



**Europe-Asia Interregional  
Relations**  
**A Decade of ASEM**

*Edited by*  
**Bart Gaens**

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# Europe-Asia Interregional Relations

A Decade of ASEM

*Edited by*

BART GAENS  
*University of Helsinki, Finland*

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# Notes on Contributors

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# Foreword

by President Martti Ahtisaari

It is often repeated that ASEM partners represent 40 per cent of the world's population, 50 per cent of the global GDP and 60 per cent of the world trade. These figures certainly show that Asia and Europe need each other in an interconnected and interdependent world. Looking back on the past ten years, I think it is clear that ASEM has great potential to function as a tool to find answers to globally and regionally important questions. ASEM has contributed to building consensus on issues of common interest, and to promoting awareness between Asia and Europe. It has also facilitated progress in other bilateral and multilateral fora. In my view, one of ASEM's most important achievements has been its contribution to the reinforcement of regional identities and processes of community building in East Asia. ASEM can be seen as instrumental in promoting dialogue, not only between the EU and Asia, but also within Asia.

Processes of integration and community building have proven their importance in promoting peace and stability in different regions. The European Union is perhaps the best example of this. During the recent years, the determination of regional organizations to improve their crisis management capacities has been tangible. Security and strategic concerns are something that unite regional organizations' member states and encourage them also to pursue other activities in the context of regional collaboration.

The Aceh peace process can act as a good example of the cooperation between the European and Asian countries in crisis management. I had the privilege to act as facilitator in the Aceh peace process, in its negotiation phase. In January 2005 in Helsinki, the Government of Indonesia and the Free Aceh Movement met to talk about the conflict that had lasted for almost 30 years. The tsunami had devastated Aceh just a month earlier. The Government and GAM decided to end fighting and decided to work towards a fair and democratic society. The conflict ended as the negotiating parties promised, and peace has brought hope and possibilities for new life for the Acehnese.

It was crucial that the peace agreement was followed by a credible international monitoring mission which ensured that both parties implemented their obligations. The Aceh Monitoring Mission has become one of the key components of the implementation of the agreement and has shown that Asia and Europe can successfully act together in crisis management. Early on in the negotiations it was quite evident to me that organisations of regional basis – the EU and the ASEAN – could have a significant role in the process. It was equally evident that the organisations could only have this role together, possibly with support of countries like Norway and Switzerland. Combined they could have the right profile and the expertise, cultural knowledge and credibility that was needed for the assignment.

The Aceh Monitoring Mission is so far the best and most concrete example of cooperation between Europe and Asia in the field of peace building and crisis management. First and foremost, the Mission has had an indispensably important role in monitoring the implementation of the Aceh Peace Accord and consolidating thereby the process within its first vital months and first year. This has indeed been the very purpose of the mission. However, the mission is not by any means the only important outcome the monitoring cooperation has generated. This Europe-Asia teamwork has proven the strength of the regional approach and given valuable lessons that can be utilised also in other civilian crisis management operations. It has also pointed out, I believe, the growing potential of cooperation between Europe and Asia in other areas.

At present Asia-Europe cooperation is no longer a luxury but a necessity. Expanded cooperation between the two continents is vital in order to contribute to global peace and security. Cooperation is essentially rooted in constructive dialogue. ASEM occupies a unique position in facilitating such a dialogue between Europe and Asia.

Martti Ahtisaari  
Chairman of the Board, Crisis Management Initiative  
Former President of Finland

# Foreword

by Ambassador Hanna Lehtinen

The ASEM6 summit, which took place in Helsinki on 10 and 11 September 2006, was a milestone in Asia-Europe relations as it celebrated the tenth anniversary of the ASEM process. The gathering offered an ideal opportunity to reflect on what ASEM has achieved during its first ten years, and to look ahead to the future. In order to prepare for the deliberations of the Summit the Finnish and Japanese governments commissioned an independent and critical Asian-European study on the first ten years of ASEM. The European part of this study constitutes the basis for this book, which I think will become a basic reference not only for academics and all those who find themselves increasingly involved in this multifaceted and complex relationship, but also for anyone with a broader interest in Asia-Europe relations.

The Bangkok Summit of 1996 was the beginning of a new era in Asia-Europe relations. In the wake of globalization and the ever-growing global interdependence, ASEM has become the engine behind stronger relations between our two regions in all fields. The ASEM6 Declaration on Climate Change was one concrete illustration of this power. By adopting this declaration the 39 Heads of State and Government sent a strong signal to the world that ASEM partners take seriously the threat that climate change poses to sustainable development. The Declaration shows their clear determination to tackle this global challenge in a concrete way.

ASEM continues to attract new partners, both in Asia and in Europe. The Helsinki Summit took the important decision to enlarge the ASEM partnership by including six new partners. The 45 partners of the enlarged ASEM now represent over 60 per cent of global population and over 40 per cent over the world trade in goods. Besides enlarging the process, the Helsinki Summit also consolidated its foundations by adopting the Helsinki Declaration on the Future of ASEM which sets general principles to take this dynamic process forward into its second decade.

All in all, the track record of ASEM's first ten years is a positive one: Asia-Europe economic relations have strengthened. The scope of political dialogue has been widened and now covers human rights and the rule of law as well as global threats and broad security issues. Enhanced interaction in the field of cultural dialogue and cooperation has significantly improved mutual awareness and understanding between Asia and Europe. But it is important to keep up the momentum. We, the representatives of the Governments have to continue to work actively to reinforce this unique partnership in order to keep up with the speed and intensity of integration between Asia and Europe in the real world of business, culture, and people-to-people contacts.

Hanna Lehtinen

Ambassador, Head of the ASEM6 Secretariat (2005-2006)

Ministry for Foreign Affairs of Finland



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# List of Acronyms

ACP	African, Caribbean and Pacific countries
ADB	Asian Development Bank
AEBF	Asia-Europe Business Forum
AEC	ASEAN Economic Community
AECF	Asia-Europe Cooperation Framework
AEETC	Asia-Europe Environmental Technology Center
AEITTP	Asia-Europe Information Technology and Telecommunications Program
AEMM	ASEAN-EU Ministerial Meeting
AEPF	Asia-Europe People's Forum
AETUF	Asia-Europe Trade Union Forum
AEVG	Asia-Europe Vision Group
AFC	Asian Financial Crisis
AFTA	ASEAN Free Trade Area
AIO	ASEM Invest Online
AIPMC	ASEAN Inter-Parliamentary Myanmar Caucus
AMM	Aceh Monitoring Mission
ANZUS	Australia New Zealand United States Security Treaty
APEC	Asia-Pacific Economic Cooperation
APT	ASEAN Plus Three
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
ASEF	Asia-Europe Foundation
ASEM	Asia-Europe Meeting
ASEMBAC	ASEM Business Advisory Council
ASEM VPC	ASEM Virtual Promotion Center for Trade, Investment and Tourism
ASEP	Asia-Europe Parliamentary Partnership
ATF	ASEM Trust Fund
AVS	ASEM Virtual Secretariat
BAC	Business Advisory Councils
CAEC	Council for Asia-Europe Cooperation
CEN	Customs Enforcement Network
CEO	Corporate Europe Observatory
CEP	Closer Economic Partnership
CFSP	Common Foreign and Security Policy
CMM	Culture Ministers' Meeting
COASI	Council Working Group for Asia-Oceania
COREPER	<i>Comité des Représentants Permanents</i> (Committee of Permanent Representatives)

COREU	<i>Correspondance Européenne</i> (European Communication Network)
CTBT	Comprehensive Test Ban Treaty
DANTE	Delivery of Advanced Networking Technology to Europe
DCI	Development Cooperation Instrument
DDA	Doha Development Round
DEEP	Database on Education Exchange Programs
DG	Directorate-General
EAEC	East Asian Economic Caucus
EAEG	East Asian Economic Grouping
EAS	East Asia Summit
EC	European Community/Communities
ECU	European Currency Unit
EFEX	European Financial Expertise Network
EFTA	European Free Trade Association
EMM	Economic Ministers' Meeting
EMP	Euro-Mediterranean Partnership
EMU	Economic and Monetary Union
EU	European Union
EUROMED	Euro-Mediterranean Partnership
EP	European Parliament
ESDP	European Security and Defence Policy
EWG	Enforcement Working Group
FDI	Foreign Direct Investment
FEALAC	Forum for East Asia-Latin America Cooperation
FinMM	Finance Ministers' Meeting
FMM	Foreign Ministers' Meeting
FTA	Free trade Agreement
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
HOSG	Heads of State and Government
HPAEs	High-Performing Asian Economies
HS	Harmonized System
ICP	Investment Contact Points
ICT	Information and Communication Technology
IEG	Investment Experts Group
ILO	International Labour Organization
IMF	International Monetary Fund
IPAP	Investment Promotion Action Plan
IPR	Intellectual Property Rights
ITA	Information Technology Agreement
KEDO	Korean Peninsula Energy Development Organization
LAC	Latin America and the Caribbean
LDCs	Least Developed Countries
MAI	Multilateral Agreement on Investments
MDGs	Millennium Development Goals

MERCOSUR	<i>Mercado Común del Sur</i> (Common Market of the South)
NCGUB	National Coalition Government of the Union of Burma
NIEs	Newly Industrializing Countries
NGO	Non-governmental Organization
NPT	Non-Proliferation Treaty
NTBs	Non-Tariff Barriers
ODA	Official Development Assistance
OECD	Organization for Economic Cooperation and Development
OLAF	<i>Office Européen de Lutte Anti-Fraude</i> (European Anti-fraud Office)
OSCE	Organization for Security and Cooperation in Europe
PPP	Public Private Partnership
PWG	Procedures Working Group
READI	Regional EU-ASEAN Dialogue Instrument
RELEX	External Relations Directorate-General
RILO	Regional Intelligence Liaison Offices
SAARC	South Asian Association for Regional Cooperation
SLORC	State Law and Order Restoration Council
SMEs	Small and Medium-sized Companies
SOM	Senior Officials' Meeting
SOMTI	Senior Officials' Meeting on Trade and Investment
SPDC	State Peace and Development Council
SPS	Sanitary-Phytosanitary Standards
TAC	Treaty of Amity and Cooperation in Southeast Asia
TEIN	Trans-Eurasian Network
TEU	Treaty on European Union
TFAP	Trade Facilitation Action Plan
TREATI	EU-ASEAN Trade Initiative
UMFA	Union Minister for Foreign Affairs
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	UN Framework Convention on Climate Change
UNTAET	United Nations Transitional Administration in East Timor
VIE	Virtual Information Exchange
WB	World Bank
WCO	World Customs Organization
WTO	World Trade Organization

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# Introduction

Bart Gaens

This book examines the interactions of the European Union with East Asia through the prism of the Asia-Europe Meeting (ASEM), a dialogue forum intended to increase interregional rapprochement in multiple fields. In September 1994, the Meeting's founding father, Singaporean former Prime Minister Goh Chok Tong, suggested bridging the perceived gap in relations by establishing an institutional framework by which the two regions would be able to systematically engage each other. Europe welcomed his idea wholeheartedly, aware of the global repercussions of Asia's economic rise. Aiming to develop into the Euro-Asian answer to the Asia-Pacific Economic Cooperation (APEC), ASEM initially was supposed to "mean business" similar to its Asia-Pacific counterpart, placing its prime focus on economy and trade. However, reflecting the European agenda, the approach chosen was broader than APEC's, and political dialogue and cooperation on social/cultural issues complemented the trade-related dialogue. The first Asia-Europe Meeting, held in Bangkok in March 1996, was heralded as a major success. Characterized by an optimistic spirit of cooperation, the meeting was perceived by many as a first step toward inserting the "missing link" in the tripolar economic international structure.

In September 2006 the city of Helsinki in Finland hosted the sixth ASEM summit, marking the end of interregional interaction's first decade. Over the years, the dialogue has expanded manifestly and has given rise to a multitude of wide-ranging collaborative initiatives and projects involving countries from both regions. After its first decade, ASEM's importance is obvious, as it constitutes the only interregional forum for dialogue and cooperation between the EU and Asia<sup>1</sup> at the level of Heads of State and Government (HoSG). The actors constituting the partnership attest to its global relevance: ASEM now brings together countries from Southeast Asia, Northeast Asia, South Asia, a European Union consisting of twenty-seven member states, as well as the ASEAN Secretariat and the European Commission. Yet the ten-year anniversary of the forum also prompted reflection on its past accomplishments, present shape, and future path to follow. ASEM is often the focus of mounting criticism, and the process is seen as facing numerous challenges. General public awareness of ASEM as an actor in the global power structure remains low, and the media only display a modest level of interest. Moreover, politicians and policy-makers as well as academics are often divided in evaluating ASEM's success. Questions related to fulfilling initial expectations, the present validity of the initial working methods, ASEM's function as a major international cooperation structure,

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1 This book will follow the definition of the term "Asia" as it is most often used in the EU context, namely including East Asia, Southeast Asia and South Asia but excluding Central Asia.

and realizing the full global strategic potential of Asia-Europe relations remain at the heart of the debate.

Academic reviews of ASEM's performance during the past decade often take a highly critical perspective. According to many scholarly analyses, ASEM has been unable to play any significant role in contributing to global governance (Maull and Okfen 2006), and at present is seen as a forum of decreasing importance (Camroux 2006). The principle of informality and two different coexisting cooperation cultures obstruct real progress in cooperation (Loewen 2007). ASEM's performance is rated as "poor" (Roloff 2006, 18), as it has been unable to fulfill a rationalizing and agenda-setting role toward key multilateral processes such as the UN or the WTO (Dent 2005). As a result, arguments have been made for a bolder, more focused, institutionalized and democratic ASEM which could be developed into a "multilateral utility" (Rüland 2000; 2005).

The call for a critical evaluation has also derived from those closely involved in the dialogue forum. Track Two groupings and Task Force gatherings such as the Asia-Europe Vision Group (AEVG) and the Council for Asia-Europe Cooperation (CAEC) have sought to steer the agenda and fine-tune ASEM's coordination. Furthermore, the European Commission's 2001 "Vademecum" addressed the need to reform the ASEM process in order to retrieve the informal dialogue with a view to impact ongoing negotiations in other relevant international or regional organizations (European Commission 2001b). On the occasion of ASEM's tenth anniversary, in order to assess ASEM's achievements and ascertain the way forward, the Japanese and Finnish governments commissioned an objective think-tank report. The result of this initiative, endorsed by the Seventh ASEM Foreign Ministers' Meeting (Kyoto, May 2005), was a joint concluding report (University of Helsinki Network for European Studies and Japan Centre for International Exchange 2006) in addition to two regional background studies. The joint conclusions of the report pointed out the need to solve ASEM's ambiguities in order to develop the forum into a true region-to-region cooperation framework in the long term and argued for increased tangible results within focused clusters of issues. This book will draw on the background study written for this think-tank report by a research team at the University of Helsinki, while substantially revising and updating the contents.<sup>2</sup>

### **The aim of this book**

The prime aim of this book is to conduct a comprehensive evaluation of ASEM's first decade, including the achievements of the anniversary summit in Helsinki and its implications for the future of the process. The focus is on the European perspective, and the extent to which ASEM has been instrumental in (contributing to) fulfilling the ambitions described in the EU's regional strategy for Asia. The objectives for the EU's interaction with "Asia" were outlined for the first time in 1994 (European

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2 The contributors to this volume would like to express their sincerest gratitude to the Finnish and Japanese governments for their support in the research project "Ten years of ASEM". This publication is an independent offspring of the project.

Commission 1994) and updated in the 2001 Strategy Paper. The policy papers for the Asian region focused on the following goals:

- Enhancing the EU's political presence in the region and contributing to security in the region and globally.
- Strengthening the EU's economic presence in the region.
- Promoting the development of less prosperous countries of the region and addressing the root causes of poverty.
- Protecting human rights and spreading democracy, good governance and rule of law.
- Building global partnerships and alliances with Asian countries to address the challenges and opportunities offered by globalization.
- Strengthening the awareness of Europe in Asia and vice versa.

In this context it is important to recognize that within ASEM the emphasis has in the first place been on a dialogue among equal partners rather than on concrete cooperation.<sup>3</sup> The forum was certainly not designed as a channel for development cooperation. Nevertheless, the promotion of "substantive cooperation" also formed an explicit goal. The Asia-Europe Cooperation Framework (AECF) 2000, ASEM's key policy document, confirms that the forum aims to foster political dialogue, but also "to reinforce economic cooperation, and to promote cooperation in other areas". Europe and Asia should work together to address challenges and translate them into common opportunities through dialogue but also through "joint endeavors in relation to political, economic, and social, cultural and educational issues". With these qualifications in mind, this book therefore sets out to assess ASEM's first decade by taking a primarily empirical and policy-oriented approach. However, in order to give a theoretical basis to the assessment, this book draws inspiration from the debate on the institutional legitimacy in the context of the EU's international role (see for example Lord 2005). This debate has in the first place focused on the EU's internal processes but in recent years has also broadened into the EU's external relations including interregional fora such as ASEM (see for example Rüländ 2001b). Three components of institutional legitimacy run through the assessment conducted in the different chapters in this volume:

- *Performance*: Performance as a source of legitimacy within global governance has been increasingly linked to interregional fora aiming to complement existing bilateral and multilateral arrangements (see for example Rüländ 2001b). As pointed out by Maull (1999, 5) political legitimacy for governmental actions can be established through success. If ASEM is successful in tackling "common challenges" such as climate change and the effects of globalization by formulating "joint responses" (as was the slogan for ASEM6), then the media or the electorate will not call the forum's existence (and its utilization of

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3 According to the ASEM1 Chairman's Statement, "[s]trengthened dialogue on an equal basis between Asia and Europe in a spirit of cooperation and through the sharing of perceptions on a wide range of issues would enhance mutual understanding and benefit both regions."



considerable amounts of tax money for organizing the summits for example) into question. This book studies the focal points of the ASEM dialogue in the three pillars, and examines the impact of the collaborative initiatives it has generated.

- *Identity*: The EU as a global actor is expected to “perform the foreign policy its citizens expect it to perform” (Lucarelli and Manners 2006, 211). Even in ASEM, in the first place a forum for informal dialogue, the EU is expected to stick to its “identity” and follow up on its proclaimed values and principles. As pointed out by Söderbaum et al. (2005, 368-377), advancing the EU’s identity as global actor includes the projection of the own regional integration model to the rest of the world. Therefore this volume also examines ASEM’s link with “identity”, i.e. the juxtaposition of “self” and “other” in the context of Asia-Europe relations, and on the emphasis on values such as human rights which are at the core of the EU’s identity as a global player.
- *Democratic dimension*: ASEM was conceived in the first place as a high-level meeting. Nevertheless, bottom-up input by non-state actors such as civil society actors or the private sector and people-to-people contacts were from the outset seen as vital components of the process. Furthermore, ASEM’s informal approach allowed Heads of State and Government as well as Ministers to address areas which are thought of as “sensitive”, but at the same time this dialogue-behind-closed-doors has complicated transparency and limited public awareness of the process. Therefore, this book also looks into the extent to which ASEM has succeeded in “going beyond governments” by involving civil society and other stakeholder groups, and in promoting public awareness of ASEM as a forum with policy-making and policy-shaping ambitions.

A second theoretical approach draws on “new institutionalism”, according to which institutions are not mere expressions of a certain political culture, but also actively shape and influence the behavior of actors (Rosamund 2003, 114). ASEM, which on paper is only about informal dialogue and lacks institutionalization, can therefore be defined as an institution as it embraces certain forms of social interaction that form the “compliance procedures and standard operating practices” in the political economy.<sup>4</sup> A fourth dimension underpinning ASEM’s assessment thus concerns ASEM’s guiding philosophy, institutional infrastructure, and its position as a policy instrument in the EU’s overall external relations.

### **Interregionalism and the external role of the EU**

ASEM’s assessment in these different dimensions will provide deeper insights into the external role of the EU, and the role of interregional interaction as a tool for EU foreign policy. The European Union’s External Relations as an international academic field of study has gained immensely in prominence during the past decade. The EU’s economic and political importance, the strengthened internal integration of

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4 Following the definition of Peter Hall, quoted in Rosamund 2003, 114.

the European Union, the 1993 Maastricht Treaty and the construction of a Common Foreign and Security Policy (CFSP) pillar have resulted in numerous books on the EU as a global actor (see for example Bretherton and Vogler 1999; White 2001; Hill and Smith 2005). In particular EU relations with other regions is a field which has received special attention in recent years. Interregional relations as such are, of course, not a new phenomenon. Bilateral links between the EC and other regional groupings arose in the Cold War period, with the EC-ASEAN group-to-group relation as the prime example. “New interregionalism” on the other hand emerged in the 1990s as a post-Cold War product, and appears in a great variety of guises. In the typology developed by Hänggi (2006), interregional relations in the broad sense include interaction between two regional organizations (for example, EU-ASEAN), but can also refer to relationships between a regional organization and a much looser affiliated group (for example, EU-Asian ASEM), between a regional organization or group and a third country (for example, EU-China), between two regional groupings (for example, “East Asia” and “Latin America” in FEALAC), or between states, groups of states and regional organizations from more than two regions (for example, APEC). Interregionalism is often not limited to trade and economy but also includes political and security dialogue as well as cultural interaction. Even though the EU functions as the hub of a large number of interregional arrangements, other regions as well have instigated interregional dialogues and thereby gained in “actorness” (Söderbaum and Van Langenhove 2005, 251). In addition, interregional constructions often include non-state actors from civil society or the private sector, leading to “transregionalism”.<sup>5</sup>

On the one hand it is clear that interregionalism has become an increasingly important element in global governance in response to growing interdependence and the forces of globalization. It is also accepted that interregionalism has grown into a “pragmatic strategy” (Söderbaum et al. 2005, 373) underpinning the EU’s external policies. The EU’s predilection toward interregional cooperation stems from its own positive experience with regional integration, which has created prosperity and promoted peace. Interregional cooperation therefore almost always includes the support for intraregional cooperation (Smith 2002, 26). Interregionalism has been seen as the EU’s “internal logic” and its “natural answer” to managing global interdependence (Regelsberger 1990, 13), and has even been called referred to as a “landmark on the way to a new world order” (H.D. Genscher, quoted in Regelsberger 1990, 13).

Scholars are still divided, however, over the actual and potential degree of importance and impact in international relations. Interregional relations have been regarded as resulting in the first place from institutional balancing. Economic globalization leads to regional cooperation in response to competitive pressures. In

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5 Aggarwal and Fogarty (2004, 5) have applied the term “transregionalism” to denote a more diffuse type of interregionalism, such as cross-regional agreements whereby neither of the two regions acts as a grouping (for example, APEC). The authors distinguish two other types of interregional constructions: pure interregionalism (two formally organized counterpart regions) and hybrid interregionalism (one customs union interacting with a set of countries that is not a formally organized grouping).

order to tackle the economic power disequilibria the emerging regional blocks set up interregional cooperative structures (Hänggi et al. 2006, 11). In addition to this analysis based on the realist approach, other theoretical studies of interregionalism have sought to include perspectives from liberal institutionalism and social constructivism. Jürgen Rüländ (2006b, 48-49) for example evaluated interregional fora according to an additional four functions: institution-building, rationalizing, agenda-setting and identity-building. Institution-building implies establishing a permanent dialogue with regular meetings, but also refers to the positive influence that interregional interaction can have on intra-regional coordination mechanisms and institution-building. The rationalizing and agenda-setting functions are two tasks ensuing from the mediating role of interregional structures *vis-à-vis* the system of global governance. Interregional structures are expected to facilitate global institutions' function by coordinating positions in an interregional context or steering the agenda-setting of these institutions. Lastly, identity-building refers to the impact of interregional dialogues on regional identities. Rüländ pointed out that interregionalism incorporates the capacity to become a "building block for global governance", but that its potential has so far not been fully utilized (Rüländ 2006a, 313).

Within the discipline of International Political Economy, scholars such as Christopher Dent (2004; 2005; 2006) have concentrated on the "multilateral utility" of interregional fora, and specifically how constructions such as ASEM have so far insufficiently realized and shaped the goals of multilateral institutions. Social constructivists such as Julie Gilson (2002a; 2004b) on the other hand have emphasized identity-building as a key driving force behind interregionalism, arguing that region-to-region interaction serves to construct external identities, enabling the EU in particular to present itself as an ideal-type regional institution. Combining and drawing on these different theoretical approaches and applying the empirical material yielded by a comprehensive overview of ASEM's first decade, this volume thus aims to contribute to ongoing debates on the function of interregionalism in EU external relations.

### **The chapters of this volume**

Chapter 1 begins by situating ASEM within the EU's policy for the Asian region during the first half of the 1990s. It reflects on the economic rise of Asia and the importance attached to trade and investment relations by leading EU member states. The chapter further explores the resonance of this economic predisposition at the Union-level strategy, and the addition of political and cultural dimensions ahead of the first ASEM summit. The analysis then proceeds by delineating the specific motivations for ASEM as a new instrument within the EU's foreign policy. ASEM's historical background holds particular salience as the forum's performance is embedded in the approach and institutional framework chosen in its formative stages.

The ensuing five chapters takes a closer look at ASEM's achievements in different clusters of dialogue and cooperation, and their implications for the European Union.

As trade and economy were at the crux of the EU's Asia policy since the first half of the 1990s and were also a key motivational factor for the creation of ASEM, Chapter 2 first looks at ASEM's record in this field. The chapter provides a detailed analysis of the Trade Facilitation Action Plan (TFAP) and Investment Promotion Action Plan (IPAP), and examines the involvement of the business community. It further seeks to explain ASEM's limited success as a trade-oriented partnership by exploring the impact of the Asian Financial Crisis (AFC), the influence of political dialogue, and ASEM's informal and complementary approach. The chapter concludes by looking at the development of two-way trade between Asia and Europe and points out new directions of the economy pillar.

The following two chapters examine principal issues of ASEM's political dialogue. Chapter 3 by Timo Kivimäki assesses the emerging security dialogue within ASEM. Kivimäki first explores the overall security agenda and points out ASEM's *a priori* limitations in the sphere of power-political security. He then discusses the potential of an Asian-European multilateral search for security and analyzes the impediments to closer cooperation in this field. The analysis continues with an assessment of ASEM's security agenda and the pursuit of soft and non-traditional approaches to security cooperation. Chapter 4, authored by Silja Keva, continues the discussion on ASEM's political dimension, paying specific attention to the role of human rights in the dialogue. The EU has continuously promoted the respect for human rights, democracy and the rule of law as priorities for its political dialogue with Asia. Nevertheless, Europe is still occasionally accused of attempting to impose Western standards, values, and notions of governance on Asian countries. Taking the Burma/Myanmar controversy as a case study, Keva looks at the impact of human rights on the overall dialogue. After analyzing the discrepancies between European and Asian positions, she examines the role of the Helsinki Summit in achieving a rapprochement between both regions over this issue.

