the R2P workshops held in Jakarta, Kuala Lumpur, Phnom Penh, Bangkok, and Manila.

B) Culture of Norm Building in ASEAN

The culture of norm building in ASEAN also augurs well for the promotion of R2P principles in the region. Notwithstanding some degree of resistance by some states to the idea of humanitarian *intervention*, the idea of responsibility to protect may still be adopted – and adapted – in Southeast Asia through the process of dialogue and consultation among informed elites, key actors, and strategic sectors. As it is, ASEAN already has a number of norms and



values related to peace and conflict prevention that could be the starting point for R2P promotion in the region. Should these R2P norms and principles find greater acceptance and consequently develop constituents in some of the member countries, it is not hard to imagine that these could also spill over into other members through ASEAN at the regional level. This presumes that there are also potential R2P advocates and constituents in ASEAN, the regional body.¹⁵

The importance of shaping and sharing of norms in ASEAN is highlighted in the conception of an ASEAN Security Community or ASC. As one of its five key components, the ASC basically attempts to contribute to the building of a “just, democratic, and harmonious environment” in the region through the formulation of an ASEAN Charter, ASEAN Mutual Legal Assistance Agreement, as well as the study of a possible ASEAN extradition treaty.¹⁶ These norm building efforts could lead to increased institutionalization of ASEAN and, ultimately, to a more rule-based community of Southeast Asian nations.¹⁷ The formulation of an ASEAN Charter, for example, could incorporate norms related to human security and conflict prevention, while an ASEAN extradition treaty could potentially contribute to harmonization of national laws with respect to criminal acts, including crimes against humanity. It is in this area where the promotion of some of the R2P principles in Southeast Asia becomes even more important.

C) Improved Democratic Space

Another enabling factor for the promotion of R2P principles in the region is the improved levels of political openness and democratic space in many Southeast Asian countries. The transition from authoritarian to more democratic regimes in the Philippines and Indonesia since 1986 and 1998, respectively, has contributed to the growth democratic movements not only in these countries but also in less open countries in the region. The reformasi movement in Indonesia, for example, has spilled over into Malaysia following the Asian financial crisis.

With improved democratic space in the region, one could expect a much better opportunity for dialogue on humanitarian concerns between governments and civil society groups. In Malaysia, for example, the government under Prime Minister Abdullah Badawi has been engaging in consultations with NGOs and people’s organizations in the formulation of certain policies, albeit in a more discreet manner.¹⁸ In Singapore, the political space has improved as well with encouragement from the government for people to speak up and participate in the evolution of a civil society in the country.¹⁹ Thus, greater openness at the domestic level means more opportunities for communication and exchange of ideas among civil society groups not only within these countries but across the region as well.

¹⁵ Some of the ASEAN civil servants may potentially be R2P advocates if one looks into some of their published articles. For example, M. C. Abad, Jr. has written articles as Assistant Director in ASEAN Secretariat on “The Challenge of Balancing State Security and Human Security” and “Prospects for UN-ASEAN Cooperation in Conflict Management”, both of which were uploaded in the official ASEAN website.

¹⁶ *ASEAN and the 3 Ls: Leaders, Laymen, and Lawyers*, ASEAN Secretary General Ong Keng Yong,, undated document.

¹⁷ *Ibid.* In fact, the impetus for a more rule-based ASEAN community is in the area of economic cooperation in ASEAN. This could well spill over into other spheres of ASEAN cooperation in the long run.

¹⁸ Based on R2P focused group discussion in Kuala Lumpur, 15 March 2005.

¹⁹ Simon S. C. Tay, Zulfikri Barahudin, and Cherian, George: “Role of Civil Service in Civil Society,” *The Straits Times: Commentary and Analysis*, 17 February 2000, in <http://www.thinkcentre.org/article.cfm?ArticleID=38>



Conclusion

This article discussed the challenges and prospects in promoting the idea of R2P in Southeast Asia. Specifically, it looked into the views and perspectives of key opinion leaders in the region on humanitarian intervention and the problems that may be encountered in applying the concept in the context of Southeast Asian countries. It is clear from the foregoing discussion that there are still some degree of reluctance among many thinkers and opinion leaders in the region in accepting the idea of humanitarian *intervention* due to historical experiences and cultural factors. At the same time, however, there are a number of enabling factors that may increasingly create opportunities for greater acceptance of the idea in some countries of Southeast Asia, such as 1) the growing acceptability of human security in national and regional security discourses; 2) the culture of norm building in ASEAN; and 3) the improved democratic space in the region. As Southeast Asian countries become more increasingly interdependent – in economy, security, and socio-cultural dimensions – it becomes more imperative for states in the region to recognize the importance of more people-oriented policies and agreements. The idea behind the creation of an ASEAN Security Community, which is one of the three pillars of an evolving ASEAN Community, could very well be the push factor towards greater acceptance of R2P concept in this part of the world. As well, in drafting an ASEAN Charter, the principle of state sovereignty and non-intervention must be balanced with the principle of responsibility to protect, obligating member states to take the primary responsibility to safeguard their own people against genocide.