Chapter 5 deals with ASEM's "third pillar", composed of dialogue and cooperation on a variety of issues in other fields such as socio-cultural initiatives, and people-to-people and educational exchanges. ASEM-initiated endeavors to address cultural issues, such as the Conference on Cultures and Civilizations and the Interfaith Dialogue, have a crucial importance in developing "ASEM soft power" and, with a view to the future, are often seen as the pre-eminent fields that can display "ASEM's added-value" as they are also entrenched in the sphere of soft security. At the same time intercultural interaction in the ASEM framework can be seen as a domain where cultural meanings, identities and representations are produced. The chapter focuses in particular on the ramifications of fluid European representations of "Asia" and ASEM's "Asian" approach as a means to build the EU's identity.

In Chapter 6 Silja Keva explores the involvement of civil society as an important stakeholder in the process. She argues that Helsinki played an important role in fostering ASEM's "human face" and in decreasing its "democratic deficit". The analysis homes in on the way in which ASEM6 has strengthened the bottom-up dimension of the process, and on the closer stakeholder alignment to the official process.

Chapter 7 examines ASEM's "institution-building" function and looks into the mechanisms, infrastructure and working methods that have been chosen for the

dialogue forum. What are the consequences of the modus operandi chosen to achieve those goals on ASEM's position within the EU's internal system? ASEM's open, transparent, informal and un-institutionalized nature tends to obscure the highly formalized managerial process and intricate coordinating structure which sustains the process. The analysis focuses on the interregional summits and meetings, the regional coordination processes which precede them, and the intergovernmental initiatives which they generate. The analysis also focuses on another product of these meetings, namely policy documents and political declarations on specific issues. Lastly, the implication of the regional membership rules on the enlargement of the partnership will be scrutinized.

Chapter 8 by Teija Tiilikainen shifts the emphasis to ASEM's position within the overall workings of the European Union. The chapter explores its "agenda-setting" function, and looks at the "atypical" position it takes within the EU's external relations. From the European point of view, many of the challenges ASEM faces are linked with its ambiguous character as a cooperation structure: ASEM is in the first place centred on intergovernmental, state-to-state dialogue, but at the same time displays features of interregional, group-to-group contact. Furthermore, ASEM is mainly seen as an ancillary structure, aiming to facilitate progress in other frameworks or fora. The chapter explores the following themes: the position of ASEM in the Union's external relations compared to other, formal fields of interregional cooperation; the tension between the formulation of a common policy and the different emphases placed by member states; and the possible ramifications of a future European constitutional treaty.

Chapter 9 first examines the most recent developments by taking a closer look at the ASEM6 Summit held in Helsinki in September 2006. It will discuss the three most important outcomes of the summit, which serve to shape the future course of the dialogue framework. The chapter argues that the Helsinki Summit has set important benchmarks en route to China's hosting of ASEM7 on 24 and 25 October 2008.

The concluding chapter summarizes the findings of the preceding chapters and scrutinizes the accomplishments of ASEM-interregionalism for the EU. The book finishes by exploring the prospects of ASEM's role in the EU's strategic policy for Asia and hinting at possible future directions and opportunities.

## Chapter 1

# ASEM's Background and Rationale

Bart Gaens

In 1997 former French Foreign Minister Hervé de Charette referred to Asia as Europe's new common frontier.<sup>1</sup> Expectations have even been formulated that EU-Asia relations should grow into the "third pillar of the EU's foreign policy", along with the internal focus on Europe and its neighbors, and the transatlantic dialogue.<sup>2</sup> These images echo the EU's ambition to establish itself as a unitary actor in the Asian region. They also reflect the internal awareness and official recognition which was already at the source of the 1994 "New Asia Strategy", namely that Asia's economic and political importance had increased dramatically on a global scale. The 1994 landmark policy document issued by the European Commission emphasized the necessity and the political will to engage more actively in the Asian region. The Asia-Europe Meeting, created in 1996, was seen as the prime tool for putting theory into practice. Marking a fresh start in EU-Asia interregional relations, ASEM was expected to re-establish the ties and stimulate interaction in the first place through a dialogue between the two regions as equal partners. This chapter takes a closer look at the historical background, underlying motivations, and birth of the Asia-Europe Meeting primarily from a European perspective. The aim of this review is, first, to situate the creation of ASEM within the formative process of the European Union's strategy for the Asian region. The second aim is to outline the European expectations for ASEM as a new tool for interregional relations. An analysis of policy papers, documents and communications issued by the European Commission and the EU Council, and Parliamentary debates and resolutions related to the Asia-Europe Meeting will clarify the EU's priorities and principles in the context of its foreign policy. Most importantly, it will allow an assessment of the "ASEM performance measurement", conducted in the following chapters, in the light of the expectations and anticipated results on the European side.

### Europe's rediscovery of Asia in the early 1990s

The Asia-Europe Meeting was the outcome of a new perspective on the Asian region in the post-Cold War period. Consensus arose in Europe as well as in Asia that a

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1 He used the phrase in January 1997 ahead of the EU-ASEAN and ASEM Foreign Ministers' Meetings, which were held back-to-back in Singapore between 13 and 15 February 1997 (*European Voice* 30 January 1997).

2 As envisaged during a debate in the European Parliament on the ASEM Process, 12 June 2001.

strengthening of the ties between the two regions was long overdue. The three decades following the end of the Second World War were marked by Asian decolonization and the withdrawal of European powers from the region, which resulted not only in a shift in political focus and military commitments, but also in a loosening of economic and commercial ties (Bridges 1999, 18). During the remainder of the Cold War era Asia remained outside the European Community (EC)'s primary scope of interest. Instead, the EC member states placed prime emphasis on their internal post-war recovery process, the development of European integration, the promotion of markets of slow growth, and relations with the US. It was only after the 1970s that bilateral relations arose between the EC and East Asia, grounded in trade and cooperation agreements<sup>3</sup> and accompanied by a gradual establishment of European Commission delegations to Asia.<sup>4</sup> At the same time, Japan's dynamic growth from the mid-1970s onwards increasingly posed a challenge to the EC. The impressive growth of the Newly Industrialized Economies (NIEs: Korea, Taiwan, Hong Kong, Singapore) since the early 1980s marked the shift from development cooperation to economic competition. The success of the "New Tigers" (Malaysia, Thailand, Indonesia, China and the Philippines) and the gradual increase of intraregional trade and investments in East Asia further intensified Asia's economic growth in the 1980s, making it the most dynamic region in the world. The dramatic changes in the international system taking place in the late 1980s and early 1990s marked a turning point in relations between the European Community (EC) and Asia. The collapse of the Soviet Union and the end of the Cold War signified the end of the notion of a bipolar political power structure. While the US remained as the only "superpower", countries such as China and India emerged as strong players, while regional groupings such as ASEAN gained strength, and the world order became increasingly complex as economic power and other forms of "soft power" gained importance.

For a long time Asia did not constitute a priority area for EC trade policies, but at the same time it had become an increasingly attractive market for European trade and investment, joint ventures and networks. Japan emerged as the first of the Asian economies to compete with European economies. Although characterized by Japan's trade surplus with Europe and trade conflicts, the linkage between the two has been the strongest of all bilateral relations between the EC/EU and East Asia. While Japan remained the EC/EU's most important trading partner during the first half of the 1990s, the other Asian HPAEs (High-performing Asian Economies: Hong Kong, Korea, Singapore, Taiwan, China, Indonesia, Malaysia, Thailand) also commanded attention, especially after a World Bank Report singled out East Asia as the locus of remarkable economic growth. The report quoted private domestic investment and rapidly growing human capital as the main explanatory factors behind the "East Asian Miracle" (World Bank 1993). Gradually Japan's position as the dynamo of trade in Asia was overtaken by ASEAN and China. After the

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3 The EC signed Trade and Cooperation Agreements with China in 1978, with ASEAN in 1980 and with Japan in 1991.

4 The establishment of a Delegation to Japan occurred in 1974, followed by Thailand in 1978, China and Indonesia in 1988, the Philippines in 1990, and Hong Kong in 1993.

normalization of the EC/EU-China relations in the early 1990s, bilateral trade continued to increase, making China by 1994 the EU's second most important trading partner (Maull 1997, 174-5). In the early 1990s China revealed interest in integration into the world economy by expressing the desire to return to GATT and implementing a series of reforms. It became clear to the EU that including China in the multilateral trading system would be essential for factors related to market access, intellectual property rights and reduction of distortions (Pelkmans 1997, 16). The EU in fact presented itself as a strong promoter of China's integration into the world trading system, as can be seen in the support for China's WTO accession in the late 1990s (Dent 1999a, 144).

Europe's "rediscovery of Asia"<sup>5</sup> during the early 1990s was therefore rooted in the first place in the growing awareness of the region as an awakening economic world power. The opportunities this embodied and, at least as importantly, the potential threat this posed to local industry, served as a wake-up call for Europe. In economic terms the global structure came to be described in terms of "tripolarism", or the idea that the world is driven by three major blocs, based on economic competitiveness as a source of political power. Since the 1970s, the EC/EU, the United States, and Japan had been the three powers that had exerted significantly greater economic weight than other groupings. After the Asian "economic miracle" and the rise of the East and Southeast Asian economies, accompanied by the surge in market-led regionalization in the region, East Asia replaced Japan in the tripolar economic world order. Economic success gave leaders from the Southeast Asian countries in particular the confidence to extol the East Asian region's leading role in the global economy. ASEAN leaders such as Goh Chok Tong reiterated that while institutional links between North America and Europe, and between North America and East Asia were flourishing, the link between Europe and East Asia in this tripolar economic world was missing (see for example Goh Chok Tong 1994, 18). Strengthening the Europe-Asia bridge by establishing a "partnership for growth" between the two regions would lead to more stable and integrated global economic relationships (Goh Chok Tong 1995a; 1995b). In Europe this rhetoric was embraced in the first instance by France. French President Jacques Chirac repeatedly emphasized the weakness of the third side of the triangle in economic terms, often connecting it to the immense scope of opportunities for France to develop its economic, financial and trade relations in East Asia.<sup>6</sup> The European Commission subsequently repeated the reference to the perceived weak Europe-Asian relations in contrast to strong transatlantic links and transpacific links in its working document "Perspectives and Priorities for the ASEM Process" (European Commission 1997b), while extending it to the political and cultural fields.

Yet, this tends to underestimate the strength of trade relations between Europe and East Asia. Trade figures indicate the strong continuous growth of trade (see Table 1.1). European exports to Asia rose by an average annual 11.9 per cent, whereas

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5 The phrase was used by Thai Prime Minister Banharn Silpa-Archa in his speech at the opening session of ASEM1 in Bangkok, 1 March 1996.

6 See for example his press conference on 2 March 1996 during the first ASEM Summit.



imports from East Asia grew by 9.7 per cent on average per year in the period 1980-1994 (Hilpert 1998, 58). Between 1980 and 1990 the share of the future “Asian ASEM countries” in the total EC trade more than doubled. In 1991 trade between Western Europe and Pacific Asia for the first time even surpassed transatlantic trade, attesting to the wide underestimation of the importance of European-Asian economic relations (Hilpert 1998, 55-57). By 1994 Asia as a whole accounted for 23.2 per cent of the EU’s external trade, making it the Union’s largest trading partner (*European Report* 13 January 1996).

**Table 1.1 The EU’s external trade trends with selected partner countries in Asia (1970-1995) (total trade: imports + exports, in bn ECU/Euro)**

Year	China	Japan	South Korea	India	Singapore	Malaysia	Indonesia
1958 EU-6	0.4	0.2	0.0	0.5	0.0	0.2	0.3
1979 EU-9	3.4	14.3	2.9	3.8	2.2	2.5	1.9
1981 EU-10	4.2	21.8	3.4	5.3	3.4	3.2	3.1
1986 EU-12	10.7	44.6	7.4	8.1	4.9	3.5	3.5
1995 EU-15	41.0	87.2	23.2	17.2	19.7	17.1	12.0

*Source:* Eurostat (External and Intra-European Union Trade. Statistical Yearbook Data 1958-2005)

At the same time, however, the relative share of European exports to Asia dropped markedly between 1970 and the early 1990s. The percentage of imports in Asia emanating from the EC/EU had fallen from 25 to 15 per cent between 1970 and 1996. As pointed out in *The Economist* (2 March 1996), the decline in Euro-Asian trade is therefore only a relative decrease, not an absolute one. In absolute terms trade with Asia continued to show constant and fast growth. What did change dramatically was the volume of intra-Asian trade, which surpassed the volume of interregional trade as early as 1995, and eventually resulted in the 10 per cent relative decline of Europe’s share in Asia’s imports.

The same holds true for FDI. While European stocks and flows of FDI grew rapidly during the period 1985-1993 in absolute terms, their relative importance for Asia showed a sharp decline. At the end of the 1980s and the beginning of the 1990s Europe held a weak position both as investor in East Asia and as receiver of Asian FDI. Of all foreign investment by EC member states in 1992 (ECU 17.7 billion),

only 7 per cent (1.28 billion) went to Asia, according to Eurostat, with comparable figures for 1993 (*European Report* 17 February 1996). Yet, even though the EU's share in FDI flows to Asia was relatively small, European investment in South-East Asia in 1992, for example, increased by 87 per cent compared to the previous year (*The Economist* 2 March 1996). Between 1986 and 1992 the EC invested as much in Asia as the US, and European FDI especially picked up pace in the late 1980s. But here again the volume of European FDI appears small compared to intra-Asian FDI, and in relative terms even showed a steep decline (between 1986 and 1992 only 10 per cent of the region's FDI originated in the EU). Table 1.2 shows how FDI stocks more than tripled and FDI flows increased more than fivefold in value, but reveal a relative decline of almost 25 per cent and over 11 per cent respectively, which again can be attributed to the rapid increase in intra-developing Asia investment.

**Table 1.2 FDI by the European Union in developing Asia**

*Stocks of FDI 1985 & 1993 (in million US\$)*

1985		1993		'85-'93	'85-'93
Value	Share of total FDI	Value	Share of total FDI	Growth in Value	Decline in Share
9,058	17.2%	29,846	12.9%	329%	-24.9%

*Flows of FDI 1985-1987 & 1990-1993 (in million US\$)*

1985-87		1990-93		'85-'93	'85-'93
Value	Share of total FDI	Value	Share of total FDI	Growth in Value	Decline in Share
679	11.8%	3,501	10.5 %	516%	-11.7%

*Source:* Investment Promotion Action Plan (IPAP) Annex 2: Overview of Asia-Europe Investment Trends (29 July 1997) (based on UNCTAD statistics)

Increased Asian investment in Europe from regions excepting Japan and South-Korea (which already had investment interests in Europe at an earlier stage), only started picking up in the early 1990s. FDI flows from developing Asia into Europe increased more than eightfold when comparing figures for 1989-1991 and 1992-1994 (see Table 1.3). But again the importance of this figure is relative: the EU's share in the total FDI from developing Asia was only about 5 per cent, while only 3 per cent of European FDI went to Asia in 1995 (UNCTAD 1997; *European Report* 1 March 1997). In the period 1992-1994 only 1.6 per cent of total EU FDI inflows emanated from developing Asia.

**Table 1.3 Average FDI flows from developing Asia into the EC/EU  
(in millions of US\$)**

	<b>Total inflows</b>	<b>Inflows from Developing Asia</b>	<b>Share</b>
<b>1989-1991</b>	71,711	100	0.1%
<b>1992-1994</b>	52,597	864	1.6%

*Source:* UNCTAD (1997)

In addition to the “miraculous” economic growth of certain Asian countries and Europe’s declining relative share, the development of a proactive US economic policy in the Asia-Pacific and the ensuing creation of the Asia-Pacific Economic Cooperation (APEC) in 1989 further fuelled fears of missing out on the opportunities provided by the Asian economic boom. APEC therefore added to the sense of urgency for Europe to re-establish deeper links with countries and groupings in the Asian region. The US was much faster than Europe to react to the need for global recognition of the Asian economic weight. The EC at first largely ignored the transpacific cooperation which, because of its loose, non-institutionalized nature, was deemed to have neither strategic nor long-term significance. However, the proactive attitude taken by the Clinton Administration toward Asia Pacific led to fears of APEC becoming a preferential trading bloc that would shut the EU out of its markets. The rejection of the European application for observer status increased the pressure for the EC to create its own links with Asia (Yeo 2003, 14; Pelkmans 1997, 23-25; see also Dent 2003, 227-229). There was growing awareness of the need to increase European economic presence in the Asian market in order to maintain a leading role in the world economy. The Asian economic boom, and the recognition that “the USA was way ahead of Europe in exploring and exploiting the possibilities opened by this development” (European Parliament – Committee on Foreign Affairs, Security and Defense Policy 1999) was certainly already at the back of the European mind in the early 1990s and contributed to the formulation of a comprehensive strategic policy directed toward Asia.

### **Germany as a trailblazer and the influence of the “Asienkonzept”**

It was at the member state level that the awareness of chances and challenges posed by the rise of Asia crystallized most clearly. Member state interaction with Asia during the 1980s was colored primarily but not exclusively by former colonial links. The economic rise of Japan and the resulting trade surplus with the EC had furthermore led several European countries to launch initiatives to promote trade with and investment in Japan. The UK was the first and most active of the EU member states to raise awareness of business opportunities in Japan. The British government successively launched the “Opportunity Japan” (1988), the “Priority Japan” (1991), and the “Action Japan” (1994) campaigns aimed at promoting business in Japan.

These campaigns were seen as highly successful and instrumental in greatly enhancing UK exports to and investments in Japan. Their success instigated other member states such as France and the Netherlands, as well the European Commission to follow suit. The European Commission's "Gateway to Japan" campaign of 1994 was an attempt to build synergies between the national efforts and Community-level approaches (Bridges 1999, 29).

But more than any other member state it was Germany, without extensive former colonial links with the region, which pushed for the creation of an overarching Asia vision at the EU level, with an outspoken emphasis on relations of commerce and trade. The German "Asienkonzept" of 1993 (Deutsche Bundesregierung 1993; Deutscher Bundestag 1993) functioned as a blueprint for the creation of an overarching Asia vision for the EU. The collapse of the Soviet Union had, in the first place, brought the hitherto geopolitically distant Asia closer to home, and the end of the Cold War forced a new strategy *vis-à-vis* the new "neighbor". The growth potential of the Asian markets and the excellent prospects of the Asia-Pacific region heralding the advent of a "Pacific Century" was a second, even more significant factor (Bundeszentrale für politische Bildung 2002). In the words of Chancellor Kohl, Germany aimed at "the intensification of economic relations with the largest growth region in the world" (Bundeszentrale für politische Bildung 2002). German attention was focused primarily on Japan, with whom it already entertained close relations, but also on China, especially because after the political crisis of 1989 Deng Xiao Ping had put the country back on a more liberal course since the early 1990s, and normal bilateral relations had resumed. The German government was one of the first to support the loosening of sanctions after the Tiananmen massacre, implementing a mercantilist approach in order to secure contracts for German companies (Maull 1997, 471). The visit by Chancellor Kohl in early 1993 to five Asian states was both a symbol and the actual starting point of the creation of the Asia strategy, which already appeared in the fall of the same year. The "Asienkonzept der Bundesregierung" emphasized the political and economic importance of the region for Germany's future as follows (Deutsche Bundesregierung 1993):

The Asian-Pacific region will have excellent prospects in the 21<sup>st</sup> century. Politicians and the business community must take account of this. An active policy towards Asia and the Pacific is in our current political and economic interest. It will also help secure Germany's future. It is an indispensable element of a global policy geared towards ensuring peace.

The pursuit of commercial interests was central to Germany's "Asienkonzept", as is obvious from the concrete follow-up measures that were taken to heighten the German economic presence in Asia. These included the creation of an Asia-Pacific Committee of German Business and Industry (APA, "Asien-Pazifik-Ausschusses") in 1993 in order to coordinate and promote the concrete private German enterprises in Asia, and the organization of regular Asia-Pacific conferences aimed at improving coordination among the relevant ministries and institutions. Further emphasis was placed on German-Asian cooperation in the fields of science and technology, the environment, telecommunications, development, education, culture, as well as political and security dialogue.

The German Asia-concept also had important ramifications for the larger EU framework. The strategy was intended to function as a signal to the outside that higher priority should be given to the Asia-Pacific region. The development of relations between the EC and the countries and regions of the Asia-Pacific had to be at the basis of an active policy geared toward the conclusion of “third-generation cooperation agreements”. Germany therefore advocated the use of existing channels and institutions through which this increased cooperation in diverse fields between the EC and Asia should be achieved. Concretely, the German policy document called for the development of an equal partnership between the EC and the countries and regions of Asia and the Pacific through ASEAN (“the EC’s longest-standing cooperation partner”), and emphasized the need to increase the EC’s influence on APEC as the main “coordinating body for one of the world’s most important economic regions” (Deutsche Bundesregierung 1993). The promotion of human rights, on the other hand, played only a minor role in the strategy, which was also characteristic to the German pragmatic attitude in its dealings with China for example (Wong 2005, 3).

The conclusions of the Asia-Pacific Conference of Ambassadors of 24 January 1994 furthermore clearly show that, in addition to the promotion of national interests in Asia, Germany also emphasized the need for a joint European policy in order to achieve success in the region, and the necessity to complement bilateral efforts with cooperation at the EU level (Asia-Pacific Conference of Ambassadors 1994, §9):

From the German point of view a strong European component is indispensable for an active policy towards Asia. We will only be successful in Asia if we present them increasingly with joint European positions. As Europeans we will only be successful in economic terms if we show more consideration for one another.

In effect the German “Asienkonzept” served as a model for the EU’s own Asia-policy document “Towards a New Asia Strategy”, and both its conception and endorsement took place during the German presidency. Placing top priority on foreign policy targeting Asia, Germany pulled its EU partners along in aiming for the expansion of trade with and investment in Asia in order to ensure Europe’s competitiveness, and prompted the European Commission to propose its own EU strategy toward Asia (see *International Herald Tribune* 23 September 1994). In particular the emphasis on the multi-level approach is similar to both documents: the Asia strategy aims to tighten contacts with Asia on multiple levels (from the Heads of Government and Ministerial level, parliaments, entrepreneurs, opinion-leaders and academics), in multiple fields (economic, political/security and other fields), at both the national (member state) level and the overarching EU level, through cooperation with both individual states in Asia as well as with subregional groupings. The emphasis in both documents was clearly on commercial relations, and also the means of achieving a more active policy toward Asia was similar, namely the preservation and expansion of proven contacts and instruments. The German presidency of the EU Council during the second half of 1994 furthermore regarded the promotion of internal European coordination with regard to Asia and the strengthening of relations between the EU and Asia as focal points. The German pursuit of economic interests in Asia effectively “pushed the EU toward Asia” (*International Herald Tribune* 23

September 1994), and place its strong stamp on the EU-ASEAN Foreign Ministers' Meeting in Karlsruhe in September 1994.

### **The European Union's New Asia Strategy**

Similar to its German predecessor, the EU's New Asia Strategy (European Commission 1994) was premised on the impact that "the rise of Asia" would have on the global balance of economic power and, consequently, on the EU's role. The "economic miracle", swift industrialization and impressive growth in East Asia primarily led to the European projection that the region might transform itself into one of the most prosperous areas in the world by the year 2000. Asian GNP was extrapolated to grow on average by 44 per cent between 1990 and 1995. According to the forecast in 1994 of the New Asia Strategy:

By the year 2000, the World Bank estimates that half the growth in the global economy will come from East and Southeast Asia alone. This growth will ensure that by the year 2000 one billion Asians will have significant consumer spending power and of these, 400 million will have average disposable incomes as high, if not higher, than their European or US counterparts. (...) The Union needs as a matter of urgency to strengthen its economic presence in Asia in order to maintain its leading role in the world economy. (...)

The Commission underlined that the economic growth of Asia and the new political importance it brought with it should be seen as opportunities for Europe and not as threats. Asian countries had often been regarded as competitors causing high unemployment in Europe or as producers of cheap products. A new understanding had emerged that Asian investments should be attracted to Europe as a remedy for unemployment and a tool in the reconstruction of Eastern Europe. If the EU wished to maintain its leading role in world economy and politics, it would be crucial to grasp these opportunities, assign a higher priority to Asia, and raise the EU's profile in the area. The strategy highlighted the need for proactive strategies in order to achieve fuller and more targeted economic cooperation to promote EU trade and investment. The new economic cooperation with Asian countries was to focus (albeit not exclusively) on the newly emerging Asian markets, and the EU needed to take an active interest in integrating those Asian countries that were in the middle of structural economic reform (China, Vietnam and India) into the open, market-based trading system.

In addition to economy, the Strategy placed emphasis on cooperation in the political field. The EC's own historical integration required an inward-looking and even protectionist attitude at times. Also the post-Cold War political and economic realignments in Central and Eastern Europe compelled the EC to concentrate more and more on its own surroundings. When the EC did take an outward-looking stance, its priorities did not lie in Asia. As a rule the EC's interests were mainly situated in the transatlantic relations, in EFTA and to some extent in the Mediterranean. The pre-1992 division of labor between the EC and its member states – in particular in the field of external relations – also complicated strategic policy formation (Pelkmans 1997, 13-14). In the late 1980s and early 1990s the European Community undertook

several actions for deepening integration. The completion of an integrated internal market was inaugurated with the Single European Act in 1986, and continued with the Economic and Monetary Union (EMU) and common currency that were included in the 1992 Treaty on European Union (Maastricht Treaty). The Maastricht Treaty also introduced the Common Foreign and Security policy (CFSP), a significant change in the level of ambitiousness of foreign policy cooperation. The new vision echoed the realities of the new world order where separating economy and politics was no longer possible (Yeo 2003, 11). The Asia Strategy therefore also emphasized the EC's role as a political actor in the region, in particular with regard to the promotion of stability in Asia, poverty alleviation, and the spread of democracy, rule of law and respect for human rights and fundamental freedoms. The Asia Strategy connected the EU's Asian policy to the Common Foreign and Security Policy (CFSP), combining the EU's political agenda with economic interests (Palmujoki 2000, 102-103).

The Commission also encouraged the Union to seek a positive contribution to regional security dialogues by following developments in the area closely. The New Asia Strategy noted that Europe could not take the acceptance of European values and customs for granted in Asia. Although both the EU and Asia recognized universal human rights, the manner in which these were adopted and defended was crucial. The EU's strategy was to be based on an appreciation of cultural, economic, social and political characteristics of each country or region. Finally, despite remarkable economic growth, it was foreseen that Asia in the year 2000 would still have the largest concentration of poor people, necessitating coordinated poverty alleviation efforts by the EU and its member states.

The European Council (1994), in its report on the Commission's Asia Strategy, confirmed the need to extend the existing networks of cooperation agreements with the states in Asian and Pacific countries as its main aim. The intensification of the political dialogue was seen as an important means of accomplishing this, especially through dialogue fora such as the ASEAN Post Ministerial Conference and the ASEAN Regional Forum. Enhanced coordination between the Community and the different member states was seen as crucial in order to reduce the barriers to exports and investment in Asian markets and to achieve a stronger economic presence. The European Parliament (1995) adopted a resolution on the Asia Strategy, further stressing the need for more intense and differentiated strategies for the various parts of Asia and with special reference to human rights and the fight against poverty.

Three elements marked the importance and novelty of the "New Asia Strategy". First, the call for a multi-dimensional approach reflected Europe's realization of the need to revise the neglected relationship which, left untouched, would seriously harm Europe's role in the world. Although economy was the main driving force of the strategy, the importance of regional security and political balance of power was recognized. After the colonial period, the EU had neither the intention nor the interest to engage in deeper security involvement in the area. However, the Union does have a stake in the maintenance of peace and security in the area. The EU also encouraged Asia to adopt a stronger role in world politics by stepping up its involvement beyond the region. Second, the new strategy emphasized relations between equals in contrast to the old donor-recipient relationship the EU had entertained with many Asian countries. Asia was to be engaged more and more in the management of international

affairs in a partnership of equals. And third, the conception of a comprehensive approach toward Asia was to be one that made a clear differentiation between the policy instruments employed according to the partner country or group of countries and their levels of development, and which focused resources with maximum impact on effectiveness and profile. The policy instruments referred to included the existing bilateral and regional cooperation agreements; multilateral cooperation (UN, GATT, OECD); trade policy instruments commensurate with the multilateral trade system; development aid; and investment and financial facilities.

An updated version of the EU's Asia Strategy, entitled "Europe and Asia: A Strategic Framework for Enhanced Partnerships" appeared in 2001. Whereas the original Asia Strategy was deeply rooted in economic and trade-related interests, the revised version reflects an increased awareness of the EU as a political actor. The core objective for the EU was therefore defined as follows: "strengthening the EU's political and economic presence across the region, and raising this to a level commensurate with the growing global weight of an enlarged EU." While the new strategy paper differs from its predecessor in the formulation of priorities, it similarly concerns a very broad policy document. In this respect it is important to keep in mind that the Asia Strategies pointed out the overarching, multilayered policy for the Asian region, whereas additional policy papers detailed strategies and initiatives for interregional, sub-regional and country-specific relations. The overarching strategy papers should therefore be viewed in parallel with policy papers for ASEAN (1996), Japan (1995), China (1996), the Republic of Korea (1998), and the ASEM process as such (1997 and 2000). It should be kept in mind that the European Commission favored a "pragmatic approach, based on an individually tailored analysis of its relations with each country or groups of countries" (European Commission 2001d), and that the specific measures included in the Asia Strategy aimed to "help improve relations, in a bilateral framework with each country, but as part of a larger Europe-Asia framework".

### **The creation of the Asia-Europe Meeting and the leading role of France**

Germany took the leading role in the creation of a European Asia Strategy, and made a significant contribution to the improvement of EU-ASEAN relations. However, not Germany but France pushed for the creation of an institutionalized summit-level meeting between Asia and Europe. When Goh Chok Tong, the Prime Minister of Singapore who is generally considered the spiritual father of ASEM, in October 1994 raised the specific suggestion of strengthening Asia-Europe relations through an international forum, he did so in Paris, not Bonn. In a speech at the Institut Francais de Relations Internationales (IFRI), he viewed the new directions in EU-ASEAN relations after the Karlsruhe meeting as the start of a new era in relations between Europe and East Asia. Propelled by the meeting's positive spirit and its "constructive and non-confrontational approach" (Goh Chok Tong 1994), he floated the idea of dialogue at the highest level to forge the link between the two regions in the tripolar economic world. Doing so would make the structure of global economic relationships in the twenty-first century more stable and integrated. Three months



later, at the World Economic Forum in Davos, Goh Chok Tong repeated the idea in a more official form. Goh rallied for support from his ASEAN colleagues and French Prime Minister Balladur offered to rally for European backing. Referring to the European Union's Strategy Paper and its insistence on "a dialogue of equals, with empathy and openness on both sides", Goh officially suggested a Europe-Asia summit to be held 10 to 16 months later at the initiative of ASEAN, which would recognize the possibilities for mutual gain and signal the interest the two regions have in each other (Goh Chok Tong 1995a).

Germany adopted an unreceptive and even hostile attitude toward the idea (Camroux and Lechervy 1996, 443). The German reserved attitude *vis-à-vis* the creation of an interregional Goh's proposition has been criticized as symptomatic of a general European shortsightedness. Despite its goal to achieve a stronger economic and political presence in Asia, Europe failed to see the possibilities of a forum which could effectively implement that goal (Hund 1998, 36). The fact that the proposal to create ASEM was directed to Edouard Balladur rather than to Helmut Kohl, ironically during the German Council presidency, can partly explain the German chancellor's hostility. However, perhaps the main reason should be sought in the approach. Germany placed prime focus on commercial interaction with the states and groupings of the region based on the expansion of existing agreements and networks, both at the bilateral (state-to-state) and group-to-group level (EU-ASEAN). Concretely, Germany was rather in favor of giving higher priority to renewing the 1980 Cooperation Agreement with ASEAN (Forster 2000, 792). In addition Germany was one of the strongest supporters of the community approach to European foreign policy (see Cameron, Ginsberg, and Janning 1995, 17).

France on the other hand pushed for enhanced cooperation at the interregional level, but through intergovernmental cooperation, driven by the urge to contribute to the creation of a multipolar world. As Yeo Lay Hwee (2003, 19) has pointed out, the French had expressed their concerns most clearly about the EU's position in relation to the US, especially after the EU's petition for observer status in APEC was rejected. Balladur's government had already made Asia a priority in 1993 and 1994, referring to the region as the "New Frontier of French Diplomacy", and normalized relations with China early in 1994. Certainly the resonance of French and Singaporean ideas to contribute to global multipolarity, thereby balancing the influence of the US in the Asian region, can explain Goh Chok Tong's rapprochement with the French. Furthermore France's commercial activities in Singapore, including the establishment of a French-Singapore Business Council and the creation of a French Business Centre in Singapore are other underlying factors. The French Government also commissioned Andersen Consulting to conduct a survey of the investment trends in Europe, Asia and the US. The report extrapolated the growing trade and investment flows from and to Asia, predicting that Asia, excluding Japan, was set to overtake Western Europe in the following five years as the most popular destination for foreign direct investment, whilst Asian economies would become the world's main source of FDI flows (*European Report* 17 February 1996). In addition,

the upcoming French presidency of the EU Council offers another, more pragmatic explanation.<sup>7</sup>

It was therefore France that lobbied for European support for a Euro-Asia summit, and, according to the French Ministry of Foreign Affairs, “convinced Europeans and Asians to form a new political partnership between Europe and Asia” (République Française – Ministère des Affaires Étrangères 2005). Just before the first ASEM summit, Jacques Chirac expressed his support for a new approach to Asia, based on mutual recognition (Dorient 2002, 1).<sup>8</sup> France claims credit not only for lobbying in Europe for the necessity of a Euro-Asian Forum, but also more generally for placing its stamp on European Asia policy by its continued emphasis on problem-solving through dialogue (also on sensitive subjects) behind closed doors rather than confrontations and sanctions (Dorient 2002, 176). ASEM allowed just that: the inclusion of dialogue on sensitive topics related to human rights and democracy, but in a manner that could prevent confrontation. Not only ASEM’s philosophy, but also its approach were thereby colored French.

The Council (1995a) responded positively to the initiative<sup>9</sup> in March 1995, and shortly thereafter, on 29 May agreed to make preparations for a “EuropeAsia” meeting at the highest level in Thailand. It emphasized that “in the light of the two reference documents from ASEAN and the European Union, this meeting between Heads of State or of Government should be informal and should offer an opportunity to broach the main economic and political topics of interest to both parties and that it should be a matter for each of the parties to choose its participants”, thereby shaping the informal character and loose agenda of ASEM (European Council 1995b). As part of its resolution on the New Asia Strategy, the European Parliament (1995) welcomed the council’s decision to hold the summit in Thailand in 1996, but stressed that the initiative in cooperation with ASEAN should not be geared solely to the Asian countries which exhibit the greatest economic growth.

During the French presidency, the European Council in Cannes endorsed the plan for a Euro-Asia Meeting on 26-27 June 1995, and formally adopted the document which would serve as the basis for preparing the summit in December of the same year at its meeting in Madrid. The Presidency Conclusions of the Madrid Council describe the Europe-Asia Meeting as “one of the most important initiatives undertaken by the European Union and its member states and ten of the most dynamic countries in Asia” and “an exercise aimed at establishing a new partnership between Europe and Asia that will contribute to the global development of societies in both regions” (European Council 1995c). The proposed agenda outlined by the Madrid Council for the inaugural Bangkok meeting included the following issues:

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7 In a later speech Goh Chok Tong erroneously declared that France held the Presidency of the EU Council when he contacted Balladur (Goh 1995b).

8 At around the same time Chirac announced the permanent closure of its nuclear test site facilities in the Pacific.

9 “In response to the idea of a Euro-Asian summit floated by the Prime Minister of Singapore, the Council stated that it was favourably inclined to the holding of such a summit in the first half of 1996 at the latest.”

- Promotion of political dialogue between Europe and Asia, including matters such as values, UN reform, regional integration, security and non-proliferation.
- Reinforcement of economic cooperation; facilitation of trade, investment, transfer of technology and participation of private sectors; reinforcing the open trading system guided by the principles of the WTO and the concept of open regionalism.
- Promoting cooperation in various fields, such as development cooperation, the environment, cultural and business exchanges, intensified technology cross flows, and the fight against drugs.

The European Commission (1996a; 1996b) thereafter confirmed the three priority areas for discussion listed above, and pointed out that the Asia-Europe meeting (ASEM) in Bangkok was to become “an important milestone in deepening relations between the two regions”. The general aim posited for the first ASEM summit was couched in the broadest of terms: to foster personal as well as professional relationships between the leaders, create a climate of trust and respect, while establishing a dialogue in the political, economic, cultural, educational, scientific and other spheres.

### **ASEM’s value from the European perspective**

ASEM was congruent with the EU’s policy for the entire Asian region. ASEM was not about aid development, but aimed to foster a relation between equals in the spirit of partnership. This “club of like-minded partners” would not offer a forum for negotiating agreements, but its comparative advantage would rather lay in its informality and multi-dimensionality, allowing participants to achieve mutual understanding in “sensitive” areas (Santer 1998), to promote common interests in global fora and to identify priorities for concerted action in pursuit of these common interests (European Commission 1997b). The forum’s main perceived value for the European Union reflecting the Asia Strategy was furthermore rooted in its multidimensional or multipillar approach, and its possibilities as a policy instrument for complementary and multilevel interaction which ideally had a bearing on other fields and fora of cooperation and interaction.

#### *Multidimensionality*

The ASEM dialogue forum was in the first place seen as a facilitator of trade and investment. Prior to the first Asia-Europe Meeting, the Madrid European Council of 15 and 16 December 1995 outlined the Union position and expectations for the new partnership in economic terms in three points. First, it was anticipated that ASEM could strengthen economic ties through liberalization, lead to an enhanced multilateral discipline within the WTO, and facilitate trade and investment by identifying specific measures. Second, it was expected that ASEM could reinforce the open trading system, guided by the principles of the WTO and the concept of open regionalism,

while condemning unilateralism and placing emphasis on the completion and full implementation of the Uruguay Round. Third, ASEM was projected to facilitate trade and investment between the two regions in order to improve bilateral trade relations, in consultation with the business community. ASEM's potential to enhance economic and commercial interests was echoed in the European Parliament. The relatively small share in Asian trade and FDI certainly played an important role in shaping expectations for the Asia-Europe Meeting as, according to the European Economic and Social Committee, the summit could "be a unique opportunity to relaunch a European presence in one of the world's most dynamic areas which has vigorous economic and technological growth" (European Economic and Social Committee 1996, 31). The same EU document also provides a closer insight into other motivations for economic rapprochement with Asia. "The increasing Asian threat to European industry" certainly needs to be taken into account. Furthermore, the strengthened regional and global role of Japan and China and the weight they imposed on ASEAN countries was another development that prompted action on the EU side. Especially the developing ASEAN economies provided the opportunity for the EU "to have a positive influence on the 'drive for maturity' of countries which are beginning to take off with a significant, but unexceptional, average growth rate, and to re-establish a preferential relationship with Europe." ASEM was seen as a tool to explore all these trends by, in the first place, providing "the missing point of contact between the EU and Asia".

The European Commission, representing the economic interests of the Union, has always emphasized ASEM's complementary character, rather than seeing it as a tool to directly negotiate trade deals. As pointed out in Chapter 8, the EU makes use of treaties to negotiate relations with different countries and regional groups. The Commission's Market Access Strategy (1996c), which appeared just before the first ASEM summit, emphasized the need for global open markets worldwide in order for European firms to compete on equal terms and to secure faster growth as well as more rapid job creation. Market opening could be pursued through bilateral means (*vis-à-vis* individual trading partners) or through multilateral avenues (in the first place the WTO). Given its informal character, ASEM, then, should be seen as a complementary tool to identify obstacles to market access and identify trade barriers in the bilateral arena, to discuss convergence on global trade and investment rules, or to facilitate negotiations in the WTO or the OECD.

In addition, ASEM's multidimensional approach would ensure that cooperation did not remain limited to trade and investment facilitation, but would be extended to interaction and dialogue in the political and social/cultural fields. An intensification of high-level political dialogue, and cooperation in the social and cultural fields, were regarded as equally important and reflect the European agenda for ASEM. Awareness had arisen that the European commerce-based opportunist approach to Asia had to be replaced by a more balanced strategic view also covering political and security issues (*The Economist* 2 March 1996). In the political arena, ASEM was expected to create a convergence of views on security and development issues and in the fight against poverty, disease and international crime (European Commission 1996b). The EU therefore also aimed to enhance security and stability and balance the power relations by promoting interaction between the different actors in the region,

in particular with the involvement of China in mind. As a non-military power, the EU could furthermore achieve results in the area of conflict prevention and “soft security”. The political dimension also offered possibilities for the EU to advocate and promote the principles which it deems important such as human rights, democracy and the rule of law. The export of these values through foreign policy became the cornerstone of a new agenda after the Maastricht Treaty furthered the EU’s political actorness. The growing influence of the European Parliament in particular led to “conditionality” and permitted the respect for human rights to take center stage as a core element of all cooperation and dialogue. The European Parliament’s Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (2001), for example, called for any progress in the economic dialogue to be accompanied by progress in the political dialogue, and that an evaluation of the progress made would be included on the agenda of every summit. A 2002 document issued by the same committee stressed the need to establish the “universal principles of the rule of law and fundamental freedoms” as the only solid basis for economic and social development. East Asian countries which have shown clear progress in the field of democracy and human rights should receive priority and be positively discriminated (European Parliament – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy 2002).

ASEM’s multipillar approach, then, derived from the European input to the agenda preparation for ASEM1 and reflected a more consistent foreign policy after the Maastricht Treaty. At the same time, limiting ASEM to economic policy would have made the European Commission the central player, as it has the competency to act on behalf of the European Union in pursuing the common interests in the economic (Pillar One) area. The inclusion of a political dialogue in ASEM ensured a stronger role for the EU member states, since a Common Foreign and Security Policy is part of more formal intergovernmental cooperation.

### *Complementariness*

ASEM furthermore offered a comprehensive framework which had the potential to complement existing channels. ASEM would serve as “a political catalyst for achieving mutual understanding and enhanced awareness through dialogue”, rather than as a substitute for other bilateral and multilateral fora linking Asia and Europe (European Commission 1997b). ASEM provided an instrument to extend interaction at the interregional, state, as well as non-state levels. At the regional level it could first of all offer tools to achieve progress in revitalizing cooperation with ASEAN. In fact ASEM’s format offered a substitute for renegotiating the EU-ASEAN Cooperation Agreement (Forster 1999, 753). Following the Commission’s drafting of an Asian strategy for EU member states in July 1994, a summit meeting of foreign ministers of the EU and ASEAN was held in Karlsruhe in September 1994 under the co-chairmanship of Germany and Singapore (ASEAN-EU 1994). ASEAN<sup>10</sup> has been

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10 Indonesia, Malaysia, the Philippines, Singapore and Thailand formed the Association of Southeast Asian Nations (ASEAN) in 1967. Brunei, Vietnam, Cambodia, Laos and Burma joined at a later stage, resulting in a regional cooperation structure of ten members by 1999.

regarded as a gateway to Asia, and has been the primal focus of the EU's attention in the first place because, as the only "homogenous multilateral negotiating partner for the EU in the Asian region" (European Economic and Social Committee 1996), it presented possibilities for group-to-group cooperation. The EU has advocated a stronger Southeast Asian region, as it would ensure stable and profitable relations with the EU, but moreover create a balance in Asia-Pacific through the containment of excessive dominance by China and Japan. But also in order to counterbalance APEC, an intergovernmental forum that formed a powerful source of attraction for ASEAN countries, the EU was compelled to help enhance the regionalization process, first, by providing know-how and aiding ASEAN to set up a free trade zone and an open market, and second, by supporting the setup of a more structured institutional framework (European Economic and Social Committee 1996). The Karlsruhe EU-ASEAN Foreign Ministers' Meeting of 1994 failed in its attempt to revise the 1980 Cooperation Agreement, in the first place because of the EU's increased emphasis on the human rights agenda.<sup>11</sup> Nevertheless, the meeting was highly important in bringing both parties closer together, through the constructive and non-confrontational approach promoted by the German hosts. The so-called "Spirit of Karlsruhe" is even quoted as forming the basis, model and impetus for the development of the ASEM process parallel to the EU-ASEAN dialogue. The ministers agreed that ASEAN should remain the cornerstone of the EU's interaction with Asia. This was seen in Southeast Asia as confirmation of the EU's acceptance of ASEAN as a partner to help it expand European economic and political presence in Asia-Pacific (Goh Chok Tong 1994, 17). Yet the new dynamic was insufficient to lead to a new agreement, and eventually resulted in the European realization that a declaration and an action plan were the highest achievable goal (Forster 1999,

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Informal relations between the EC and ASEAN date back to 1972, but an initial formalization of relations occurred in 1977, followed by the inaugural ASEAN-EC Ministerial Meeting (AEMM) held in 1978. The signing of the first formal ASEAN-EC Cooperation Agreement took place in 1980, during the second AEMM. Even though an ASEAN-EC Business Council was set up in 1983, ASEAN ranked low on the hierarchy of EC priorities until the late 1980s. Nevertheless, the ASEAN market accounted for approximately 33 per cent of EC/EU exports to Asia throughout the period 1975-1996 (Pattugalan 1999, 45). Both exports to and imports from ASEAN countries roughly tripled between 1985 and 1991, and this led to the strengthened idea of an "active partnerships of equals". The EC-ASEAN relationship, marked by dependence of the latter on the former and grounded in ex-colonial roots, transformed itself into an interregional relation based on equality and interdependence. The economic dynamism of the early 1990s was furthermore reflected in the 1992 plan to create an ASEAN Free Trade Area (AFTA) within fifteen years, and also translated into the initiative for the establishment of the ASEAN Regional Forum (ARF) in 1994. As a multilateral security forum the ARF brings together major powers such as the USA, China, Japan, Russia, India, the EU as well as ASEAN. The participation of the EU, represented by the troika in the ARF, clearly shows the desire on the European side to strengthen its political and security ties with the region (Pattugalan 1999, 44).

11 Portugal led the European opposition against the renewal of the 1980 Cooperation Agreement after the human rights abuses in East Timor. See Forster 1999, 751. In a resolution the European Parliament (1997) called on Portugal to lift its objection to giving the Commission a mandate to negotiate a third-generation agreement.

752), as attempts to negotiate a new EU-ASEAN third-generation agreement would inevitably encounter the same obstacles related to Human Rights concerns. ASEM therefore provided the perfect tool to redefine Asia-Europe relations while continuing cooperation with ASEAN. It supplied the means to explore further options for “launching a new dynamic” (European Commission 1996d, 23) in EU-ASEAN relations, and offered hopes that it could provide the two partners “with the impetus to move on to a higher level” (European Commission 1996d, 8).

Secondly, ASEM could enhance bilateral interaction with individual states within the interregional framework. The rapidly expanding market opportunities primarily in the Southeast Asian countries and China, but also concerns over the regional balance of power and the tense relations between the three Northeast Asian countries added to the sense of necessity to promote multilateral cooperation within the wider region. Of all bilateral links with East Asian countries, the EC/EU’s relations with Japan were the strongest, even though they were marked by frequent trade conflicts. Japan was by far the EC/EU’s most important trading partner in the period 1980-1994, accounting for 2.1 per cent of exports and 4.2 per cent of all imports in 1994 (Hilpert 1998, 58). Japan, however, was facing the US as its most significant other in the fields of both trade and security (Nuttall 1998, 174). Also the relation between the EC/EU and the Republic of Korea was marked by trade disputes, but the rise of Korean direct investment in Europe increased the awareness of the country’s potential as an economic partner in the twenty-first century (Dent 1999, 187). The Korean attitude toward the EC/EU before 1996 has been perceived as more forthcoming than Japan’s, and the Republic of Korea has been active in seeking a stronger relationship with the EC/EU. Intensive links between South Korea and the EC/EU took off in 1989 with the establishment of a Commission delegation in Seoul. At the same time nuclear and security issues related to North Korea posed a threat to the broader stability on the Korean peninsula. When China’s economic success became obvious in the 1980s, a first trade and cooperation agreement with the EC was concluded in 1985, and trade and economy remained at the crux of EC-China relations thereafter. After the Tiananmen incidents, the EC imposed economic sanctions, but pressured by industrial and business interests, first France and then Germany loosened sanctions (Maull 1997). A long-term policy paper on China, however, only appeared in 1995, and was prompted by the establishment of the EU’s New Asia Strategy during the previous year. Yet, in practice several political issues such as the Taiwan question, defense and security-related matters, the return to China of Hong Kong and Macau, and last but not least human rights elements led to a wide diversity of European policies on China (Yahuda 1998, 186-187). “Integrating China in the international order” by tightening its links with Europe was certainly seen as another goal that ASEM could help to meet.

ASEM therefore offered advantages for the EU member states to re-establish ties with countries in Southeast Asia, while at the same time engaging or increasing interaction with other countries, including the three Northeast Asian ones. ASEM could assist the EU in pursuing economic interests while contributing to East Asian security and stability by stimulating expanded regional cooperation. It provided the timely and concrete means of re-defining regional interaction by including China, Japan and South Korea and at a later stage possibly India and Pakistan (Forster 1999,

753). As Jacques Santer reiterated in his opening speech at ASEM1, the time was deemed ripe to move toward more profound regional relations that could complement bilateral relations.

In addition to the group-to-group and intergovernmental contacts at the Head of State and Government level as well as at ministerial and official levels, ASEM offered the potential of broadening the dialogue beyond governments by including bottom-up input in the discussions. In the run-up to the first summit, a Commission Communication expressed the EU's eagerness to fully involve civil society, including the establishment of a Europe-Asia parliamentary dialogue and a meeting of business leaders (*European Report* 13 January 1996).

### **Concluding remarks**

The EC/EU's re-discovery of Asia after the end of the Cold War was propelled in the first instance by a sense of urgency to partake in Asia's economic rise and led, in the form of an encompassing Asia strategy, to the expression of the political will to engage more actively in the region. The importance of the New Asia Strategy resided in its positive approach to Asia. It was not just a revision of an old strategy – since there was none – but a statement that recognized the significance of the region and the EU's urgent need to intensify its presence there. The strategy reflected Europe's realization of the need to revise the neglected relationship which, left untouched, would seriously harm Europe's role in the world. As a global actor, the EU realized it held a stake in the maintenance of peace and security in the area.

The Singaporean initiative to create an Asia-Europe forum resonated in leading EU member states, increasingly aware of the economic opportunities in a booming East Asian region. The importance of the creation of the Asia-Europe Meeting lies first and foremost in its symbolic meaning. For the EU it signified the political will of a region intent on increasing its presence as a global actor, to construct a partnership between equals and replace the earlier relationship colored by colonial ties. At the same time ASEM was seen as a tool to smoothen China's integration in the multilateral trading system, and as a potential counterweight against the US dominant presence, symbolized by APEC, in the Asia-Pacific. In spite of the ambitious economic objectives, ASEM was in the first place, quite simply, about getting to know each other through dialogue.

ASEM emerged as a novel but, importantly, not an exclusive instrument to achieve this aim of strengthening dialogue and cooperation with Asia. For the EU, ASEM could effectively complement and support the existing bilateral and regional co-operation agreements, while simultaneously streamlining and enhancing multilateral cooperation. Furthermore, it could allow interaction and dialogue with Asia to be expanded to the political and social/cultural fields. Interregional dialogue for the EU per definitionem includes economic as well as political elements, which means that within the EU first and second pillar mechanisms are involved. The informal dialogue allowed a constructive engagement on sensitive points without letting them obstruct progress. Even though informality and consensus-building precludes negotiations, it was expected to smoothen progress in other multilateral,



interregional or bilateral contexts. Importantly it offered hopes for a revitalization of the EU-ASEAN relationship, while expanding regional interaction to include three important Northeast Asian states.

ASEM's historical backdrop is particularly relevant for an evaluation of the forum's first decade, since, according to historical institutionalism, the institutional choices made on ASEM's creation in 1996 have long-term effects. The tasks and patterns assigned to an institution in the early stages may "lock in", become ongoing and make the institutional agendas potentially difficult to reform (Rosamund 2003, 115-116). ASEM's conception as an "informal forum for dialogue on an equal basis" therefore also influenced the outcomes and achievements, resulting in the ongoing debate on ASEM's effectiveness as an interregional construct and as a tool in global governance.

## Chapter 2

# ASEM as an Economy-oriented Partnership

Bart Gaens

The objectives of further enhancing economic links between Asia and Europe and reinforcing trade and investment flows were fundamental to ASEM's creation. The Chairman's Statement of ASEM's inaugural summit in Bangkok hence referred to the meeting as a milestone in forging a new comprehensive Asia-Europe Partnership for Greater Growth. Ten years later, at the most recent ASEM summit, it was repeatedly stressed that trade between Asia and Europe had increased by 50 per cent in the course of ten years, and that ASEM at present jointly represents half of the world's GDP.<sup>1</sup> A total of 51 initiatives and projects have taken place in the economic pillar under the ASEM umbrella, which is substantially more than in the political and social/cultural pillars. However, more than a decade after ASEM1 it is clear that, while economic relations have continued to show strong growth, ASEM's emphasis on economy has weakened. The economic pillar is said to be in need of revitalization, the lack of progress in economic cooperation is the target of criticism, and the dialogue on trade and economy is in search of new directions. This chapter first reviews the main collaborative efforts that have taken place in the field of trade, investment and economy. It then addresses the main causes of the limited progress in the economic pillar, before looking at possible new directions and shifts in focus.

### **ASEM's achievements as a tool to promote trade and investment**

ASEM1 underscored Asia's emergence at the centre of the world stage as "the growth bandwagon everyone wants to climb aboard" (*Asiaweek* 22 March 1996). The summit was marked by a strong optimism and even euphoria about Asian economic growth, symbolic of Asia's new status in the world order. The gathering offered an opportunity for Europe and Asia to put the colonial past to rest, and to start a trade-centered partnership among equals. The first ASEM summit was therefore "all about trade" (*European Report* 17 February 1996), especially for the Asian participants who saw ASEM as a tool to reinforce the "weak link in the triangle of relations between Asia, North America and Europe". Controversial issues such as human rights and labor standards were carefully avoided to ensure a successful outcome.

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<sup>1</sup> See for example the speech by former Thai Prime Minister Thaksin at the closing ceremony, speaking on behalf of the host country of the inaugural summit.

For the EU, strengthening European economic presence in Asia necessitated closer economic cooperation through mutual support for a stronger multilateral trade system, increased trade and investment relations, and the private sector's active participation.<sup>2</sup>

The outcomes and initiatives generated after the first summit were highly ambitious and promising. The first few years after the Bangkok gathering resulted in a Senior Officials' Meeting on Trade and Investment (SOMTI), a Finance Ministers' Meeting (FinMM), and an Economic Ministers' Meeting (EMM). These led to the concrete realization of an Investment Promotion Action Plan (IPAP), a Trade Facilitation Action Plan (TFAP), and an Asia-Europe Business Forum (AEBF).

#### *The Investment Promotion Action Plan (IPAP)*

The emphasis within the economic pillar was in the first place on investment. A report by the United Nations Conference on Trade and Development (UNCTAD) labeled "Sharing Asia's Dynamism: Asian Direct Investment in the European Union" which appeared in early 1997 further exacerbated the view of Asia as the most dynamic area of the world economy, and reiterated the EU's relatively small share in that development. According to the study, foreign direct investment (FDI) flows from Asia into the European Community increased more than eightfold between 1989-1991 and 1992-1994, but the EU still only represented five per cent of Asian FDI stock in 1995. Europe's trade flow with Asia had outgrown the US's trade, but when it came to investment in Asia the US and Japan were substantially ahead of Europe (*European Report* 28 February 1996). One major motivational factor for participation in ASEM on the European side was therefore primarily the prospect of acquiring a larger share in two-way investment flows between Europe and Asia. According to an EU Declaration adopted in February 1996, the European Commission believed that the ASEM summit would "give Europe and Asia the chance to discuss improved access to trade and investment in each other's markets as well as helping them draw closer on key issues that are likely to dominate world trade in the future, notably global investment rules."

This perspective certainly played an important role in the EU's enthusiasm for ASEM, and the early naissance of an investment-oriented action plan at the interregional level in the ASEM framework, in order to improve the investment climate and to enhance FDI in both directions. The Investment Promotion Action Plan (IPAP), which was drawn up by a government and private-sector working group and adopted at ASEM2, included a promotional and a regulatory pillar. Pillar one aimed specifically at investment promotion, mainly through business conferences, Business Exchange Programmes, and Virtual Information Exchange (VIE). The VIE, launched at the Berlin ASEM EMM in October 1999 and renamed AIO (ASEM Invest Online) in 2001, comprised a website with a collection of links to the websites of national investment bureaus of the respective partner countries.<sup>3</sup> Pillar two was

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2 See Bulletin EU 1/2-1996 Asia (1/10).

3 The ASEM Connect portal site, originally maintained by Singapore and aiming to facilitate cooperation between Asian and European SMEs, is now part of the ASEM Invest

geared towards investment policy and regulation, analyzing investment regimes, commissioning reports on Most Effective Measures to Attract Direct Foreign Investment (MEM), and identifying and overcoming obstacles to investment through a yearly reporting mechanism. An IEG (Investment Experts Group) functioned as coordinators of the IPAP and was tasked with contributing to the implementation of IPAP.

The early stages of IPAP yielded highly promising results. The VIE (AIO) website was set up to promote transparency of investment climates, whereas ASEMConnect aimed to facilitate business cooperation by offering a collection of links to national business directories, consultants, and ministries of economy and trade; the IEG discussed national investment regimes and benchmarked investment policies against the MEM list; and private sector consultation took place to identify obstacles to FDI (see the Chairman's Statement of EMM2 of 1999).

Other IPAP initiatives were less successful. Under pillar one, the ASEM Decision-makers Roundtable was discontinued in 1999 after one meeting because of the lacking active interest of the intended target group, namely the private sector, *in casu* CEOs and top-level executives of large and medium-sized companies. The Business-to-Business Exchange Programme, aimed at enhancing intercultural understanding among managers, also failed because of the weak private sector involvement. The IPAP has furthermore not generated substantial improvements in investment and trade environments. One cause can be found in the differences between European and Asian attitudes toward investment climates. According to a survey conducted in 1997, European business people saw the lack of transparency and fluctuating interpretations of legal regulations, the lack of (intellectual property rights) protection, and legal barriers to entry as major obstacles to investment in Asia. The great majority of their Asian counterparts on the other hand responded that business priorities were situated not in Europe but elsewhere, and quoted prejudicial treatment as the main obstacle. Furthermore, whereas the European industry strongly favored binding investment codes, the Asian business sector was much more divided on this issue.

Different Asian and European approaches also marked the IEG, responsible for supporting SOMTI activities and implementing the IPAP. Julie Gilson (2004b, 71) has referred to the IEG as a "dialogue of the deaf", since the Asian side tended to send investment promotion representatives with the aim of attracting inward investment, whereas the Europeans insisted on sending regulators in order to address the legal framework and transparency of agreements for investment. Most importantly perhaps, a mechanism which could lead to more binding guidelines is absent in ASEM. The IEG completed three two-year term mandates, but at the last meeting (IEG7, Paris, 5 June 2003) the experts addressed the inadequacy of the existing structure and mechanism for supporting activities and achieving concrete results. The mandate of the IEG framework was not renewed but replaced by Investment Contact Points (ICP), one or two individual(s) from partner states who are in charge of investment issues. ICP shepherds coordinate ICP activities and report to SOMTI.

The implementation of the identified measures to improve the investment climate in the different ASEM countries, however, is entirely voluntary.

The IPAP is seen as a relevant tool to address obstacles to trade and investment, develop best practices and develop benchmarks applicable to Europe and Asia (Reiterer 2002, 67). However, activity has all but stalled after the termination of the IEG. The ASEM Public Private Partnership (PPP) seminar jointly organized by Japan and France was the only seminar that took place between June 2003 and July 2005 (see the SOMTI10 Chairman's Statement), and the High-level Meeting within the Framework of the EMM (16-17 September 2005) which replaced the Ministerial, hardly made any reference to IPAP at all. More recently, only the China-organized ASEM Trade and Investment Exhibition of September 2005 can be mentioned as an example of activity under the IPAP umbrella, even though the main emphasis was on investing in China.<sup>4</sup> Theoretically the ASEM IPAP has the potential to prepare the ground for discussions in the WTO and to enhance mutual understanding of WTO investment-related issues, but the dearth of tangible progress beyond the outlining of obstacles to inward investment clearly reduces its significance.

#### *The Trade Facilitation Action Plan (TFAP)*

In an important follow-up to ASEM1, an informal Senior Officials' Meeting convened in order to discuss ways to promote economic cooperation, in particular liberalization and facilitation of trade and investments.<sup>5</sup> SOMTI1 agreed upon the Trade Facilitation Action Plan (TFAP), to be formally adopted at ASEM2 in 1998. The outcome was "a non-binding study into areas like customs procedures, standards and conformity assessment, public procurement, quarantine, intellectual property rights and market access in distribution." As TFAP aimed at reducing non-tariff barriers (NTBs) and barriers related to customs, standards and technical regulations, it complements work done in the WTO, as the latter deals with tariff issues. Four "shepherds" (Council presidency and Commission, Korea and the Philippines) prepared a proposal concerning priority issues mechanisms and time frames. EMM2 in October 1999 outlined seven priority areas: customs procedures, standards and conformity assessment, public procurement, quarantine and sanitary and phytosanitary controls (SPS), intellectual property rights, mobility of business people, and other trade activities. Seminars on all the diverse areas took place throughout 1998 and 1999, culminating in a "goals and deliverables" report. SOMTI6 added e-commerce as an eighth priority issue in May 2000.

The Trade Facilitation Action Plan, though non-binding, is often hailed as a major accomplishment of the ASEM process. SOMTI 6 (2000), for example, evaluated TFAP as quite successful, concentrating on seminars and symposia which address business sector concerns (Reiterer 2002, 154; O'Brien 2001, 21). Between 1998 and 2000, ten out of 25 meetings at expert and SOM level were devoted to TFAP (Okfen

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4 The exhibition took place at the same time and in the same exhibition hall as the Ninth China International Fair for Investment and Trade (CIFIT).

5 The first Senior Officials Meeting on Trade and Investment (SOMTI) took place in Brussels on 25 July 1996.

2001, 5). However, the latter is also criticized for failing to achieve substantial results, as it encompasses non-binding directives, and implementation of the guidelines is voluntary and rests solely on “peer-pressure”. In order to realize the goals of TFAP, each partner needs to voluntarily appropriate the necessary means to implement the guidelines. It is therefore maybe unsurprising that initial outcomes of initiatives consisted mainly of meetings and seminars, and reports and recommendations, even though the goals and objectives in each of the priority areas are concrete and fairly ambitious. In October 2000, for example, a “consolidated and prioritized list of the major generic trade barriers among ASEM partners” was compiled, which in itself certainly constitutes a major step forward, yet is useless unless followed up. Other issues, such as the mobility of business people, for example, did not manage to arouse any interest at all among business people themselves, in particular at the AEBF4, and hence did not yield any results. Also the 2002 evaluation shows no signs of progress in this field.<sup>6</sup>

Except for devising a framework with priorities and concrete goals for trade facilitation, the TFAP is, just like the ASEM parent body, intended to be complementary to work done in other fora. Networking and deeper knowledge of mutual regimes can therefore be seen as valuable achievements. Experts in the quarantine and SPS procedures working group for example “considered the Seminar as worthwhile and complementary to the work carried out bilaterally among ASEM partners and multilaterally (WTO).”<sup>7</sup>

The TFAP does not serve as a forum for negotiations, but provides “a venue for exchange of views and work on the implementation of commonly agreed deliverables.” The Korean-Finnish e-commerce initiative, for example, concentrated on user confidence, cyber security and intellectual property rights as main priority themes, and led to a set of recommendations for policy-makers as well as pilot projects on paperless trade and an internet portal. Five meetings have taken place since, and follow-up cooperation has focused on eHealth, eLearning, Spam, Paperless Trading and eLogistics. Preparatory work done in the field within the ASEM framework furthermore led to the successful adoption of the 2005 Copyright and Security Guide for Companies. The collective decision by all ASEM partners, including China, to take action to fight spam nationally and to promote anti-spam efforts in international organizations such as the OECD anti-spam task force can also be seen as an accomplishment of the TFAP.<sup>8</sup>

The initiative aiming at the simplification, harmonization and transparency of customs procedures between Asia and Europe, mainly through the coordinated activities of Customs Cooperation Working Groups, can also be evaluated positively. Ranking under the Finance Ministers’ Meeting (FinMM), the ASEM Customs Directors-General and Commissioners convened for the first time in Shenzhen in June 1996, and established Working Groups on Procedures (the PWG) and on Enforcement (the EWG), which have been meeting annually since 1997. Progress

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6 See TFAP Evaluation of Achievement of Concrete Goals 2000-2002.

7 Evaluation of the ASEM TFAP 1998-2000, May 2000.

8 This followed unilateral European actions in the field (European Commission External Relations 2005b).

has been most visible in the PWG. The Procedures Working Group has formulated the deliverables and concrete goals in the area of customs procedures, and was mandated to implement the TFAP deliverables, for example harmonization of tariff nomenclatures and implementation of the WTO Customs Valuation Agreement (a uniform system for calculating the amount of customs duty). The Enforcement Working Group is currently working on two action plans, “Fight against Fraud” and “Security Facilitation and Border Control Methods”. The former Action Plan looks into action to address amphetamine smuggling from Europe into Asia and counterfeit cigarette smuggling from Asia into Europe, whereas the latter plan focuses on supply chain security and intellectual property rights (IPR).

The area of customs cooperation is also a good example of ASEM’s function of complementing and enhancing ongoing work at other levels. The Directors-General and commissioners of customs strive toward the establishment of agreements between the EU on the one hand and Asian ASEM partners on the other, and at the same time aim for the development of facilitation and harmonization instruments in the WCO. The ASEM Customs-related TFAP provided a venue for exchange of views on the implementation of the a set of agreed “deliverables”, such as the standardization of tariff nomenclature according to the WCO’s HS (Harmonized System) 2002 for example.<sup>9</sup> Greater transparency for the business community through the publishing of customs regulations and procedures was achieved after ASEM seminars and deliberations. The ASEM PWG website contains links to the various customs procedures for each partner. At the multilateral level, proposals and steps of action for customs to customs cooperation, customs to business cooperation, and capacity-building in the “Fight against Fraud” action plan are based on the WCO framework for standards, while the “Security Facilitation and Border Control Methods” project cooperates closely with the WCO’s Regional Intelligence Liaison Offices (RILOs) and the Customs Enforcement Network (CEN) database. The ASEM Customs DG-Commissioner Meeting works toward the implementation of the standards set out in the WCO Framework, such as the Customs Data Model (simplifying data and documentation elements on customs clearance procedures). As a final example of effective ASEM complementarity with other projects in the customs enforcement area, the fight against customs fraud can be mentioned. In April 2007 the European Anti-fraud Office (OLAF) seized 135 million counterfeit branded cigarettes and 557,000 other counterfeit products originating from Asia in a joint international customs operation codenamed “Operation Diabolo”. The operation was commissioned by the ASEM member states as part of the action plan agreed within the ASEM Customs Enforcement Framework. Joint operations such as a “Diabolo 2” project coordinated by the European Commission are currently in the planning stage. Most recently the progress achieved in the area of customs cooperation was highlighted by the adoption in November 2007 of the “Yokohama Declaration” by the Customs Directors General-Commissioners Meeting. The same meeting furthermore adopted a customs-related Trade Facilitation Action Plan for 2006-2008, as well as an ASEM Enforcement Action Plan 2007-2009.

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9 TFAP Evaluation of Achievement of Concrete Goals 2000-2002.

However, other fields of the TFAP have failed because of the lack of commitment. The seminars and workshops on SPS procedures, for example, were labeled successful in enhancing mutual understanding, but at the same time the wrap-up seminar of July 2002 was marked by low attendance, low response to the questionnaire, and the absence of the business sector.<sup>10</sup> Public procurement and mobility of business people are two examples of activities which were discontinued after a “sunset clause” was imposed due to the lack of active interest. SOMTI8 (2002) pointed out the salient need for increased two-way interaction between TFAP expert groups and the business community. The TFAP has certainly accomplished its aim of identifying and outlining major trade barriers in all the priority areas and it has increased transparency on the relevant issues. The TFAP has even achieved moderate progress in streamlining and harmonizing procedures, and has shown its relevance and complementary function for ongoing work elsewhere. However, in most cases the failure to implement the objectives has led to a weakened interest, in the first place of the business community, in the entire project.

*The involvement of the private sector: The Asia-Europe Business Forum (AEBF)*

Even before the start of ASEM, there was strong awareness in Europe that success or failure in Asia would depend on the active participation of European companies in Asian markets, which in turn would contribute to providing jobs for qualified European workers. In the words of the 1994 New Asia Strategy:

The success of Europe in taking advantage of the business opportunities in Asia depends largely upon decisions taken or not taken by the private sector. The Union’s role is to pursue market opening for both goods and services and to overcome obstacles to European trade and investment by encouraging a favourable regulatory environment for business in Asia.

The creation of a business forum within the ASEM framework was envisaged to shape a positive climate for EU investment and cooperation, as “business is at the heart of the Asia-Europe relationship, indeed its main driving force” (Richards and Kirkpatrick 1999, 698). The Asia-Europe Business Forum (AEBF) was launched as a follow-up initiative of ASEM1. First convened in Paris in October 1996, Senior Officials were tasked with considering appropriate modalities for fostering greater cooperation between the business and private sectors of the two regions, and organizing a business conference on this topic (ASEM1 Chairman’s Statement). Its aim is to promote private-sector activities, business-government links, and business partnerships through dialogue and exchange. According to the AECF 2000, one of the key priority areas of ASEM was to establish “an enhanced climate for business-to-business dialogue and cooperation between the two regions, emphasizing the central role of the Asia-Europe Business Forum (AEBF) and the importance of continuity therein, facilitating two-way dialogue between government and the business/private sector in order to respond to the concrete issues facing our business community, and paying particular attention to the problems faced by SMEs.”

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10 TFAP Evaluation of Achievement of Concrete Goals 2000-2002.



AEBF's twofold approach of networking and idea-producing can certainly be evaluated as highly successful in the forum's first years. The initial two meetings pointed out numerous instruments to achieve their goals. These tools included concrete infrastructure projects and rule-based frameworks, such as a Euro-Asian infrastructure, enhancement of information sharing through an electronic resource network, the set-up of SME centers in partner countries, and implementation of mechanisms to facilitate cross-border ventures by SMEs. By 2003 the AEBF included seven working groups on trade, investment and infrastructure, financial services, information and communication technology, life science and healthcare, food, and the environment. Up to 2004 the Forum had been organized annually on a rotating basis between Asia and Europe, with the forum in 2004 (AEBF9) in Hanoi gathering 320 representatives from ASEM business communities. The AEBF has functioned successfully as a forum for networking, but also as a "source for ideas and sounding board for Government efforts to promote trade and investment". All the meetings have produced numerous lists with policy recommendations in all the work fields. Already by 1998, for example, the AEBF meeting had issued proposals for the reduction of non-tariff barriers and suggested trade-maximizing policy initiatives to the government, and also established dialogue between business leaders from the two regions (AEBF3 Chairman's Statement).

However, several issues and challenges need to be overcome for the AEBF to live up to the expectations. At present, the active participation and interest of the business community in the AEBF and the ASEM process is less than satisfactory, and the number of meetings was reduced from annually to biennially in 2004. "Business fatigue" or the lack of readiness to attend conferences, seminars or missions, and the lack of resources to support anything outside the core profit-making activities (Murphy 2001, 36) certainly do not adequately explain this decrease in appeal. It is rather the lack of concrete results due to poor implementation and follow-up of AEBF recommendations that is at the root of the problem.<sup>11</sup> The business community emphasizes the lack of feedback on carrying forward the ideas and initiatives, and sees the interaction with the governmental sector as lagging behind with regard to the implementation of recommendations (Pereira 2005, 20). AEBF10, held in Helsinki on 10 and 11 September 2006 again expressed the concern of the business community about the lack of efficient implementation of AEBF recommendations. This can partially be seen as the cause of the diminished interest in AEBF activities on the part of the business sector.

Structural weakness and the lack of a permanent coordination structure in charge of guaranteeing an adequate follow-up can be seen as a second explanatory factor of this failure to fully live up to expectations. A steering committee has been at the helm of the AEBF since its inception and is in charge of preparing meetings and follow-up.<sup>12</sup> AEBF-related information is disseminated through local Contact

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11 See for example "Involvement of business communities in ASEM" Input from the AEBF Chair to the SOMTI-meeting in Qingdao. July 18-19, 2005.

12 The Steering Committee initially comprised the present chair as well as the two most recent chairs and a representative of the host of the next Forum. AEBF4 (1999) added representatives from the private sector of ASEM coordinator countries, from the sponsoring

Points in all ASEM partner countries. In addition, the AEBF9 in 2004 also set up a core group in order to reinforce the Forum as a Business Advisory Council to ASEM. Notwithstanding this fairly well-developed structure, coordination is deemed insufficient. At present the adequacy of collective leadership and alternating coordination is under scrutiny. The possibility of creating a permanent Secretariat was brought up at AEBF9, and the most recent meeting in Helsinki (AEBF10) also supported the creation of a “permanent secretarial liaison”.<sup>13</sup>

Differences between Asian and European approaches may be singled out as a third explanation, as Asian participants generally tend to place more emphasis on the forum as a networking/match-making event, whereas European participants may be more inclined to regard the AEBF as a forum to facilitate the working environments and achieve more binding codes. The forum’s ambiguous and non-transparent nature could be pointed out as a fourth factor. The AEBF is considered private sector, as it consists of business leaders and managers of transnational companies, in addition to government officials. Yet at the same time it functions as a fully integrated part of the formal ASEM structure, as the forum has a formal institutionalized role within key ASEM bodies such as the SOMTI and the IEG. According to the critical view, large corporations active in AEBF promote a narrow, corporate agenda and have political power through their privileged status in the ASEM process and their tie-in with the government (see for example Hoedeman 2002). The European Commission’s active role in the AEBF and its view of the Forum as part of the Commission’s internal decision-making process, while at the same time considering it “a private sector body”, was also addressed in the European Parliament.<sup>14</sup> The discussion about the overly or insufficiently close relation between business and government is likely to continue, yet the fact remains that trade and investment are vital elements for the ASEM partnership, and the business community is an important stakeholder in the process. The AEBF has streamlined the topics for discussion at meetings, focused its recommendations and goals to be achieved, and limited the number of working groups. The tenth meeting in Helsinki furthermore facilitated meetings between AEBF business representatives and political leaders at the summit, and allowed the AEBF chairperson to deliver the message from the business community directly to the leaders. Even though for many the forum does not live up to expectations, at least the AEBF’s call for attention to the needs and problems of SMEs seems to have been answered, as the first ASEM SME Ministerial meeting will take place in Beijing in late 2007.<sup>15</sup>

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economic organization of the Forum’s current and succeeding host country, from the host country of the ASEM summit, chairs of ad hoc groups and other relevant experts.

13 The European Commission as well has suggested the creation of some form of structure to ensure follow-up/continuity between meetings without institutionalization. See the SOMTI 9 Chair’s Statement.

14 See the Written Question P-1959/01 to the Commission by Caroline Lucas in the European Parliament. Official Journal 364E, 20/12/2001 p. 0231-0231.

15 The initiative is co-sponsored by China, Vietnam, Laos, Cambodia, Italy and Germany.

### **The limitations of ASEM as a trade-oriented partnership**

Three factors played an important role in toning down the ambitions for ASEM, effectively limiting its potential as a trade and investment enhancing instrument: the Asian Financial Crisis, the bearing of “political dialogue” on the economic pillar, and ASEM’s informal, consensus-building and complementary approach.

#### *The Asian Financial Crisis*

The Asian Financial Crisis (AFC) struck in July 1997 with the devaluation of the Thai baht and rapidly spread to other East Asian countries, causing a region-wide recession. The AFC is most often attributed to the region’s high debt-driven economic development and misconceived international finance politics, namely foreign over-borrowing on a short-term basis and non-performing loans, but also the exposed structural defects of many East-Asian economies (Dent 1999a, 20). The European Union initially felt immune to the turmoil in the South-East Asian markets (see *European Report* 26 November 1997; 10 January 1998), but the Asian crisis led to a global slowdown of trade growth and also had a direct bearing on EU-Asia trade. EU exports to Asia fell by 21.5 per cent, whereas imports from Asia soared, as the Asian region was “attempting to export its way out of the crisis” (*European Report* 2 September 1998). The surplus in the European Union’s trade balance with the rest of the world changed into a 11.3 billion euro deficit in 1999, as EU imports rose eight per cent while exports increased by only three per cent. In 1999, Asia accounted for 18.5 per cent of the EU’s exports, whereas EU imports from Asia amounted to 31.3 per cent of the total. The figures suggest that two years after the eruption of the Asian economic crisis, increased imports still weighed in on the EU trade balance, ending six successive years of trade surpluses (*European Report* 1 March 2000). According to a WTO report published on 13 April 2000, the EU was still suffering the fallout of the Asian crisis in 1999, when the most affected countries appeared to have already recovered (*European Report* 17 April 2000).

The ASEM2 Summit of 2-4 April 1998 in London was entirely overshadowed by the AFC. As mentioned above, Europe initially felt immune to the Asian crisis, and was criticized for failing to react to the Asian predicament, also because the EU was in the first place preoccupied with safeguarding the launch of the euro (Gilson 2002b, 89). It was only at the beginning of 1998 that the potential danger for European markets sank in. ASEM2 issued a separate declaration on the financial and economic crisis in Asia, emphasizing the shared interest in restoring stability, and expressing support for the reform programs agreed with the International Monetary Fund (IMF), the World Bank (WB) and Asian Development Bank (ADB) to reduce the social impact of the crisis. In addition, the ASEM2 Chairman’s Statement included the creation of the ASEM Trust Fund to help finance technical assistance, the proposal to establish a European network associating Asian expertise to enhance technical advice, the recommendation for the AEBF to develop proposals for promoting SMEs, and support for the role of trust funds at WB and ADB. As concrete measures to alleviate the effects of the crisis, the EU took the following measures in the ASEM

framework: ASEM issued a Trade and Investment Pledge, established an ASEM Trust Fund, and created a Financial Expertise Network.

In essence, the ASEM Trade and Investment Pledge meant that the EU would keep its markets open in the face of any protectionist measures that might arise from the crisis. *European Report* (8 April 1998) described the Pledge as follows:

The Asians would agree to uphold the principles of free and open markets, vow not to resort to protectionism, and sweep out whatever corrupt and dodgy financial practices had festered for so long in the region – all in line with the demands of the International Monetary Fund. In return, the EU would proclaim its utmost confidence in the region's innate economic strengths, launch whatever investment campaigns were needed to fulfil this pledge, and lend a modicum of support and expertise to help the reform process.

The ASEM Trust Fund (ATF) was established at the World Bank from June 1998 and provided countries affected by the crisis with technical assistance and advice on restructuring their financial sectors. It set up a “clearing house” to supply public and private sector financial experts on topics such as bank restructuring and risk management, with the ultimate aim of helping Asian economies re-establish financial security. Phase 1 of the ATF was in operation until 2001, but was followed by phase 2 (ATF II, 2002-2006) to ensure implementation of financial and corporate reforms specifically aimed at China, Indonesia, Vietnam, the Philippines, and Thailand. In addition to the trust fund, the EU contributed substantially to International Monetary Fund programs for financial support to Asian countries, and contributed 26.5% of the quotas, subscriptions and capital of the IMF, the World Bank and the Asian Development Bank for restructuring efforts in Asia (*European Report* 2 October 1999). In addition the European Financial Expertise Network (EFEX) was created with the aim of providing assistance to Asian economic representatives in reforming the Asian financial sector, by identifying high-level experts in response to specific requests.

On the one hand, the EU reaction to the Asian crisis was criticized for being too little too late. The initial inaction and ultimately slow response marked the indifference on the EU side, and was a missed opportunity to develop “a substantive crisis management initiative within the ASEM forum” (Rüland 2001b). According to the critics, the crisis revealed both EU and East Asian reluctance to enter into a co-management partnership of the post-hegemonic world order (Dent 2006, 120). The fund is called “a gesture of goodwill, no less but also no more”, and also split up ASEM into two camps along the lines of the role of international finance in managing the crisis (Maull and Okfen 2006, 230).

The criticism leveled by academics contrasts with the viewpoint shared by officials involved, who tend to laud the EU's measures within ASEM to deal with the crisis. For example, at the Berlin ASEM EMM in October 1999 the Asian crisis was declared over, and ASEM partly credited for helping to end it. EMM Chairman Werner Müller declared that “(T)he ongoing process of reform in the concerned countries, coupled with the cooperation and solidarity shown by the international community, and with the determination of ASEM partners to maintain open markets in line with the trade and investment pledge, have made it possible” (*European Report* 13 October 1999). The European Commission said its own contribution had

been of crucial importance to the Asian recovery (European Commission 2001a). The Asian Financial Crisis slowed the momentum which ASEM1 had set in motion, but did lead to several capacity-building initiatives within ASEM. For example, Indonesia launched the Bali Initiative (FinMM5, 2003) in order to enhance capacity building and human resource development through interregional cooperation by way of internships, staff exchanges, scholarships and training. The Tianjin Initiative on Closer ASEM Economic and Financial Cooperation furthermore aimed to enhance policy dialogue and improve technical assistance, and resulted in the establishment of a Contingency Dialogue Mechanism for Emergent Economic and Financial Events, in order to deal with emergency crises and natural disasters such as the 2004 tsunami (FinMM6, 2005).

*The influence of “political dialogue” on the economic pillar*

A second point which prevented ASEM from becoming a solely trade-oriented partnership is the European insistence on including political dialogue in the forum. The EU shared the view that economic links should form the basis for a wider partnership between Asia and Europe and that trade was going to be at the heart of ASEM. This was in line with the New Asia Strategy, the main policy document which buttressed European support for the idea of creating ASEM. The strategy indicated that “the main thrust of the present and future policy for the EU in Asia is related to economic matters”. A stronger economic presence would contribute to Asian stability through economic relations, and promote the economic development of less prosperous countries and regions in Asia. The European Commission was also of the opinion that it would only be possible to speak frankly on human rights issues when bridges have been built and alliances forged.<sup>16</sup>

Yet at the same time the European attitude, as voiced by the Italian presidency of the EU Council in charge of preparations for the Bangkok Summit, was more modest as well as more diversified. Political dialogue was seen as an essential part of the overall dialogue. Indeed, a lot of energy was expended on convincing the Asian countries to discuss politics. Commenting on a draft text of the Chairman’s Statement ahead of the inaugural summit, the EU insisted on “a more balanced version of political and economic aspects” (*European Report* 17 February 1996). While emphasizing that they had no intention of lecturing to their Asian counterparts, the European countries believed in the need to discuss issues regarding values that were perceived as universal, without excluding any topic a priori. During the summit, however, European partners were surprised to notice that most of the attending Asian ministers did not have their government’s mandate to talk about political issues (Belgische Senaat 1998). Conversely, Asian delegates, for example after the first ASEM Foreign Ministers’ Meeting in February 1997, complained that EU delegates showed greater interest in political issues (*European Voice* 20 February 1997).

The ASEM3 Summit (Seoul, October 2000) confirmed that the focus had shifted away from the economic pillar, although observers disagree on whether to attribute

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<sup>16</sup> See the Written Question E-1154/96 by Luigi Florio (UPE) to the Commission (15 May 1996).

this to a decreased European interest in Asia after the financial crisis, or to the forum reaching maturity and finally accomplishing its intended equal weight placed on the three pillars. Leaders engaged in dialogue on politically sensitive issues such as human rights, security, and the possible establishment of diplomatic relations with North Korea. The Human Rights discussion has seriously impeded progress in the dialogue on trade and economy. To date, the Burma/Myanmar issue remains problematic and is likely to continue influencing ASEM's course in the near future. The European Union canceled two Ministerial Meetings with Asian partners on 14 June 2004, a FinMM in Brussels and the EMM6 in Rotterdam, as it was unable to come to an agreement over the presence of a delegation from military-ruled Burma/Myanmar (see *European Report* 15 June 2004). In addition, the SOMTI10, which was supposed to take place in Qing Dao, was later rescheduled. As illustrated in Chapter 4, moderate progress has been made in addressing human rights in connection with Burma/Myanmar, but the issue remains a highly contentious one.

*ASEM's informal, consensus-building, and complementary approach*

A third factor which limits ASEM as a trade-centered forum is clearly its informal, consensus-building and complementary approach. ASEM was certainly not regarded as a round of negotiations but rather as "an informal meeting of minds to create a climate of comprehension between Europe and Asia" (*European Report* 17 February 1996). For most Asian partners ASEM ideally functions as a means of achieving improved market access. The initial informal approach, which is often regarded as "typically Asian" was similar to the APEC model. It would allow Asian and European partners to do the groundwork first and get to know each other, after which the dialogue could be upgraded to more ambitious and result-oriented cooperation. For the EU, the informal approach allowed for the inclusion of political dialogue and at the same time offered possibilities of complementing ongoing multilateral and bilateral collaboration efforts.

The informal framework first of all functions as an effective means of consultation and dialogue to strengthen multilateral relations and to reinforce the open trading system guided by the principles of the WTO. For example, attempts to find a common EU/Asian voice in preparation for the Singapore WTO ministerial of December 1996 ranked very high on the list of priorities ahead of the Bangkok Summit.<sup>17</sup> Also, at the first meeting of ASEM Economic Ministers on 28 September

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17 The EU had two overall priorities: implementation of the conclusions trade-liberalizing commitments of the Uruguay Round (for example, access to third country markets; the defense of intellectual property rights; industrial tariff reduction) and the WTO's future agenda (for example, trade and labor standards in order to prevent the exploitation of child and prison labor; investment rules and MAI (Multilateral Agreement on Investments) within the WTO rather than at OECD), competition policy (first at UNCTAD before being discussed at WTO); integrating multilateral clothing and textile pacts under the General Agreement on Tariffs and Trade; an Information Technology Agreement (ITA) to reduce tariffs on a wide range of IT products. Furthermore, the completion of the Uruguay round remained an issue: negotiations on financial services, basic telecommunications and maritime transport were in need of resumed negotiation.

1997 in Makuhari, Japan, the discussion focused on a new round of multilateral trade talks (labeled the “Millennium Round” by the EU Commissioner for External Economic Relations, Sir Leon Brittan), and on China’s WTO membership. Moreover, pre-discussion on WTO issues was one prime task of the Senior Officials Meeting on Trade and Investment (SOMTI), convened for the first time in 1996. One key priority for the SOMTI was to intensify dialogue with regard to “complementing and reinforcing efforts to strengthen the open and rules-based multilateral trading system embodied in the WTO” (AECF 2000). The informal character of the ASEM process was also intended to strengthen the WTO process, through the promotion of trade and investment flows by way of the TFAP and IPAP. According to Michael Reiterer, ASEM’s contribution in this respect has been substantial. In his viewpoint, symposia, conferences, seminars and meetings in the ASEM framework on global financial and economic issues contribute much more to regional cooperation and integration than many well-worded statements or unimplemented plans, as they help to build the political base that politicians need in order to take (bold) decisions. Sharing experiences and explaining interests, goals and difficulties fosters mutual understanding and builds bridges “with the aim of achieving an outcome which at the end reflects the interest of all members of the WTO and contributes to stabilizing the shaken international political system” (Reiterer 2003).

Many doubts have been raised about ASEM’s success in securing a “common voice” on multilateral trade-related matters, or in functioning as a “clearing house for decision-making bottlenecks in global multilateral forums”. Christopher Dent, for one, contends that ASEM’s potential to develop “multilateral utility”, in other words the extent to which ASEM has been able to usefully connect and interact with the wider global system, has remained low key (Dent 2005, 32). According to Dent it is only recently, since the FMM3 in 2001, that ASEM partners have embarked on low-level multilateral utility endeavors, pre-discussing agenda items for forthcoming global-multilateral negotiations. It is certainly debatable to what extent ASEM served as a vehicle for propelling new trade rounds (the 2003 meeting in Cancun) and the Doha Development Agenda. As O’Brien (2001, 23) pointed out, at ASEM3 the leaders did declare their joint continued support for further trade liberalization talks and a new round of negotiations on rule-based multilateral trading, which, after the Seattle WTO fiasco, sent “a strong message from two of the three economic blocs, primarily aimed at the US”. And at the EMM3 of September 2001 Asian countries agreed to launch a new trade round, saying that the Ministers “expressed their political will and flexibility in building support for launching a round at the fourth World Trade Organization ministerial conference in Doha, Qatar”.<sup>18</sup> However, with

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18 See *European Report* 14 September 2001. The EU was one of the driving forces behind the launch of a new round of WTO negotiations, the so-called Doha Development Agenda (DDA), in November 2001. The DDA seeks to liberalize trade and strengthen the rules-based trade system, in addition to integrating developing countries into the world trading system. According to an EU policy document (European Commission 2002a, 4), the launch of the new round sent a strong political signal of confidence in the multilateral system and helped to restore business confidence after 9/11. The DDA has been at the center of the ASEM trade dialogue ever since.

regard to actual WTO-related negotiations, ASEM functioned less than perfectly, mainly because trade negotiations also include areas where Asian nations are less enthusiastic: investment, government procurement, trade facilitation, competition policy and the environment. After the suspension of Doha negotiations ASEM still carries its function as a multilateral catalyst in the area of trade high on its banner. The Chairman's Statement of the Helsinki Summit reaffirmed the importance of the multilateral trading system and the development promise of the DDA, and stressed the need to resume the stalled negotiations. Nevertheless, even though the spirit of multilateralism remained at the forefront of discussions, the bilateral negotiations were in the spotlight at the summit.

At the bilateral level, ASEM has certainly already served the purpose of "getting China at the negotiating table", an important underlying rationale behind the creation of this interregional forum. ASEM effectively complements EU-China bilateral relations, as the broader forum provides an additional and less controversial framework for the discussion of trade-related issues such as human rights and pollution (Gilson 2002b, 74). For example, the ASEM informal human rights seminars, organized by China on two occasions, complement the EU-China bilateral dialogue on human rights. ASEM furthermore enables the EU to confront China's trade barriers within the regional and multilateral framework. In the case of South Korea, ASEM provides the tool to negotiate trade-facilitating measures such as the removal of existing barriers. The European Commission sees ASEM's informality as beneficial for the discussion of more sensitive issues such as investment regulations (European Commission External Relations 2006). In 1997 informal discussions within ASEM led the EU and Korea to sign an agreement on customs clearance and mutual assistance (Dent 1999a, 245). ASEM's complementary function to bilateral relations may become even more salient after the suspension of the Doha Round in July 2006 and the EU's renewed emphasis on bilateral trade negotiations as part of the Global Europe Trade Policy Framework launched in October of the same year. The EU remains committed to multilateral cooperation in the WTO, but regards bilateral and interregional trade agreements as a complementary tool to achieve the former objective. Free trade talks with South Korea were launched in 2007. One important strength of ASEM as a high-level gathering, then, is evoked by the possibilities for bilateral meetings in the sidelines of summits. The Helsinki Summit provided the venue for an EU-China and an EU-Korea Summit.

Most importantly, ASEM offers the chance to engage with ASEAN, with a view to upgrading the EU-ASEAN interregional relationship into a bilateral FTA. First of all, economically ASEAN is certainly the most established and, at present, one of the most important interregional and bilateral partners for the EU in Asia. The ASEAN countries are again showing strong growth figures, and the region is once more regarded as "one of the most dynamic growth engines for the world economy" (European Commission 2004). European Union trade with ASEAN showed a strong increase in 2004 and 2005, making it the EU's sixth most important trade partner. ASEAN furthermore shows a strong tendency toward increased regional cooperation and integration. The establishment of the ASEAN Economic Community (AEC) in 2003 (after the so-called Bali Concord II declaration aiming to achieve an ASEAN internal market by 2020), and the ongoing negotiations on free trade and closer



economic partnerships with China, Japan and South Korea (in the framework of the ASEAN+3 process), reveal the potential of ASEAN as the engine driving the integration process in the East and South East Asian region. What is more, in non-economic areas of integration, ASEAN is seen as vital in increasing awareness of an Asian Community, for example through the creation of the ASEAN Socio-cultural Community. The gradual rise of an “Asian Community” will therefore first and foremost start with economic integration and will centre on ASEAN (in the form of ASEAN +  $\alpha$ ). ASEAN thus plays a key role in the European desire to strengthen its ties with Asia bilaterally and interregionally, one of the main guidelines of the EU’s Asia policy.

The EU-ASEAN region-to-region economic relation is now in the process of being consolidated through the prospective establishment of an EU-ASEAN Free Trade Agreement. The EU-ASEAN Trade Initiative (TREATI) framework was proposed by the EU in 2003 as part of “A New Partnership with South East Asia” (European Commission 2003) and aims to remove NTBs through regulatory cooperation. TREATI allowed any commonly defined activity (in the fields of customs, investment, competition, e-commerce, intellectual property or consumer protection for example) to be started with the involvement of the EU and two or more ASEAN countries, following the so-called “EU + x” formula. The TREATI is complemented by READI (Regional EC ASEAN Dialogue Instrument), a framework for dialogue on non-trade matters. In 2005 a joint EU-ASEAN Vision Group was established to explore the feasibility of a Free Trade Area. The declaration by the 12<sup>th</sup> ASEAN Summit in Cebu in January 2007 provided a new impetus for the launch of EU-ASEAN talks on free trade in the following month. Similar to the TREATI, the final free-trade arrangement will likely take the form of separate agreements with the individual ASEAN members, in order to avoid possible linkages with Burma/Myanmar.

### **Growth in trade relations and new directions in the economic pillar**

Trade flows between Asia and Europe have certainly increased to a large extent during ASEM’s first decade. EU exports to Asian ASEM countries increased by more than 60 per cent between 1996 and 2005, and exports from Asian partners to the EU grew by more than 150 per cent. Table 2.1 shows how, between 2000 and 2006, exports to Asian ASEM countries grew by 72 per cent (from 129 to 179 billion), and how imports rose by 69 per cent (from 267 to 385 billion). The total volume of trade thus increased by 70 per cent, from 397 billion in 2000 to 564 billion in 2006. The upward trend in growing trade flows between the two regions thus continues compared to the pre-ASEM era. However, it is also clear that the relative share of East Asia in the total EU export, in other words the importance of Asian ASEM partners for the EU’s export trade, does not share that upward trend, as the rise in trade with China has been counterbalanced by a reduction in the share of trade with Japan (Eurostat News Release 2006). Exports to Asian ASEM countries thus remain nearly unchanged, close to 15 per cent of the total. Looking at the latest available trade statistics (2006), it becomes clear that Asian ASEM countries were

the EU's largest regional trading partner for imports, with 28.4 per cent of the total, and, after the USA, the second most important export partner (15.37 per cent) (see Table 2.1). Combining import and export, Asia is therefore the number one trade partner for the EU. From the Asian vantage point the EU has declined in importance as a destination for exports, even though trade in total has been boosted. For "Asian ASEM" the EU remains the second largest import and export partner (after Japan and the US respectively).

**Table 2.1 EU trade with Asian ASEM countries 2000-2006 (in million euro)**

Year	Imports	Yearly change (%)	Share of total EU imports	Exports	Yearly change (%)	Share of total EU exports
2000	267,185		26.84	129,419		15.11
2001	255,193	-4.5	25.95	135,446	4.7	15.17
2002	254,944	-0.5	27.07	136,409	0.5	15.15
2003	268,881	5.5	28.59	137,735	1.0	15.68
2004	301,067	12.0	29.17	152,255	10.5	15.78
2005	336,914	11.9	28.49	160,445	5.4	15.10
2006	384,776	14.2	28.49	179,219	11.7	15.37

Source: DG Trade; Eurostat

The direct link between trade and investment flows and ASEM is difficult to indicate. It is sure however, that ASEM has not become the envisioned partnership for greater growth. Moreover, the EU realizes that it has not increased its economic presence as intended. As a recent Commission policy paper (European Commission External Trade 2006) mentioned:

We also need to step up our engagement with the major economies of the next generation, particularly in Asia, where there is huge potential for growth, but where Europe is not performing as strongly as it should.

At present, ASEM does not aim to achieve increased trade flows directly, but only envisions functioning as a forum which promotes transparency and increases knowledge and interaction between two regions. The "Review of the Economic Pillar", a report by ASEM economic coordinators adopted by SOMTI9 and later EMM5 in 2003, stated that "(c)urrently, the mandate for the Economic Pillar is recognized as being an informal dialogue with a view to facilitating greater understanding on trade and investment issues". As the same report also continues to point out, dialogue

taking place in ASEM at all levels is based on a voluntary process which rests on goodwill and peer pressure. The levels of ambition for the economic pillar of ASEM have seemingly been lowered since its creation, and a certain process of redirection is taking place.

Track two initiatives have on several occasions attempted to steer ASEM in a more ambitious direction. The Asia-Europe Vision Group (1999) submitted its report to ASEM3, setting out medium- to long-term perspectives on EU-East Asia cooperation and suggesting nine major recommendations and 22 minor ones. The major recommended policies included an eventual goal of free trade in goods and services by 2025, closer macroeconomic policy coordination and a reform of the international financial system, in addition to the creation of Business Advisory Councils (BACs) and an improved ASEM Infrastructure Framework. Most of the major recommendations, however, did not receive official track one support.

A second attempt was the ASEM Task Force for Closer Economic Partnership (CEP) between Asia and Europe (2004). The ASEM4 Summit in Copenhagen (September 2002) set up a Task Force to consider closer cooperation in trade, investment and finance. The final report by the Task Force was adopted by the ASEM5 Summit in Hanoi. General recommendations of the report included an upgrade for ASEM from dialogue to cooperation, an enhanced role for the euro, improved infrastructure connecting Asia and Europe (Energy and Infrastructure Investment Collaboration on the Land Bridge between Asia and Europe), interregional free trade achieved by 2025, prioritized SME activity, and an emphasis on Asian economic integration and European economic reform. CEP furthermore suggested concrete, action-oriented recommendations such as the creation of a virtual secretariat, the establishment of ASEM YES Market and YES Bond Fund based on the Yen-Euro-Dollar basket, the integration of energy issues into the economic pillar, the creation of an ASEM Virtual Promotion Center for Trade, Investment and Tourism (ASEM VPC), and the formation of ASEM Business Advisory Council (ASEMBAC). However, the Hanoi Declaration on Closer ASEM Economic Partnership endorsed at ASEM5 (Hanoi 8-9 October 2004) was criticized for doing little more than reiterating the principles of economic cooperation and the economic potential of both regions, and repeating the support for the multilateral trading system against the background of increasing economic integration in both Europe and Asia, and included none of the action-oriented recommendations (Pereira 2005, 17-23). Looking at it in a more positive way, the Hanoi Declaration set out the general course and guidelines for future development, which need to be complemented with concrete plans. Yet on this occasion too most recommendations were rejected, essentially because of potential overlapping with existing structures and initiatives.

Nevertheless, a few new directions have become clear in the economic pillar. First, ASEM has acquired increased relevance as a catalyst for bilateral and interregional relations, which have received a boost after the suspension of the Doha Round negotiations. In order to address the perceived "policy gap" (Mandelson 2006a) in its strategy on trade with Asia, the EU is increasingly turning to bilateral (with individual Asian countries) and interregional (with ASEAN) instruments. ASEM could therefore have greater relevance as a coordinating tool for these bilateral and interregional exchanges.

Second, ASEM can further develop its multilateral potential in the area of sustainable development, including the environment and energy security. Environmental concerns have been on the ASEM agenda since its inception, with the now defunct Asia-Europe Environmental Technology Center in Thailand as the main outcome. The suggestion by the Asia-Europe Vision Group (1999) to expand this institution into an ASEM Environment Center in order to develop closer long-term cooperation, however, was not taken up. The environment gained prominence on the ASEM agenda after the first Environment Ministers' Meeting in Beijing in January 2002, aiming to foster the political will to create a common Asian-European strategy for tackling global environmental problems. The dialogue within the economic pillar on energy and environmental issues started at the ASEM5 Summit of Hanoi (October 2004) was taken forward by the Helsinki Summit. The session on sustainable development aimed to gather support in particular for joint efforts to develop the post-2012 climate regime under the UN Framework Convention on Climate Change, to rally for the implementation of the Kyoto Protocol, and enhance energy security. Even though it did not include any binding regulations or concrete proposals, the ASEM Declaration on Climate Change was an important step forward, expressing joint commitment to the implementation of the international treaty on climate change. Sustainable development, including the tackling of climate change is certainly an issue with "ASEM added value" and was identified as one core area for substantive cooperation by ASEM6. The economic opportunities through the creation of an open global market in climate-friendly solutions and technology as well as the political implications illustrate the issue's repercussions in a number of fields. As emphasized in the Helsinki Declaration on the Future of ASEM, the forum indeed "should seek to address cross-dimensional linkages between political, economic and social/cultural issues in order to tackle effectively the challenges posed by globalization and growing global interdependence". But environmental policy can also be highly beneficial for European business, as it allows the export of European expertise and technology to tackle climate change (see Mandelson 2006b).

### **Concluding remarks**

For many interested parties in the process, ASEM's accomplishments in the economic dimension have remained below expectations. After a decade of cooperation, ASEM has certainly not become the initially envisaged Partnership for Greater Growth. While trade relations have strengthened to a great extent, the EU has not been able to significantly enhance its position in and importance for Asia. Even though solid achievements have been made in areas such as customs cooperation, ASEM has not given rise to significant trade and investment facilitating and liberalizing measures. The economic pillar has shown the highest activity in terms of initiatives by partner countries, but progress in recent years has stalled due to the impact of political and human rights-related dialogue and, simply, because of ASEM's limitations as an informal and consensus-building forum. The absence of binding means to ensure follow-up of initiatives diminishes the importance of the groundwork done on trade and investment facilitating measures in, for example, the TFAP and IPAP.

Furthermore, ASEM has shown limited efficacy as a rationalizing tool to build consensus for and complement ongoing work in the multilateral framework. The forum has had minimal impact on the promotion of a WTO-based open trading system. And finally, while the business community is actively involved in ASEM, its interest is seen as waning in recent years, primarily due to the inadequate follow-up of AEBF recommendations.

However, ASEM seems to have gained increased relevance in view of the EU's new focus on bilateral and interregional economic relations as a means to create new economic and trade opportunities after the suspension of WTO negotiations. As pointed out by Machetzki (2002, 16), ASEM's essential rationale is to provide an intellectual and political framework to lend orientation to economic changes between two trend-setting key regions of the world economy. ASEM can play a coordinating, complementing and reinforcing role in the area of bilateral relations with ASEAN and individual countries showing strong growth, not least China and India. Furthermore, cross-pillar issues such as climate change and energy security are ideally suited to be tackled in ASEM as a consensus-building process.

## Chapter 3

# ASEM, Multilateralism, and the Security Agenda

Timo Kivimäki

The first session of the ASEM6 Summit in Helsinki was entitled “Strengthening multilateralism and addressing security threats”. This not only highlights the importance of these two items on the ASEM agenda, but also illustrates the linkage between multilateralism and the tackling of security threats. Multilateralist principles are on the one hand part of the security goal. ASEM security is about security of states and their citizens. Unilateralist dominance would compromise the independence of ASEM states and ASEM state citizens, who would be left with a weak state instrument to protect them. However, multilateralism is primarily related to the principles of security promotion. ASEM is a security instrument that is based on international law and the primacy of the United Nations. It is therefore an instrument that honors member states and the participating continents as equal partners. This is the foundation of ASEM’s search for security.

This chapter attempts to explain the external framework and internal comparative advantages and limitations of the multilateralist Asian-European search for security. Furthermore, it aims to reveal what is inside the principles, how ASEM tackles security issues, and what it could do to make this mission even more successful.

### **Power-political limitations of the ASEM security agenda**

ASEM was born in a world of US absolute global dominance of the traditional security agenda. In terms of military capabilities, no other country could challenge the American primacy. Yet, regionally, especially at times of strong US commitment elsewhere, several powers, including China, the UK and France were able to match the American military capacity.

US global primacy, during the first decade of ASEM, was also underpinned by the US unwillingness to accept challenges to its global traditional power-political role. The United States did not challenge the establishment of ASEM with its anticipated role in conflict prevention and soft security production.<sup>1</sup> However, in the sphere of military security, the United States does not expect nor tolerate an active and independent European role as the issue of the Chinese arms embargo proved. In

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<sup>1</sup> See Bobrow (1999, 103-128) for the reasons why the US did not object to the formation of ASEM. In Bobrow’s analysis, the assertion that Europe will not take an active independent role in traditional security issues played a crucial role in the US acceptance of ASEM.

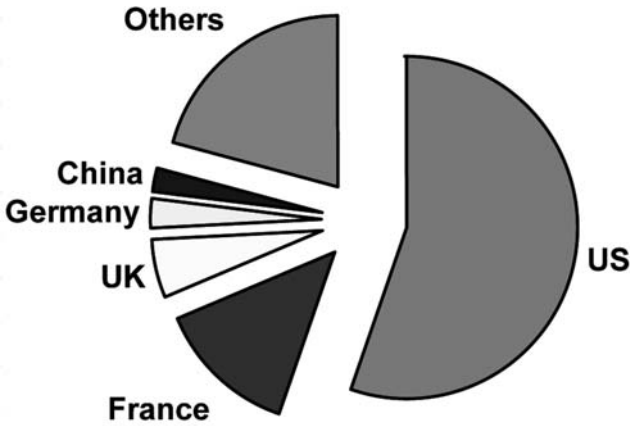
addition, in issues such as the military aspects of the potential conflict on the Korean peninsula or in Taiwan, the United States does not expect nor encourage independent European initiatives. Similarly, the United States does not encourage an *independent global military role* of Japan and China. In China the US hedging policy has been focused on preventing a Chinese global military role (Lampton 2006, 31-42) while in Japan the independence of the Japanese role has been limited.

After the end of colonialism and the withdrawal of France, the Netherlands, and the UK from Asia, Europe has had a much weaker presence in Asia than the United States has. At the same time, Asia has never in modern history had a strong presence in Europe. The United Kingdom is still formally committed to the Five Power Defence Arrangements with Australia, New Zealand, Singapore, and Malaysia, but the gravity point of cooperation in this alliance is between Australia and Singapore and Malaysia, as opposed to the alliance being obliged to provide substantial British military commitment to the region. Britain and France also have a military presence in the Indian Ocean, with France being present in the South Pacific, while the UK has forces in Brunei. However, in comparison, the US is formally committed to the area through the ANZUS alliance with Australia and New Zealand, and with bilateral military agreements of various sorts with Japan, South Korea, Taiwan, the Philippines, India and Pakistan.

In addition to the lack of permanent military pacts in the region, European countries do not have the global reach of the United States. Nor do they have permanent troops, a command structure or the political decision-making structure to be a militarily meaningful force in Asia. The same is naturally seen to be true for Asian countries in Europe. Finally, neither Asia (perhaps excluding China) nor Europe consider it in their interests to seriously challenge the US military primacy in East Asia (Stares and Regaud 1998, 117-39).

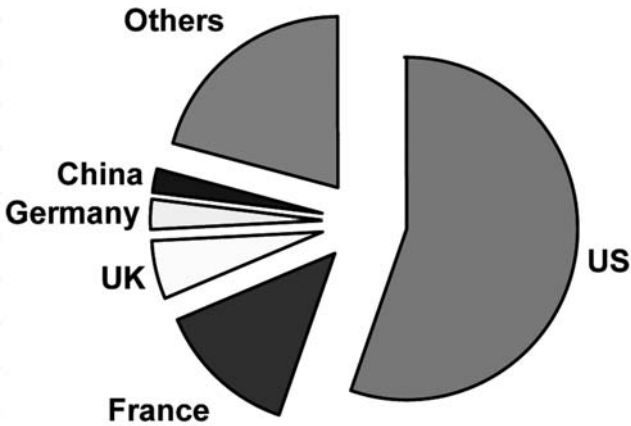
The power-political equation can be illustrated by a simple pie chart of US-ASEM military spending. The geographical distribution of troops would present a slightly different picture, after the United States switched to a more mobile strategy of seeing Asian naval bases and airports as places with support functions rather than as permanently manned bases. However, looking at permanent troops would not give a balanced picture of the regional power protection capacity because of the radically improved mobility provided by the latest military technology.

The relative indirect power in the ASEM region can be gauged by looking at the military export statistics. Countries that can control the flow of arms, and which can select who to strengthen and who not, are naturally in a position to structure the global military balance. In this respect, the US lead of ASEM powers is no less impressive.



**Graph 3.1 Military Spending in 2005**

Source: SIPRI 2007



**Graph 3.2 Arms Supplies (2004): ASEM vs the US**

Source: Defence Analysis Department, International Institute for Strategic Studies/US Congress

As a result of this power-political reality, ASEM countries have been limited to security cooperation that utilizes non-military security measures. In this way, security cooperation between Asia and Europe is often focused on non-traditional, non-military threats, such as the spread of contagious diseases, drugs or crime. In other words the collaborative Asian-European means of addressing conventional security issues have been soft and non-military in nature. Alternatively, cooperation



uses soft security tools in tackling traditional security issues.<sup>2</sup> Asian-European cooperation in the resolution of the conflict in Aceh, as well as the ASEM inter-civilizational dialogue measures which focused on the prevention of terrorism and conflict between religions and cultures, are good examples of soft approaches to solving traditional security problems.

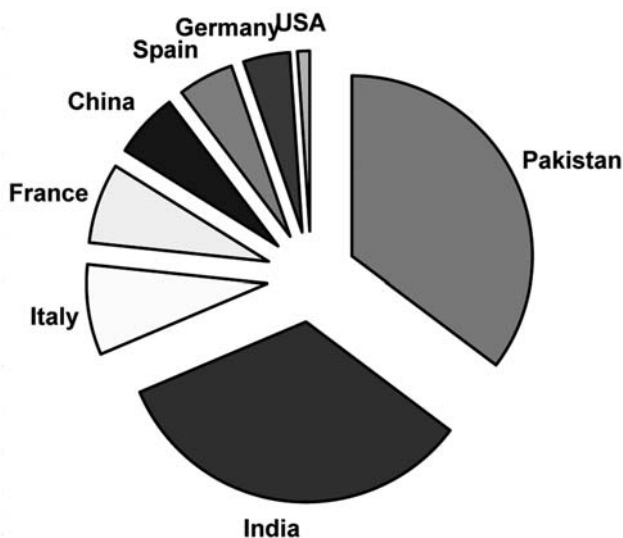
With soft and non-traditional security options, ASEM has been able to coexist as a framework for security cooperation. Yet this European – Asian security cooperation has not challenged the military dominance of the United States. According to Godement and Segal (1996, 6), Europe and Asia did not want to challenge the US primacy, but nor did they want ASEM to stand for ‘Asian Security, Europeans Missing’. Instead, in the field of non-military political security, a triangular (Sadahiro 1997, 8-11) setup was intended to act as a counterweight (Camroux and Lechery 1996, 442-453) and a balance (Fort 2004, 355-363; Higgott 1998) against political unilateralism. Yet this preference for multilateralism was not, at least unanimously, directed against the United States. The intention was to influence the power-political setting and thereby also the Asian bargaining leverage towards the US. ASEM was never seen as a replacement for the Asian-American relationship: “They rejected replacement, instead limiting their objectives to bolstering ‘internationalist forces within America’” (Bobrow 1999, 108) as well as “providing political correctives where US leadership seems narrowly focused or ill-guided” (Maul and Tanaka 1997, 38).

While soft security measures and the focus on non-traditional threats are often seen as the room for maneuver that Asian-European security cooperation has been left with, there is a third, substantial Asian-European opportunity for security cooperation available under the current power-political setting. This opportunity is cooperation under the umbrella of the UN Security Council. ASEM countries are superpowers of UN peace-keeping operations and they have a commitment to UN-mandated peace operations. Compared to the commitment of the United States, one could even say that ASEM has a certain comparative advantage or a niche in such security activity.

Under the umbrella of the UN, ASEM has power-political opportunities to operate, as well as the opportunity to complement the soft-security instruments and non-traditional security measures aimed at the promotion of a multilateralist global security order. Under the power-political conditions presented above, this would seem to be the natural, power-political interest of ASEM. However, there are still many unexploited opportunities for the utilization of ASEM for the coordination of the Asian-European role in the UN security cooperation and the promotion of a multilateralist security order. ASEM coordination and positioning under the UN has been limited despite calls in that direction appearing in the 1999 Asia-Europe Vision Group Report, *For a Better Tomorrow; Asia Europe Partnership in the 21<sup>st</sup> Century* as early as 1999.

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2 For a good analysis of the emphasis on soft-security and non-traditional threats, see Fort 2004.



**Graph 3.3 Contribution of Troops to UN Peacekeeping (2006)**

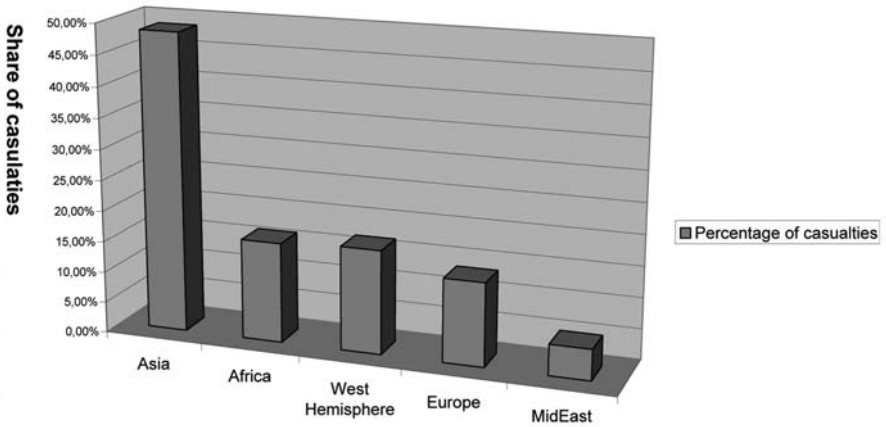
*Source:* Nov. 2006, Global Policy Forum 2007

### Internal comparative advantages and limitations in ASEM security cooperation

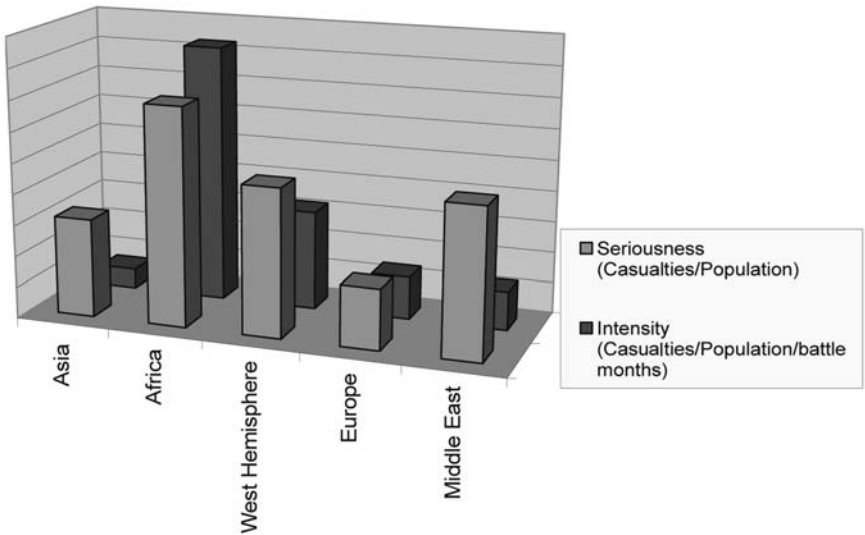
In addition to the external power-political realities, there are also internal Asian-European limitations to ASEM security cooperation. But there were also clear comparative advantages. If one starts with the latter, one can take a look at the traditional strengths and weaknesses of the two continents in terms of long-term performance of Asian and European approaches to security. This investigation naturally needs to be merely indicative, focused on the overall Asian and European conflict culture. From there we can continue by looking at how ASEM patterns of cooperation limit the concentration of Asia and Europe in their comparative advantages in the ASEM security cooperation.

The Asian approach to security has traditionally been one that emphasizes non-legal commitment and conflict avoidance, while the European approach is more dispute-focused and official. If we look at continents and war casualties in general from 1816 to 1992 (see Graph 3.4), we can see that Asia's share of the global war casualties amounts to almost its share of global population, namely about 50 per cent.

However, if we look at the intensity and severity of war (see Graph 3.2), we realize that it has been difficult for East and Southeast Asian states to end wars, and they have therefore been prolonged. This suggests that conflict termination (resolution) has not been very successful in Asia. However, Asian peoples have been able to manage their wars and reduce the intensity of war violence to the minimum.



Graph 3.4 Continents and War Casualties



Graph 3.5 Seriousness and Intensity of War

Thus when it comes to managing conflicts and tense situations, it seems that Asia has the comparative advantage. Asia would potentially be able to help Europe in preventing tense situations between groups of people from resulting in violence, while Europe could help Asia resolve its conflicts. However, when managing tension and conflicts and when trying to prevent them from becoming more violent, Europe will not be able to lose sight of its problem focus, otherwise Asian cooperation might hinder rather than help in the resolution of latent conflicts. Similarly, Asian governments cannot relinquish their full control over the conflict resolution process,

even if Europeans were to offer assistance. Otherwise they could risk the conflict becoming more violent and less manageable.

From the perspective of human security, for example, the issue of how states manage security becomes crucial. Inter-state and especially intra-state security are often used as excuses for legitimizing harsh measures toward a state's own citizens. Security realities also often justify cooperation with or help for regimes that kill their own citizens. In the twentieth century, four times as many people were killed by their own governments in the context of 'maintaining law and order', than by inter-state and/or intra-state wars (Rummel 1994). Most of these killings have been perpetrated in the context of authoritarianism, or foreign occupation in the context of colonialism.

This general observation is more pertinent in Asia. The latter is notorious for its history of genocide. According to Rudolph Rummel's extensive studies of the ten most deadly governments of the last century, Nazi Germany was the only non-Asian one.<sup>3</sup> All in all, according to Rummel's data on the 171 million people in the world who were killed by their governments, 128 million (75 per cent) were killed by Asian governments (Rummel 1994). While 36.6 per cent of the non-Asian countries experienced genocide in the twentieth century, up to 62.5 per cent of Asian countries had genocidal regimes (41.5 per cent in Europe).

Here the European imperatives of promoting democracy and human rights could be useful. In the field of political cooperation, Europe does have a "comparative advantage" in the promotion of human security and in the prevention of violence by the state against its citizens. Thus Europe should consider human rights promotion as its natural contribution within ASEM as well.

Focusing solely on inter-state wars, one often concludes that the EU is an astonishing achievement in the building of democratic peace. While the Union consists of traditional enemies (Germany vs. the UK, Germany vs. France, for example), militarized fisheries disputes have so far been the only examples of inter-state conflict in the EU (UCDP/PRIO Armed Conflict Dataset 2006). The EU success has normally been attributed to the levels of positive interdependence and democratic governance therein. With positive interdependence, people who benefit from the prosperity of their neighboring nations do not want to hamper such prosperity. And with European countries being democratic, this popular motivation is translated into peaceful government policies.<sup>4</sup> Furthermore, extensive interaction between the European populations has made war between EU members unthinkable (Mitrany 1975; Deutsch 1965).

It seems clear that the institutionalization of ASEAN cooperation in the past few years is partly inspired by the European formula of inter-state peace. However, the

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3 Here, the Turkish regime of 1909-1918 and Stalin's regime in the Soviet Union were considered Asian due to the methodological principles outlined by the author of the article in which this information is first presented. Yet, even without either of these, seven out of ten murderous regimes were Asian, if murderousness is calculated in terms of the absolute number of democide casualties.

4 For the logic and empirical evidence of this model of liberal democratic peace, see for example Russett 1993; Rummel 1995; Polachek, Robst and Chang 1999.

success of the EU does not necessarily lead to a conclusion that inter-state conflict prevention is a European comparative advantage within ASEM. The core of ASEM is ASEAN, and if we look at the history of conflicts there, we must conclude that ASEAN has also been very successful in the prevention of inter-state conflict. Of the original member countries, Indonesia has had three conflicts, Malaysia one, the Philippines two and Thailand 14, after their independence. Two thirds of these conflicts have been against another forthcoming ASEAN country. Yet there has never been an inter-state conflict between two countries of ASEAN (UCDP/PRIO Armed Conflict Dataset 2006). Thus we could say that ASEAN countries are also traditional enemies and the region has traditionally been a frequent battle zone, and yet, the establishment of ASEAN has managed to keep violent inter-state conflict at bay. As I have shown elsewhere (Kivimäki 2001), this peace has been built on subjective appreciation of common interests, procedures and identity rather than objective interdependence (intra-ASEAN trade and investment was drastically reduced during the first decade of the organization). It seems thus that Europe and Asia in ASEM have different, highly successful peace formulae and they could, therefore, both learn from each other.

It is often assumed that security cooperation within ASEM is limited by a lack of interest. Europe has been accused of not sending political representatives of an appropriately high level to ASEM meetings. At the same time, it has been said that Asian partners do not have sufficient interest in the political pillar, and especially in security issues. For example, Fort suggests that “on the Asian side, the emphasis is put on economic and financial issues while Europeans try hard to engage the Asian side in a comprehensive political dialogue on security and value issues” (Fort 2004, 357). According to Camroux, the political pillar, with security objectives, came into being only “at the insistence of European members” (Camroux 2006, 5). Other analysts suggest that some Asian countries would have wanted to see the security agenda of ASEM expanded.<sup>5</sup> However, it might be that the perceived disinterest of some Asian countries is related to ASEM’s difficulty in finding a common security agenda. According to Fort (2004), the Asian security agenda is more concentrated on state-to-state relations, while Europe is more interested in intra-state conflict issues and human aspects of security. The experiences related to Burma/Myanmar certainly lend support to the idea of Europe and Asia having different expectations about the role of ASEM in security issues. At the same time, the experience of the Asian-European cooperation for the resolution of the Aceh conflict, also involving many human rights issues, suggests that sensitive issues can also be dealt with in the Asian-European context, just as long as the procedures of operation are prudent, and respect the sovereignty of the ASEM member countries.

The issue of hesitation and limitations could also be scrutinized by looking at those conflicts and security issues which ASEM has managed to deal with. Such a perspective would lead to a substantially different outlook on the taboos of ASEM security cooperation.

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<sup>5</sup> Bobrow (1999, 109) refers to the expectations of Singapore, Korea and Japan of a deeper traditional security cooperation.

ASEM's internal hesitations and limitations in security cooperation seem most clear in relation to Europe's security. The main problem has been the colonial mentality that has prevented Asian contributions to European security. As Fort points out, there is "a marked asymmetry in the involvement of Asian and European states in each other's security affairs: Europe has a demonstrably broader range of involvements in Asia than vice versa" (Fort 2004, 357). The focus of the Five Power Defence Arrangements is in the Malayan Peninsula, and the UK and France still have a modest military presence in the area. Furthermore, the EU participates in the monitoring of the Aceh Peace Process, European countries were committed to the peace process in Cambodia and East Timor, and the main fora of security cooperation, such as the ASEAN Regional Forum, all are related to Asian, rather than European security. European human rights groups and parliamentarians have actively engaged in Indonesia's conflict in Papua, while the peace in Aceh was negotiated with European mediation, and the implementation of the peace deal was monitored by a joint ASEAN-European mission. Intrusive European involvement in the conflict between the government and the democracy movement in Burma/Myanmar has occasionally disrupted ASEM procedures. The EU has issued Presidency Statements, Statements by the High Representative for the CFSP and Parliamentary Resolutions on the conflict in Kashmir condemning terrorism, and expressing concern over violence and confrontation. While traditionally, Asian countries had very little to do with European security, the trouble in Bosnia in the 1990s encouraged Malaysian and Japanese participation in post-conflict reconstruction, and brought Japan, South Korea and Thailand closer to a security dialogue within the Organization of Security and Cooperation in Europe, and on a bilateral basis, especially with France and Germany. The ASEM Seoul Summit in October 2000 discussed the issue of UN Security Council Resolution 1244 in Kosovo, and its Chairman's Statement asserted the supportive stand of the ASEM countries.

However, in none of the actual West European conflict problems – the Basque Land, the conflict in Northern Ireland, and the intensifying racial violence and terrorism against and by immigrant groups in Europe – have Europeans asked for assistance from Asian countries. In order to utilize the Asian comparative advantage in conflict management, Europe should invite Asian assistance especially in securing that the latent conflict issues, like the rising tension between immigrants, and minority cultures would not become a major source of European and global terrorism, nor a European source of racist political violence.

Another internal limitation in the management of ASEM security cooperation is the hesitance of Asian countries to accept sensitive security issues on the agenda of ASEM. As can be seen in the following chapter, this limitation is less strict: ASEM is committed to human rights and it has some collaboration in relation to the topic. Differences in the approach related to publicity, pressure, and prudence between Asia and Europe have made it difficult for ASEM to find constructive practices to deal with these human security elements. The development of silent diplomacy, and the growing appreciation of track two approaches also in Europe could offer ways forward when it comes to the sensitive security agenda. The European emphasis on centralized, common approaches to the sensitive security agenda has led to less than effective outcomes in the matter of sensitive Asian security issues. In this respect

too, however, Europe has made some progress in cherishing diversified operations, such as the mediation effort in Aceh in which European diversity was used as an asset in the creation of confidential and prudent forms of interaction between Asian conflicting parties. Instead of seeing European official institutions as a starting point and an engine of Asian-European conflict resolution, the initiative was given to individual European and Asian agents, acting in their private capacities, and then European official instruments were used for the funding of the negotiation process (within the Rapid Reaction Mechanism) and the implementation of the monitoring mission (using an improvised council-based mechanism).

### **ASEM's security agenda and principles**

At the level of policy declarations, ASEM's general security agenda is closely tied to the principles of UN-led multilateralism, and the respect for international law. The *Helsinki Declaration on the Future of ASEM* defines this in the following manner: "We reconfirm ASEM's mission as a partnership between equals committed to multilateralism and a fair, just and rule-based order with a strong UN at the core". The European Commission Website's presentation of ASEM mentions the promotion of multilateralism as the first political principle governing the work of the organization: "ASEM leaders are committed to multilateralism and a fair, just and rule-based international order with the UN playing the central role to resolve international disputes and address new global challenges and threats" (European Commission, undated). Macklin suggests that this is due to the strong influence of France and China in opposition to American "mono-polar dominance" (Macklin 1998, 6). However, in addition to the power-political balancing of US unilateralism, multilateralist commitment to law and the primacy of the United Nations have a much broader acceptance and reflection in ASEM activities. Yet the multilateralist principles are more profound in declarations on issue areas where American policies have been seen as unilateralist. The issue of terrorism is one of those where references to the UN and to the law can be found in almost all documents. According to the Concept Paper on the ASEM Seminar on Anti-Terrorism "the United Nations is playing and should continue to play a leading role in [responding to terrorism]", while in the ASEM Copenhagen Declaration on Cooperation against International Terrorism ASEM attempts to "strengthen the UN's leading role and ASEM cooperation on anti-terrorism." The declaration also reconfirmed the position that terrorism is *an international threat* making the problem eligible for Security Council action.

Also in the issue of arms control and the non-proliferation of weapons of mass destruction, the ASEM rhetoric has based cooperation on UN principles and Security Council leadership. The Chairman's Statement of the Third ASEM Foreign Ministers' Meeting in Beijing on 24-25 May 2001 emphasized that ASEM will "play an active and constructive role in building a new international political and economic order by upholding the Purposes and Principles of the UN Charter and other universally recognized norms governing international relations." Also the Political Declaration on Prevention of Proliferation of Weapons of Mass Destruction and Their Means of Delivery adopted by the ASEM Foreign Ministers in July 2003 took a multilateralist

approach, emphasizing the role of the UN. The ASEM commitment to multilateralism, rule of international law, and UN-primacy could be seen as the overarching principle of ASEM security cooperation. Yet, while the multilateralist principles tend to guide ASEM declarations and even multilateral ASEM cooperation, they do not necessarily commit ASEM members in their national policies. Less than six months after the multilateralist declarations on strategy against terrorism in Copenhagen, the current ASEM countries of Bulgaria, Czech Republic, Denmark, Estonia, Latvia, Lithuania, Poland, Romania, Slovakia, South Korea, and the United Kingdom joined the US coalition of the willing in the Second Gulf War; an act of counter-terrorism and arms control that was not mandated by the UN Security Council.

The Asia-Europe Cooperation Framework (AECF), adopted by the Senior Officials Meeting in London, defined on 20 February 1998 in paragraph 11 several security-related issues as topics where cooperation need to be enhanced. These issues were the tackling of 1) environmental threats, 2) the fight against the illicit drug trade, 3) money-laundering, 4) terrorism and 5) international organized crime.

In the report of the Asia-Europe Vision Group, the issue of arms control was brought onto the agenda, with support for the Nuclear Non-proliferation Treaty, the comprehensive Test Ban Treaty, the Chemical Weapons Convention and the eventually failed Biological Weapons Convention. Furthermore, the vision group recommended ASEM cooperation in the training of Asian-European UN peace-keepers (paragraph 82). The vision group also brought the issue of managing social imbalances (paragraph 85) onto the ASEM security agenda, even though the strategizing and implementation of this particular security-related issue has been followed up in the economic pillar, and the activities have not been operationally linked to security strategies. Especially Asian-European development cooperation and educational measures taken for the improvement of employability have ensued since the security strategizing with which the vision group aimed at managing social imbalances that threaten social cohesion and political stability. Subsequently these measures have also been related to the security task of tackling the root causes of terrorism.

The vision group recommendations were followed at least at the level of declarations in the subsequent ASEM summits and Foreign Ministers' Meetings. While the ASEM record for coordination in UN peace-keeping training is perhaps less impressive, the Asian-European approach to the specific case of ensuring a peaceful and orderly administration in East Timor (UNTAET) was coordinated in the Seoul Summit of October 2000.<sup>6</sup> The agenda on arms control was also specified in the Copenhagen Summit, as the issue of proliferation in the Korean Peninsula was discussed and a joint declaration was made.

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6 According to the Chairman's Statement of the Seoul Summit, "Leaders welcomed the progress toward the restoration of stability in East Timor and encouraged further efforts by UNTAET, in cooperation with the countries closely involved, in order to guarantee the success of the transition process. They shared the view that the rehabilitation and nation building process in East Timor should be actively and continuously supported by the international community as a whole."



The issue of terrorism was highlighted after 11 September 2001, and many concrete measures were innovated to tackle not only the threat of terrorism, but also the violence related to countering terrorism, and the growing civilizational tension that resulted both from terrorism and inadequate global measures taken to address the problem.

The security-related issues of reform of the UN and the Millennium Declaration were extensively discussed in the third summit in South Korea, and some elementary coordination of the European-Asian positions were reached. However, especially the discussion on the Millennium Declaration took place after the declaration was made and thus was supportive rather than operative. It affected the ASEM members' commitment to the declaration, rather than coordinating an Asian-European approach to the UN reform and the Millennium Declaration and goals.

In 2003 the SARS epidemic brought SARS/Transmittable Diseases onto the security agenda, as the Fifth ASEM Foreign Ministers' Meeting in Bali, on 22-24 July 2003, decided on several measures to investigate how ASEM could collaborate against the threat of transmittable diseases. Even before the Bali meeting, the AIDS problem had been promoted onto the security agenda, while the threat of avian flu was added later.

The items of the ASEM security agenda can be divided into three categories.

- Non-traditional security threats, to which ASEM can provide technical solutions
- Traditional and non-traditional threats, to which ASEM can respond with soft measures and
- Global security issues in which ASEM needs to coordinate Asian-European agenda-building, positioning, and strategy development.

The category of non-traditional security deals with threats that do not threaten states but individuals. ASEM agenda items on energy security, the environment, the illicit drug trade, money laundering, international organized crime, and uncontrolled migration are examples of Asian-European security issues in this category. Since the technical cooperation that this category of items requires is not particularly sensitive, non-traditional security challenges have sometimes been used as substitutes for more controversial security issues such as those related to traditional military security or human rights. In any case reaching political consensus on the non-traditional security issues has not been as challenging as it has in the case of other security agenda issues, and thus, initiatives in this category are more numerous than initiatives in other categories. Due to the technical nature of these security threats, practical cooperation has often started with expert seminars and conferences and preparation at the level of officials, and continued as cooperation and liaison between relevant national officials across the ASEM area. The tackling of infectious diseases has been indicative of cooperation in this category. The Bali Foreign Ministers' Meeting decided that China would hold a Seminar on the Management of Public Health Emergency, while Vietnam was to hold an International Conference on SARS to be held at the end of 2003. Meanwhile Thailand suggested organizing the Fifteenth International Conference on AIDS in July 2004 under the auspices of ASEM (Chair's

Statement of the Bali Foreign Ministers' Meeting). The procedure chosen for tackling the threat of illegal immigration followed the same pattern. In September 2001, an Experts Seminar on Migratory Flows Asia-Europe took place in Madrid, followed by an expert meeting in February 2002 in Beijing, China. These meetings paved the way for the Ministerial Meeting on Migratory Flows held on 4-5 April 2002 in Lanzarote (Spain) and for decisions on the official-level exchange of information and cooperation. In the case of the ASEM climatic declaration, the Helsinki Summit in 2006 had organized the preparation more efficiently and organized civil society/business/expert symposiums back to back with the preparatory Senior Officials Meeting so that the declaration could be accepted instantly after its preparation in the summit meeting. In the environment cluster of ASEM, efficient cooperation is also boosted by the regular meetings of ASEM Ministers of Environment, after the Seoul Summit of 2000 and the establishment of the Asia-Europe Environment Technology Center. The latter, however, was closed down due to a lack of funds. Yet the concept of establishing ASEM research centers with an objective of offering and growing expertise in areas central to ASEM cooperation could be workable.

After the mapping of the technical aspects of the threat, ASEM takes an initiative at an official level, as has been the case in at least six cases of non-traditional security items. At least the following formal initiatives have been formally launched by ASEM in the field of non-traditional security cooperation:

- ASEM Anti-Money Laundering Initiative
- ASEM Initiative on Trafficking in Women and Children
- ASEM Ministerial Conference on Cooperation for the Management of Migratory Flows
- ASEM Symposium on Law Enforcement Organs' Cooperation in Combating Transnational Crime
- ASEM Anti-Corruption Initiative
- ASEM Cooperation in Promoting Awareness in the Young Generation on the Drug Problem.

The political approval of the measures to be taken in this category of security cooperation is easier than in other categories. However, the content of the initiatives is limited by the fact that ASEM does not include legally-binding decision-making, nor does it have an automatic mechanism for securing the funding of its operations. Yet, one should probably conclude that in this category, ASEM has been a relatively successful security forum.

Work for inter-civilizational harmony, and the prevention of a clash of civilizations, the fight against terrorism as well as the management of social instabilities as sources of political instability, along with the work for human rights, belong to the category of traditional and non-traditional threats that ASEM can respond to with soft measures. Declarations and concept papers on these threats reveal some political principles that have been developed specifically in order to tackle threats in this category.

One of the leading philosophies in ASEM soft security measures is the involvement of the civil society, economic cooperation and work in the Justice and Home Affairs cluster for the promotion of security. As Fort puts it "Political decisions on security

taken under the first pillar can be reinforced by economic cooperation under the second pillar, completed constructively by Civil Society debate and consultation within the third pillar” (Fort 2004, 357; see also Sukonstasap and Santipitaks 2000, 98-107). The ASEM4 Chairman’s Statement even lists the commitment to the “re-establishment of the inter-Korean railway links” as a soft security measure. Furthermore, ASEF, with its people-to-people and cultural programs, is mentioned in several summit documents as a prime soft security instrument of ASEM (The ASEM Copenhagen Declaration On Cooperation Against International Terrorism; ASEM Copenhagen Political Declaration For Peace On The Korean Peninsula). Yet, soft means are seen as part of a package that does include (national) military means: “The fight against terrorism requires a comprehensive approach by the international community comprising political, economic, diplomatic, military and legal means in accordance with our respective domestic laws.” However, soft means take precedence in the package in ASEM cooperation.

The focus on cultural and economic means of conflict security promotion is not just a result of the power-political situation and the unavailability of military means. It is also a product of critical orientation toward the US approach of counter-terrorism, and the violent export of democratic systems by influential Asian and European security specialists as well as by NGOs in the ASEM People’s Forum (AEPF). Security specialists such as Jusuf Wanandi, Kusuma Snitwongse, Olivier Roi, and many others, who are part of the Asian-European academic advisory network have argued for a less militaristic approach to solving problems related to terrorism, human rights, and inter-civilizational tension. Furthermore the ASEM People’s Forum on 22 September 2002 appealed against the US strategy in the “War on Terror” (ASEM4 People’s Forum 2002).

The focus on soft means is based on an ASEM strategy that acknowledges the fact that terrorists have a moral responsibility for their deeds, while recognizing that certain conditions are more conducive to the emergence of terrorist opportunities and motives. This is explicitly defined in the Copenhagen Declaration, which immediately after explaining the soft security toolbox, adds that soft measures are to be used “duly taking into account root causes of terrorism without acknowledging these as justifications for terrorist and/or criminal activities.” The strategy of ASEM recognizes that behind illegitimate acts of crime and terror (or human rights violations) there might be legitimate grievances that make the illegitimate acts more probable. Thus ASEM shows more flexibility than actors of military containment of terrorism, whose focus is on the “evildoers”, and not on the conditions of criminal and terrorist deeds. If one focuses on the military objectives of eliminating terrorists (instead of focusing on terrorism as a multi-causal phenomenon), soft security actions of tackling the grievances of the “terrorist constituencies” seem like actions of retreat and signs of weakness. However, in the ASEM strategy, terrorism and crime are seen as an alarm and a signal of problems that have to be tackled. Nevertheless the toolbox includes the options of pursuing and convicting terrorist individuals, instead of seeing them as victims of the conditions.

In light of the logic of tackling the root causes, the ASEM Copenhagen Cooperation Programme on Fighting International Terrorism declares the ASEM Duo Fellowship Program, Asia-Europe University Program and the ASEM Lifelong

Learning Initiative (under the ASEM Education Hub Program) as instruments. In addition, ASEM's programs within the intellectual, cultural and people-to-people exchange activity are central to the Copenhagen Cooperation Programme, just as the justice and home affairs elements are intended to curb the opportunities for terrorist organization in the ASEM area. Furthermore, the Copenhagen Cooperation Programme mobilizes the economic instruments of sustainable development in the fight against terror.

The ASEM approach explicitly rejects "any attempt to associate terrorism with any religion, race or nationality" (The ASEM Copenhagen Declaration on Cooperation against International Terrorism). Yet ASEM's work in fighting terrorism is somehow linked to the difficult and tense relations between cultures and religious groups. This is clear in the *ASEM Concept Paper on ASEM Conference on Cultures and Civilisations* which refers to the terrorist attacks of 11 September 2001 in its opening sentence.<sup>7</sup> This apparent contradiction demands an explanation. On the one hand, it is probably not possible to claim that terrorism has nothing to do with religion, since a large number of terrorist individuals and groups base their justifications on an abuse of religious rhetoric. What the dissociation of religion and terror in ASEM declarations first and foremost reflects is the recognition that no religion itself promotes or justifies violence against civilians. Terrorism represents a misinterpretation of religious rationales. Furthermore, the ASEM assertion of a dissociation refers to the fact that terrorism has not been a monopoly of just one religion but, instead, rhetoric of several religions has been invoked for the legitimization of the criminal acts of terror. Yet terrorism somehow relates to the difficult relationship between cultures and religions. An asymmetric tense relationship between two cultures tends to produce conditions where some individuals use their religious rhetoric for the justification of criminal acts. Furthermore, terrorism, as well as culturally insensitive counter-terrorism, have fuelled tension between cultures and religions. Thus the prevention of terrorism may call for an inter-cultural dialogue, despite the fact that terrorism is not to be associated with any of the cultures or religions involved in the dialogue.

In the ASEM context, the principle of inter-civilizational dialogue has utilized the Indonesian constitutional principle of "unity in diversity". The idea behind this principle has been to reject the meaningfulness of civilizational divisions, and to cherish cultural and religious diversity (see for example the *ASEM Declaration On Dialogue Among Cultures And Civilizations*). While it is important that ASEM has managed to decide on principles of inter-cultural dialogue, these principles have not yielded very tangible results. The next step would be to collaborate and utilize Asian experiences in Europe and vice versa to devise implementation strategies for the principles of unity in diversity in the ASEM conflict areas. European integration policy, employment policies and the emerging inter-cultural antagonism could be a good starting point. The distance between principles and specific actions is still considerable in this and in many other areas of ASEM soft security promotion.

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<sup>7</sup> For this framing, see also *ASEM Declaration on Dialogue Among Cultures and Civilizations*.

Instead of specifically investigating how economic, cultural and inter-civilizational projects could be used for the specific purpose of building inter-cultural bridges and preventing inter-religious terrorism, ASEM neglects the development of the instruments. As a result, it is very difficult to pinpoint anything tangible that has been achieved in the field of intercultural progress or the prevention of terrorism. It seems that countries which have analyses in this field have not shared the results of their investigations in ASEM contexts, and this has limited the ASEM ability to fully use its soft security toolbox. The fact that individual nations have not necessarily followed the ASEM principles has also limited the usefulness of the ASEM work against terrorism. The ASEM principle of cherishing diversity has not always ruled European debate on integration, terrorism, and inter-cultural relations.

Intellectual exchanges and the people-to-people exchange of ASEM could be the only exceptions, with specialist and track-two events, that have managed to disseminate information on how counter-terrorism could be less damaging to inter-civilizational relations.

ASEM activity related to the support and coordination of peace-keeping, arms control, and UN reform belongs to ASEM's global security agenda where ASEM needs to coordinate Asian-European agenda-building, positioning, and strategy development. ASEM's soft security activity, including counter-terrorism and the prevention of inter-cultural and inter-civilizational tension also partly belongs to the ASEM global agenda, as in some activities, the agenda-building, and the definition of global principles to be supported is clearly targeted at influencing the global debate, rather than just the Asian-European debate. In particular, the Hanoi principles of inter-civilizational dialogue regarded neo-liberal globalization and growing racial intolerance as being behind terrorism, and pushed the logic of tackling the root causes of terrorism far further than is customary in the US-led discourse on the "War on Terror". By doing so, ASEM participated in the global debate on civilizational dialogue and took a position far softer than that of the US.

The main global positioning of an Asian-European approach to arms control, and the issue of North Korea and Iran, tends to emphasize dialogue, cooperation and confidence-building measures, against a strict policy of sanctions, punishment and isolation. *The ASEM Copenhagen Political Declaration For Peace on the Korean Peninsula* suggests that increasing cooperation is of primary importance on the agenda and to this end it should be decoupled from the nuclear issue. In Copenhagen ASEM welcomed the substantial progress recently made towards accomplishing a series of projects for inter-Korean cooperation, including the launching of the construction work on 18 September 2002 for the reconnection of rail and road links across the inter-Korean border, which have been severed for the last five decades. They shared the view that the holding of a second Inter-Korean Summit would be of great value in sustaining the momentum in the peace process on the Korean Peninsula. Reiterating their support for the Korean Peninsula Energy Development Organization, leaders underlined the importance of the full implementation of the 1994 Agreed Framework. Only after the soft-security and confidence-building agenda did the declaration mention the nuclear issue. "They also expressed the hope that all outstanding issues, including nuclear- and missile-related matters, should be resolved through dialogue in a timely manner." This line is in stark contrast to the

American approach of seeing cooperation as a hostage of the nuclear issue. It has been suggested that the issue of the conflict in Korea is the only concrete one where the partners have engaged in more substantive dialogue and have managed to convey a message of unified concern about the crisis (University of Helsinki Network for European Studies 2006, 59). In other issues the ASEM partners tried to avoid direct confrontation with US positions and interests (Lim 2000a, 8).

The Indian and European, and especially French, approach to the nuclear issue of Iran, tends to exemplify the same logic. Cooperation, confidence-building and dialogue are paramount in a soft strategy for peace, and these issues should not be subordinated to the logic of sanctions. Yet, if one observes the ASEM positions in the UN, one can clearly see that both in the issue of Iran and North Korea, European voting behavior, both in the UN General Assembly and in the Security Council, has been better coordinated with the US than with the ASEM partners, especially China. Yet this does not attest to the irrelevance of ASEM position-building. Even if the coordination of positions across the Atlantic has influenced the European position more than the intra-ASEM coordination, ASEM coordination has still been meaningful: Europe and Asia with the explicit backing of common ASEM positions, defined by unanimous (even if legally non-committing) ASEM declarations, have influenced a stance toward a more conciliatory line in issues of arms control, both in Iran and in North-East Asia. The war in Iraq could be seen as the only case where a number of ASEM countries explicitly went against their own positions, in an issue that was assumed to be related to the control of weapons of mass destruction.

While ASEM positions on the issue of global terrorism, inter-civilizational relations, and arms control have all been reasonably close for more substantial ASEM positioning, the issue of UN reform has been trickier. If one looks at the Chair's Statements in ASEM summits and Foreign Ministers' Meetings as well as the declarations on other security issues, the first common position of ASEM on the UN reform is the perceived need to support the centrality of the UN in global security issues. This is clearly at the heart of ASEM multilateralism. As a consequence, ASEM countries are also committed to results of the UN reform that increase the efficiency of the UN and its legitimacy at the forefront of global security. However, reading the Chair's Statements of the most recent summits and Foreign Ministers' Meetings, it is clear that the only thing that has been consensually agreed upon is the continuation of dialogue on UN reform. The inability to reach any concrete substantial positions is understandable, as the interests of the ASEM countries represent opposite ends in almost all substantial issues of the global debate on UN reform. Developed European and Asian countries and the developing Asian countries harbor a natural disagreement on the funding of UN activities, while the overrepresented Europe cannot find common interests with the underrepresented Asia in the issue of representation in the Security Council. Compared to the other global issues, ASEM coordination of positions on UN reform has not, therefore, succeeded very well. ASEM global coordination has functioned best in issues related to non-traditional security and to unilateralism and multilateralism. In these issues ASEM global cooperation offers considerable opportunities. According to Jürgen Rüländ, ASEM could become a meaningful contributor to global multilateral negotiations by innovative agenda-setting, as issues related to, say, human security

could have a bigger impact on Asia and Europe than traditional questions (Rüland 2006b). By coordinating positions on these issues of mutual global interest, ASEM could emphasize the global power of Asia and Europe *vis-à-vis* the United States (Hänggi 2004, 101-113).

### **Concluding remarks**

In general, the conclusion of this chapter is very similar to the one presented by Bertrand Fort, the Deputy Director of ASEM: “(The ASEM) process of multidimensional dialogue plays a prominent role in addressing issues of transnational security in both regions mainly in the field of “soft” and non-traditional security affairs.” Furthermore, ASEM is working on applying more substance to its global security role as a force in support of multilateralism, respect for international law and primacy of an improved UN. The general ASEM approach is still plagued by some kind of a colonial mentality as most of the activities and substantive agenda creation has been related to Asian, rather than European threats. While European ASEM countries have been frustrated with the closed nature exhibited by Asian countries when it comes to sensitive Asian security issues, the question of a strong, intrusive Asian presence in West Europe’s key security problems has never even been raised. Yet, with increasing preparedness to combine formal and informal mechanisms of cooperation with an increased ability of ASEM partners to agree on the modalities of cooperation on sensitive issues, the colonialist expectations and overly protective attitude in relation to sensitive aspects of human security can be overcome.

ASEM success in tackling non-traditional security issues is partly related to the sensitivities of security cooperation. Less sensitive security issues have received more attention in place of the sensitive issues, and thus environmental security, security against contagious diseases and so forth have managed to garner the resources and a place in the showcase of ASEM security cooperation.

The fact that ASEM does not have a permanent organization and a budget has arguably affected its ability to react, in time, to the non-traditional challenges to security. In issues that attract a lot of public attention, such as SARS, avian flu, or the Asian tsunami, funding has not been a problem: it is in the logic of democratic politics that combating this type of highly visible challenge always finds political funding. However, even in these types of challenges, the absence of organization makes it more difficult to react in a timely and well-advised manner. With regard to some types of non-traditional problems, the solution could be the establishment of specialized expert centers, such as the Asia-Europe Environment Technology Center, which not only help in the facilitation of a rapid reaction in the face of a non-traditional Asian-European security threat, but also make it possible to prepare a well-advised agenda for a specific category of security threats. The failure of the Asia-Europe Environment Technology Center would not discourage the utilization of the model. In the case of such threats that do not become as visible as the Asian tsunami or SARS, the existence of such Asian-European centers would be even more important, not only in the facilitation of an early response to problems that already surface, but also in the prevention and pre-emption of such challenges.

With regard to Asian-European threats that could be tackled by soft security instruments, the colonial mindset is most obvious. Inspiration and lessons could be drawn from conflicts like North Ireland, and the Basque country, from Asian successes, and failures of Asian disputes on the political administration of territories. The case of Aceh has been mentioned as a model case of European-Asian cooperation for security, but many elements of that model could also be utilized in European separatist conflicts: the necessity for a dialogue with a marginalized enemy, the need to come to terms with problems of imperfect implementation of administration (and the psychological problems of administering involuntary subjects) and the need to be open to neutral mediation are just a few of the elements that could also be applied to European conflicts. However, the problems of dealing with multiculturalism, the difficulties of integration of immigrants into European societies, tackling racism, and managing religious differences are clearly issues where tension escalates in Europe. The contribution of these problems to modern-day European and international terrorism has already been recognized by many of the leading scholars on European terrorism. ASEM has already accepted Asian principles of “unity in diversity”, but the Asian experiences of multiculturalism should be explored in a much more systematic manner. Asian inputs to the escalating European problem with its cultural minorities and immigrants could be a pioneer project of European-Asian cooperation on a European problem.

When it comes to European multiculturalism, and also to the sensitive issue of Burma/Myanmar and other Asian human rights issues, ASEM has to be able to further develop its track two mechanisms. Asian countries should show their commitment to participating in the funding of such fora, while European officials should demonstrate their commitment by fully participating in them. ASEF is already doing excellent work in the generation and promotion of fora that feed into the proactive agenda-building of ASEM security cooperation, as well as seek avenues for the resolution of already existing sensitive security problems. While ASEM should be fully committed to the support of this ASEF activity, track two activities should not be limited to those linked to ASEF. The informal processes related to the Aceh Peace Talks demonstrated that sometimes unofficial channels of conflict resolution are simply born out of spontaneous activities of individuals and groups without a connection to ASEF. These informal channels also require support from whichever ASEM member is most convenient for the particular effort in soft security promotion.

In the field of the promotion of a less militarized, softer security strategy and multilateralism on the global scale, ASEM has already made substantial progress in the definition of operationalizable substantial principles. However, in ASEM's coordination of global action, for example under the UN umbrella, principles have all too infrequently been translated into operational practice. With more concrete joint operationalization of what the ASEM principles of multilateralism mean in concrete global security challenges, ASEM would be able to coordinate common positions and approaches in the UN Security Council, General Assembly, ASEAN Regional Forum and elsewhere. Various track two fora should be more proactive in this process of trying to find out what the common general principles should mean in concrete issues, like non-proliferation, arms control, the global fight against



terrorism, UN reform, and so on. Only by working on the principles and clarifying their practical implications could ASEM make the coordination of its global role more effective. Since ASEM is not the only forum for the coordination of global positions, one should never expect too much of the ASEM positioning. However, some of the core ASEM values could have more “bargaining leverage” in the definition of the positions of various UN member countries, if the practical implications of the ASEM principles were clearer.

In addition to influencing global positioning and bargaining on issues where the US has the dominant role, ASEM can directly influence global action in such global security issues where they play a leading role. UN peace-keeping operations are such an issue, due to the fact that ASEM countries contribute the vast majority of all troops. Thus, operationalization of ASEM multilateralism would be especially useful in issues related to UN peace-keeping. ASEM could establish specialized fora, perhaps even an institute, as was the case with the Asia-Europe Environment Technology Center, to study the challenges of implementing ASEM principles in peace-keeping, in order to realize its potential as the greatest supporter of UN peace-keeping operations.

Finally, in addition to the operationalization, new principles of the ASEM global agenda have to be innovated. For this, the development of inter-sector, inter-forum interaction should continue. It simply will not do for security specialists to have ideas on ASEM’s global role, and the People’s Forum to have its own ideas, while senior ASEM officials have contrasting sets of prescriptions. Instead, developing fora and holding ASEM symposiums that invite members from the various established fora and professional groups will provide added value to the ASEM security dialogue. A good start in this respect was made at the Helsinki Symposiums before the ASEM6 Summit, but this practice should be continued and expanded in order to develop the ASEM global policy agenda on security.

## Chapter 4

# Human Rights and Burma/Myanmar in the ASEM Dialogue

Silja Keva

During the first decade of the ASEM process the dialogue on political issues has proven to be the most controversial and problematic area of discussion. As the growing economic interests had provided the initial motivation for Asia-Europe cooperation, many, particularly Asian partners, were at first reluctant to include political issues in the dialogue. The partners considered that discussing sensitive issues, such as human rights and democracy, where Asian and European viewpoints and values tend to conflict, would have an adverse effect on less controversial areas such as trade and economy (O'Brien 2001, 26). Nevertheless, due in large part to European emphasis, the political dialogue found its place in the ASEM framework from the outset, and has since developed into a more significant dimension of the partnership, while at the same time expanding the scope of topics. The subject matter has included topical international events and security issues as well as human rights and the environment. During the first ten years of ASEM cooperation, the international environment has changed dramatically, making the need for political dialogue increasingly apparent.

This chapter will focus on one of the most sensitive issues of the political dialogue, namely human rights. Particular attention will be paid to Burma/Myanmar<sup>1</sup>, a country which has been a thorn in Asia-Europe relations for years and which has dominated much of the human rights dialogue in ASEM. The Burma/Myanmar issue has even threatened to paralyze cooperation on two occasions, as discussed later in this chapter.

The difficulties in the political dialogue stem from the fact that the Asia-Europe Meeting brings together a diverse group of countries from two continents. At the regional level, the two key actors, the EU and ASEAN+3 (China, Japan and Korea), represent cooperation frameworks which are at very different stages of integration and which have very different functions and mechanisms. The varied historical backgrounds of the regions and different principles of cooperation are all reflected in the dialogue. In addition, the partners come to the meetings with different objectives and expectations, although the overall goal of the dialogue – creating better understanding and enhancing cooperation between the two regions – is shared by both sides. The dialogue on human rights is a potential topic where all these

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1 The former name of the country, Burma, is used by the country's opposition and by the US, for example. The country was renamed Myanmar in 1989 by the junta, and this is the name which is used in Asia and in the UN. The European Union prefers the term Burma/Myanmar, particularly in writing.

differences are perceptible and principles such as the universalism of human rights, cultural relativism and non-intervention in national affairs are pitted against each other. Furthermore, in the case of Burma/Myanmar, this conflict has been coupled with two diametrically opposite principles, namely using isolation as a means of pressuring a condemned regime, as opposed to constructive engagement.

This chapter aims to uncover the ways in which these different positions and principles have been reflected in the ASEM dialogue on human rights and Burma/Myanmar, and it will also discuss the reasons why the latter has become such a central and contentious issue. The value of the dialogue for the partners will also be assessed. The scope of this chapter will be extended to the EU-ASEAN cooperation as many of the issues or conflicts in the ASEM process stem from it. The chapter will conclude with comments on the future of the dialogue.

The analysis has been based on the Chairman's Statements issued after each summit and Foreign Ministers' Meeting, on key ASEM-related documents, on the most relevant research literature, and on consultations with experts and government officials conducted by the author. The ASEM summits and Ministerial Meetings are closed, informal gatherings, and the discussions are held without assistants or reporters and no official transcript of the discussions is made. The outcome and conclusion of the dialogue is reported in the Chairman's Statement, which is more a reflection or a summary than a word-for-word transcript of the discussions held at the meeting. Nevertheless the Chairman's Statements do depict the shared values, attitudes and commitments of the partners. They also reveal the common position of the partners regarding various topical international issues as well as reflect the differences between them.

## **Human rights in Europe and Asia**

The characteristics of the ASEM human rights dialogue can only be understood alongside a closer analysis of the different principles and values of the partners.

### *Human rights as part of the European foreign policy*

The universal principles of liberty and democracy, respect for the rule of law, human rights and fundamental freedoms have been called the foundations of European integration since the Treaty of Rome (1957), due to the devastating experiences of the Second World War. Respect for human rights is also one of the key requirements of accession to EU. However, it was not until the Treaty on European Union (TEU), which came into force in 1993, that human rights and democratic principles were actually adopted as a key part of the EU's external policies. The EU human rights policy is based on the United Nations Charter and the Universal Declaration of Human Rights, complemented by the International Pacts on civil and political rights and on economic, social and cultural rights. Together with the priorities adopted at the World Human Rights Conference (Vienna, June 1993) they create a central framework for the EU. At the core of the policy are three main principles, which stem from the Universal Declaration of Human Rights and the Vienna Conference 1993: universality, indivisibility and interdependence. The EU supports the view

that a state's responsibility for upholding human rights extends beyond its citizens to the international community and the UN, and over the principle of non-interference (European Commission 2001c). "The different ways of expressing concern about violations of rights, as well as requests designed to secure those rights, cannot be considered as interference in the internal affairs of a State, and constitute an important and legitimate part of their dialogue with third countries" as stated by the European Council in 1991. In addition, national, cultural or religious factors should not be set against human rights principles, while economic, social and cultural rights should not have priority over political and civil rights (European Council 1991). The EU also emphasizes the strict, complementary link between human rights and democracy (European Commission 1995).

On the basis of the Treaty on European Union, at the end of the Cold War the EU started to use political conditionality in its relations with other countries and regions as part of its external policy, particularly with developing countries with the aim of promoting and encouraging human rights and democracy. After 1995 all new bilateral agreements have included the human rights clause. Positive measures that support a constructive partnership with the government of the third country are prioritized, but the prerequisite for success is that the government in question is ready to cooperate. In the event that the third country has no genuine commitment to pursue change through dialogue and consultation, negative measures may be used (European Commission 2001a). Different measures (diplomatic and economic sanctions, arms embargos) have been imposed on countries violating human rights, although sanctions and isolation are considered the last resort (European Commission 2007a).

In practice however the effect of human rights clauses has been regarded as modest, compared to the actual human rights violations taking place around the world (Bartels 2005, 37). Human rights' advocacy groups like Amnesty International have criticized the EU policy for not living up to its standards, arguing that the human rights clause is "a dead letter" (Amnesty International 2002).

Interestingly, the EU's cooperation agreements with its two major Asian partners, China and ASEAN,<sup>2</sup> still lack this conditionality. In both cases the current cooperation agreements date back to a time when human rights and democracy were of lower priority in Europe (China 1985; ASEAN 1980) and later the partners have not found common ground to update the documents. Disagreements over human rights issues, particularly Burma/Myanmar, have been one of the key reasons why the agreement between EU and ASEAN has not been renegotiated (Forster 1999, 751). With China human rights issues have been discussed in the framework of the EU-China Human Rights Dialogue since 1996.

### *Human rights in the Asian regional dialogue*

The basic principles of ASEAN (Association of Southeast Asian Nations), recorded in the Bangkok Declaration (1976) and the Treaty of Amity and Cooperation in

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2 The EC-ASEAN Cooperation Agreement of 1980 has for years been the main framework for cooperation with most of the Southeast Asian Nations (with the exception of Cambodia, Laos and Vietnam, which have a bilateral agreement that includes the human rights clause and Burma/Myanmar which is excluded from the EC-ASEAN agreement).

Southeast Asia (TAC 1976), highlight the mutual respect for the independence, sovereignty and equality of all nations and non-interference in the internal affairs of one another. Reflecting the historical background of the formerly colonized nations, the ASEAN cooperation embodied a loose system which highlighted national sovereignty and non-intervention. The treaty itself does not cover human or fundamental rights.

The ASEAN partners agree that while basic human rights are universal in character, they are still governed by the distinct culture, history and socioeconomic conditions in each country and that their expression and application in the national context are within the responsibility of each country (ASEAN 1992). In addition, ASEAN emphasizes that the protection and promotion of human rights in the international community should take into account the principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of states. While reaffirming ASEAN's commitment to and respect for human rights as set out in the 1993 Vienna Declaration, the foreign ministers stressed in 1993 that the use of human rights as a conditionality for economic cooperation and development assistance is harmful for international cooperation and could undermine international consensus on human rights (ASEAN 1993).

In Southeast Asia, especially in Malaysia and Singapore, the concepts of human rights and democracy have often been linked to the debate on specific Asian values that are said to present an alternative to the western liberal-democratic ideas. The Asian values dialogue emphasizes that the developing states must prioritize economic development and the collective rights (economic, social and cultural), rather than individual political and civil rights (Robles 2004, 135-6). In its foreign relations, China also stresses the principles of respect for national sovereignty and non-intervention in internal affairs, although it does emphasize the importance of peaceful and harmonious dialogue on the topic like in the EU-China Human Rights Dialogue (Ministry of Foreign Affairs of China 2003).

While the Asian partners emphasize their commitment to the morally binding international human rights instruments such as the Universal Declaration of Human Rights or the Vienna Declaration, many of them have not actually bound themselves to the related key treaties. For example, Japan, Indonesia, Philippines, Thailand Vietnam and Korea are the only Asian ASEM partners that have ratified or acceded to the International Covenant on Civil and Political Rights. Brunei, Malaysia, Burma/Myanmar and Singapore are not parties to the International Covenant on Economic, Social and Cultural Rights (United Nations 2006).

### *EU-ASEAN dialogue – disputes over human rights issues*

While the EU and ASEAN are, at least to some extent, committed to respect the same international human rights declarations in the framework of the UN, their understanding regarding the promotion and safeguarding of human rights within the international community has often conflicted as showcased by the EC-ASEAN relations in the early 1990s (see for example ASEAN 1992). The crisis in East Timor surfaced in the EC-ASEAN context in 1986 when Portugal joined the European

Community.<sup>3</sup> When Burma/Myanmar became a member of ASEAN in 1997, the EU opposed its membership because of the country's serious human rights and democracy problems. ASEAN countries considered the human rights situation in Burma/Myanmar an internal issue of the country and opposed EU's critical stance. The situation led to a deadlock and EU-ASEAN ministerial meetings were postponed during 1997-2000. The meetings were finally resumed in 2000 when the Foreign Ministers convened in Laos showing emerging willingness to continue the dialogue.<sup>4</sup>

### **Human rights issues in the ASEM dialogue**

The above-mentioned differences regarding the understanding of the concepts of human rights were also likely to surface in the Asia-Europe Meeting process, which started in 1996 in Bangkok.

#### *From Bangkok 1996 to Helsinki 2006*

Before the first ASEM summit, the European Council mapped out its expectations and requirements for the new Asia-Europe partnership in Madrid in 1995. The EU noted that the dialogue did not "require identical values, ideas and social codes", but stressed the need for greater understanding of difference in values and customs that govern societies. However, at the same time, the ASEM participants should emphasize their common commitment to the promotion of and respect for human rights and fundamental freedoms on the basis of the key international documents, such as the Charter of the United Nations, the Universal Declaration of Human Rights, and the Vienna Declaration and Programme of Action. It was noted that human rights, the rule of law and good governance play a key role in furthering harmonious social development and the ASEM participants should reflect on the close links between the political and economic aspects involved in building a secure, stable and democratic society (European Council 1995c, European Commission 1994; 2001a).

Despite the recommendations and guidelines laid out in Madrid, these issues were only very briefly addressed at ASEM1. Following the Asian partners' requests, the summit refrained from touching controversial issues such as human rights and

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3 East Timor was a Portuguese colony until 1975. Right after its declaration of independence, Indonesia occupied and later annexed East Timor. During the Indonesian occupation the area experienced severe violence and a strong underground movement persisted in East Timor. The downfall of Indonesia's leader Suharto and the Asian economic crisis expedited the change of Indonesian policy on East Timor. The UN mission to East Timor facilitated a referendum in 1999, which resulted in calls for independence. Timor Leste became independent in 2002.

4 No European foreign ministers participated in the meeting, whereas all ten ASEAN foreign ministers were present (the meeting coincided with an EU summit in Nice) (Loewen 2005b, 68). The EU was not unified on the Burma/Myanmar issue. The Netherlands and the UK objected to Burma/Myanmar's participation, whereas Germany, for example, saw the relationship as too valuable to be held hostage by one country (Lim 1999, 26-27).

democracy in order to promote a harmonious dialogue (Loewen 2005b, 69). Some Asian partners feared that the Europeans would be judgmental or preaching in a way which could have jeopardized successful dialogue. Therefore the ASEM1 Chairman's Statement only briefly referred to fundamental rights and the text was linked with the principle of non-intervention:

The dialogue among the participating countries should be conducted on the basis of mutual respect, equality, promotion of fundamental rights and, in accordance with the rules of international law and obligations, non-intervention, whether direct or indirect, in each other's internal affairs (ASEM1 Chairman's Statement 1996).

In order to handle sensitive issues, the first summit introduced the informal track-two level dialogue, mostly in the framework of the Asia-Europe Foundation<sup>5</sup>, which brings together representatives of civil society, academia and government to discuss issues such as democracy and human rights. To date, the Asia-Europe Foundation has organized eight ASEM Informal Seminars on Human Rights.<sup>6</sup> Although these seminars have been called successful in building a constructive dialogue, talks at this more informal level have also been said to be challenged by the concept of non-interference in national affairs, often repeated by Asian partners (Loewen 2005b, 71).

ASEM2 (London 1998) mainly focused on the Asian financial crisis and human rights were not mentioned in the Chairman's Statement, although the host, British Prime Minister Tony Blair, reported that fundamental rights were discussed (Lim 2001a, 96-97). The preceding Foreign Ministers' meeting in Berlin 1997 presented a stark exception. In Berlin the Chairman's Statement mentioned some of the most relevant human rights tools (United Nations Charter, the Universal Declaration on Human Rights, the 1993 Declaration of Vienna and the Programme of Action of the World Conference on Human Rights and the 1986 Declaration on the Right to Development). However, the debate at the meeting itself reportedly led to conflict between China and the host over human rights issues and the principle of non-interference. The Chinese representative accused the Europeans for arrogantly posing Western values on others (*Europe Information* 31 March 1999).

At the summit level ASEM3 (Seoul 2000) marked a turning point, as there too was now a direct reference to human rights linked with the World Conference on Human Rights in Vienna, indicating that the subject was no longer taboo. According to Howard Loewen (2005b, 73), the ASEM partners seemed to realize that human rights issues needed to be taken seriously if the dialogue was to continue in other fields. Additionally, the new Asia-Europe Cooperation Framework (AECF) endorsed at the summit included the respect for human rights.

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5 Other track-two dialogue instruments include the Council for Asia-Europe Cooperation and the Asia Europe Vision Group. The Council for Asia-European Cooperation (started in 1996) is not an official ASEM process as it includes institutions from non-ASEM countries. The Asia-Europe Vision Group was commissioned by ASEM2 to provide a long-term vision for ASEM.

6 Lund 1997, Beijing 1999, Paris 2000, Denpasar 2001, Lund 2003, Suzhon 2004, Budapest 2006 and Siem Reap 2007.

ASEM Leaders envisage Asia and Europe as an area of peace and shared development with common interests and aspirations such as upholding the purposes and principles of the UN Charter, respect for democracy, the rule of law, equality, justice and human rights, concern for the environment and other global issues, eradication of poverty, protection of cultural heritage and the promotion of intellectual endeavors, economic and social development, knowledge and educational resources, science and technology, commerce, investment and enterprise. (The Asia-Europe Cooperation Framework (AECF) 2000, paragraph 5)

Nevertheless, some Asian countries, especially China, Malaysia and Singapore, were still concerned that this formulation would allow a continuous critique from Europe toward Asian human rights records. Therefore the reference was again balanced in the twelfth paragraph of the AECF, which reaffirmed that direct or indirect interference in the states' internal affairs was not acceptable (Loewen 2005b, 74). It is important to note that non-interference, the key element of ASEAN and Chinese foreign policy, was now confirmed as an ASEM principle. In addition, the AECF 2000 confirmed that the ASEM process should "be conducted on a basis of equal partnership, mutual respect and mutual benefit", highlighting another key principle: equality of the partners. The document also noted that although no issue should be excluded beforehand, wisdom and judiciousness should be exercised when selecting the topics for discussion.

In ASEM4 (Copenhagen 2002) terrorism was the main topic of discussion, and human rights were not mentioned in the streamlined Chairman's Statement, but in the ensuing ASEM5 Summit in Vietnam (2004) respect for human rights and the principle of non-intervention were again raised. The need for dialogue on the International Criminal Court was also stressed. At ASEM6 (Helsinki 2006) the human rights issues were mentioned in many contexts such as the UN Charter, the establishment of the Human Rights Council, the International Criminal Court, situation in Burma/Myanmar and Afghanistan, the fight against terrorism and new security threats. The leaders also took note of the informal ASEM Human Rights Seminars in the Summit Chairman's Statement.

During the first ten years of ASEM cooperation, human rights issues have slowly been added to the agenda of the leaders' summits, but not without controversies, the most difficult of which is the question of Burma/Myanmar.

### **Burma/Myanmar in the ASEM dialogue**

Before analyzing the ASEM dialogue on Burma/Myanmar, a short introduction to the situation in the country is called for, as well as short descriptions of the Asian and European positions on the country.

#### *Human rights crisis in Burma/Myanmar*

The military coup d'état of 1962 gave rise to the military dictatorship in Burma/Myanmar. In the late 1980s the internal situation resulted in a series of protests by the pro-democracy movement, which paved the way for the first free elections in almost 30 years in 1990. However, the democratic opposition's (National League for Democracy,



NLD) election victory was disregarded by the power-holding military elite (State Law and Order Restoration Council SLORC, reorganized in 1997 under the name State Peace and Development Council, SPDC). The representatives of the NLD, including their key figure Aung San Suu Kyi, were placed under intense pressure and detention. Currently the country is being led by Senior General Than Shwe and the majority of ministry and cabinet posts are held by military officers. Human rights organizations, such as Human Rights Watch and Amnesty International, have reported violations of human rights and fundamental freedoms, including forced relocations and forced labor on a massive scale. In addition, the military regime has had little tolerance for political opposition (Human Rights Watch 2007; Amnesty International 2006).

The international community has condemned the situation in Burma/Myanmar, but the efforts by the UN Secretary General and UN agencies such as the ILO have not been very successful in improving the political situation. Early 2007 United States tried to raise the issue at the UN Security Council, but China and Russia vetoed the U.S. call by stating that the present domestic situation in Burma/Myanmar does not constitute a threat to international regional peace and security. The General Assembly has condemned the abuses in Burma/Myanmar.

#### *The EU position on Burma/Myanmar*

The EU has repeatedly criticized the situation in Burma/Myanmar and has promoted the establishment of a legitimate civilian government and respect for human rights and democracy. Since the 1990s the EU has adopted different measures to promote change in Burma/Myanmar, which are recorded in the Common Position,<sup>7</sup> in force since 1996. The Common Position is updated yearly and includes, among other things, a visa ban and asset freeze for senior military and government members. In addition, EU-registered companies are prohibited from making finances available to named state-owned enterprises. Attention is being paid to the development of civil society, opening links to the outside world as well as progress on the Millennium Development Goals. The EU's aim is to provide assistance to the people of Burma, while pressuring the regime with political sanctions (Council of the European Union 2006). In addition to the long-term isolation policy, the EU Commission has also tried to seek dialogue with Burma/Myanmar's ruling military in the ASEM and ASEAN context and bilaterally. The Common Position allows visa exceptions to otherwise listed government representatives to multilateral meetings in the EU, if these directly support promotion of human rights and democracy in Burma/Myanmar<sup>8</sup> (Council of the European Union 2004, 2006). In addition to the Common Position the EU has pressured Burma/Myanmar through its trade policy in the Generalized System of Preferences program, from which Burma/Myanmar has been excluded since 1997 because of forced labor issues (Council of the European Union 1997).

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<sup>7</sup> The Common Position is a tool of the EU Common Foreign and Security Policy. It defines the approach that the EU takes on certain matters of a geographical or thematic nature, and defines in the abstract the general guidelines that the national policies of member states must conform to.

<sup>8</sup> Article 6 Paragraph 5 of the Council Common Position 2004/730/CFSP of 25 October 2004.

**Box 4.1 Burma/Myanmar: European Objectives (compiled by Timo Kivimäki)**

The fundamental European objectives in Burma/Myanmar have remained relatively unchanged. They are related to the people of the country rather than state-to-state relations, and the main targets are the promotion of a) democracy and human rights, b) peace/non-violence and c) the alleviation of poverty.

The European Council Conclusion of 8 October 2005 defines these objectives as “Restoration of democracy, the pursuit of national reconciliation and the protection of human rights in Burma/Myanmar in the interests of all the peoples of the country”. The objective of economic development of the people has been defined less explicitly, as it has been the assessment of the EU that political reforms are a condition for development. Yet the interest can be implicitly read from the efforts to limit the damage of sanctions to ordinary people and the careful limitation of the aid-related restriction in the 2004 Common Position (Article 5, 2004/730/CSFP), as well as in the actual development cooperation of Europeans in the country. If one compares the debate that led to the earlier European Common Positions with the debate related to the 2006 Council Regulation (EC, No 817/2006 of 29 May 2006), one can probably say that the objective of protecting the poor and vulnerable has gained more prominence in European thinking.

**European Strategy**

European strategy in Burma Myanmar disempowers the military regime and pressures it to allowing greater civilian freedoms. Pressure is based on the following instruments:

- a. Arms Embargo 1990.
- b. Suspension of defense cooperation 1991.
- c. Ban on military aid 1996 (Common Council Position 1996/635/CFSP).
- d. Visa ban for government officials and their families 1996.
- e. Freezing of Funds of members of the Government of Myanmar or any legal or natural person associated with them, 2000 (Common Council Position 2000/346/CFSP).
- f. Ban on loans to Myanmar SOE, 1996.
- g. Suspension of bilateral non-humanitarian aid, 1996, This was qualified in 2004 defining that non-humanitarian aid, channelled through UN organizations, NGOs or local decentralized civilian bureaucracy was allowed if it:
  - i. Addresses “human rights, democracy, good governance, conflict prevention and building of capacity of civil society” or
  - ii. Addresses “health and education, poverty alleviation and in particular, the provision of basic needs and livelihoods for the poorer and most vulnerable people.” or
  - iii. Promotes “environmental protection, and in particular programs addressing the problem of non-sustainable, excessive logging resulting in deforestation” (Common Council Position 2004/730/CSFP).

The ending of the sanction measures has been conditioned to the following demands:

1. Start a dialogue between the government and democratic forces.
2. Allow a genuine and open National Convention.
3. End the detention of ASSK and other members of the NLD and other political detainees.
4. Stop harassment of NLD and other political movements.
5. Stop HR violations, including forced labor (failure to implement ILO 2001 recommendations. On this issue a partial settlement concerning the mechanism of investigation of the forced labor allegations has been reached between ILO and the Government of Myanmar in March 2007).
6. End restrictions of NGOs and international organizations.

The EU approach has been criticized ineffective and insufficient by civil society groups such as the Burma Campaign UK. The EU has been called to issue a complete ban of European investments in Burma/Myanmar, as well as a ban on imports in key products such as oil, gas and timber (The Burma Campaign UK 4/2004).

### *Asian positions on Burma/Myanmar*

Burma/Myanmar became a member of ASEAN in 1997. In their policy toward Burma/Myanmar the Southeast Asian countries emphasize the main principles of ASEAN: mutual respect for the independence, sovereignty and equality of all nations and non-interference in the internal affairs of one another. In contrast to the European policy of isolation of Burma/Myanmar's regime, the ASEAN partners pursue a method of constructive engagement. As pointed out by the president of the Philippines, Gloria Arroyo, the embrace is meant "to encourage Myanmar to open up its democratic space" (AFP 2004). The ASEAN Ministerial Meetings have expressed their concern about the pace of the national reconciliation process and have called for tangible progress toward democracy, as well as the release of those placed under detention, and for effective dialogue with all parties concerned. At the same time the ASEAN partners have repeatedly been willing to give Burma/Myanmar more time to deal with its complex challenges. Reacting to the European policy, the ASEAN leaders have also pointed out that in their view sanctions are not helpful in promoting peace and stability which are essential if democracy is to take root (ASEAN 2003).

However, recently many ASEAN partners have become less willing to make further concessions to Burma/Myanmar and have become less patient with the lack of reforms in the country. This was reflected, for example, in the ASEAN decision on July 26, 2005 to postpone Burma/Myanmar's forthcoming presidency of the association (*Europe Information* 26 July 2005). In 2005 ASEAN sent the Foreign Minister of Malaysia, Syed Hamid Albar, to the country to assess its progress in the implementation of the reconciliation and democratization process. The Foreign Minister pointed out that Burma/Myanmar's neighbors can only continue to defend the regime internationally if they can report back that there is progress toward reform (BBC News Online 2006). The ASEAN partners' views have reportedly been split over Burma/Myanmar, some saying that ASEAN should not be interfering in internal matters, while others consider that the issue has already become an international concern (AlertNet 2007). For example, Malaysia has considered that Burma/Myanmar's failure to reform is starting to cause problems for the whole region (BBC News Online 2006). In the 2007 ASEAN Summit, the ASEAN leaders stressed the need for regional cooperation on the issue by stating that "we agreed on the need to preserve ASEAN's credibility as an effective regional organization by demonstrating a capacity to manage important issues within the region" (ASEAN 2007). This also represents the increasing need to achieve progress with Burma/Myanmar within ASEAN. The ASEAN parliaments have established the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC), which has even demanded ASEAN countries to suspend Burma/Myanmar from ASEAN unless there is meaningful and

substantive progress in democratization and national reconciliation (ASEAN Inter-parliamentary Myanmar Caucus 2007).

In the context of ASEM, Burma/Myanmar has mainly been an ASEAN issue, although China also has close relations with the country. Since the 1980s, Burma/Myanmar has become a major recipient of Chinese military hardware and an important regional ally, through which China can gain access to the Indian Ocean and Southeast Asia (International Institute for Strategic Studies 2000). Japan has pursued a policy that aims to improve the situation in Burma/Myanmar by working for improvements through ongoing dialogue with the present regime. Japan's economic cooperation has to some extent been linked to the developments in Burma/Myanmar (Ministry for Foreign Affairs of Japan 2007).

### *Burma/Myanmar – a difficult partner*

Concerned by Burma/Myanmar's accession to ASEAN in 1997, the EU announced that the country's ASEAN membership did not automatically open a door to ASEM (*Europe Information* 2 July 1997). First the Prime Minister of Malaysia, Mahathir Mohamad, warned that ASEAN could boycott the following ASEM2 Summit (*Europe Information* 8 October 1997). However, the ASEAN partners subsequently came to the conclusion that there was no automatism between the two institutions (Loewen 2005b, 71-72).<sup>9</sup> The issue surfaced again in 2002 as the Fourth Foreign Ministers' Meeting agreed to take up ASEM enlargement.<sup>10</sup> This time the ASEAN countries indicated that the accession of the new EU member states was linked to the accession of Burma/Myanmar, Laos and Cambodia and that no political conditionality should be imposed on the ASEM partnership (*Europe Information* 23 March 2004; 16 April 2004). Two ministerial meetings were canceled in 2004 (economic and finance ministers) because the EU stated that it must be represented by all its 25 member states at international meetings, and as there was no agreement on enlargement, the European side could not participate in any ASEM meetings before the Hanoi Summit (*Europe Information* 15 June 2004).

The EU was in a difficult position as it needed to get its new member states into ASEM, without allowing Burma/Myanmar to join from the Asian side. The EU did not want to create an automatism for both sides, as it would have justified Burma/Myanmar's accession to ASEM as a new ASEAN member.

After a series of negotiations, including a mission to Asia by the European Commissioner Hans van den Broek, Burma/Myanmar was allowed to participate in the meeting, together with twelve other new partners.<sup>11</sup> However, the EU stated

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9 The Asian partners were not unified on the issue: For example, Malaysia supported the inclusion of Burma/Myanmar and Laos, but Indonesia opposed the idea of automatic inclusion (Yeo 2003, 169).

10 The Asian candidates were the Lao People's Democratic Republic, Cambodia and Burma/Myanmar and the ten new EU member states (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia) formed the group of European candidates.

11 The new partners included: the Kingdom of Cambodia, the Republic of Cyprus, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Lao People's

that it “expects the level of Burmese participation at the summit to be lower than at the level of Head of State/Government” (Council of the European Union 2004). The Chairman’s Statement of ASEM5 included a special statement on Burma/Myanmar in which the ASEM partners encouraged the country to continue its national reconciliation and democratization process. This was the first time an ASEM state’s internal political situation was raised in an ASEM Chairman’s Statement. Immediately after the summit, the EU reissued the Council Common Position on Burma/Myanmar and further tightened its measures against the regime (Council of the European Union 2004).

After the ASEM5 Summit the participation of Burma/Myanmar did not cause as much tension because the following ministerial meetings were held in Asia. However, the problem surfaced again at the ASEM Economic Ministers’ Meeting in Rotterdam in September 2005. Based on the visa ban of the EU Common Position, the Netherlands, known as a strong advocate of human rights, did not issue a visa for the Economic Affairs Minister of Myanmar. As a result, the ASEAN ministers boycotted the meeting, which placed the ASEM process in a critical situation.

Hence the preparations for the ASEM6 Summit in Helsinki started with difficulties. For the EU it was important not to grant concessions to the Myanmar military government, nor to ease the Common Position. For the Asian partners it was pivotal that Burma/Myanmar be treated as an equal partner in the process. Burma/Myanmar participated in the 2006 Helsinki Summit under the visa exception of the EU Common Position (visas can be issued for meetings which directly attempt to promote the country’s human rights and democracy situation). Burma/Myanmar was again represented at ministerial level, this time by its Minister for Foreign Affairs. The fact that Burma/Myanmar was, on its own initiative, represented at ministerial level, made it easier for the European partners to accept it. In addition none of the partners wanted to repeat what took place in Rotterdam, as another such crisis could have been the end of the whole process.

Prior to the Helsinki Summit, the representatives of the Burmese opposition (National Coalition Government of the Union of Burma, NCGUB) in New York expressed their understanding toward the Finnish Government for allowing the Myanmar government to participate in the ASEM6 Summit. The NCGUB emphasized that the EU should use this opportunity to express its serious concern about the human rights and democracy situation in the country and urge the government of Myanmar to take positive steps toward a democratic transition. Engaging the Asian partners in the critical dialogue was considered especially important (Burmanet 2006).

Burma/Myanmar’s participation in ASEM has been strongly opposed by different civil society groups engaged in Asia-Europe relations, human rights or Burmese refugee issues. Decision to invite Burma/Myanmar was strongly condemned by these groups as it was feared that participation in the summit would further legitimize the military government in Burma/Myanmar and undermine the international pressure on the country. Some considered that these exceptions made on the European side

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Democratic Republic, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Union of Myanmar, the Republic of Poland, the Slovak Republic and the Republic of Slovenia.

were motivated by economic and trade issues (AEPF 2006a; Burma Campaign UK 2004, 2006; Thett Ko Ko 2006).

At the Summit the internal situation of Burma/Myanmar was first discussed at length at a separate EU troika and then during the leaders' retreat dinner. The European partners expressed in no uncertain terms their serious discontent with the lack of progress in Burma/Myanmar. It was reported that none of the Asian partners supported Burma/Myanmar during the retreat, reflecting the tightening attitudes in Asia toward the country (see for example Tuomioja 2006). In the same spirit the first ASEM Labor and Employment Ministers' Meeting was held without problem in Potsdam shortly prior to the Helsinki Summit (3-5 September 2006). Burma/Myanmar's internal situation, particularly the use of forced labour, was discussed at the meeting (Chairman's Statement 2006). The country, however, was represented by its ambassador, perhaps due to the fact that Burma/Myanmar had serious problems with many of the agenda items of the meeting and it wanted to avoid a confrontation at the ministerial level.

As noted earlier, Burma/Myanmar's participation in ASEM became a thorn in Asia-Europe relations even before it joined the partnership. Its impact on ASEM, however, was less dramatic than it had been on the EU-ASEAN cooperation. Although Burma/Myanmar's participation has obstructed the ASEM process on two occasions, it has not halted the cooperation altogether. During the 2004 controversy over ASEM enlargement, two ministerial meetings were canceled, but cooperation at the lower levels never stopped. After the 2005 crisis, all partners, despite their differences, seemed to agree that the ASEM process was too important to be sacrificed on account of a single country.

ASEM has even occasionally been seen as the way out of the Burma/Myanmar deadlock that complicated the EU-ASEAN cooperation (see for example Gilson 2004a, 187). Howard Loewen concludes that ASEM, with its different nature and structure, was better equipped to handle this controversial issue. ASEM's informality, multidimensionality and flexibility allow it to handle controversial issues better than the EU-ASEAN cooperation, although neither of the frameworks is devoid of conflicts (Loewen 2005b, 75-76).

### **Asia and Europe converging after ten years?**

The ASEM process shows that different understandings of concepts and principles as well as different cooperation styles influence the Asia-Europe political dialogue. This can be seen in the case of human rights issues and particularly in the dialogue on Burma/Myanmar. The controversies are clearly reflected in the language of the Chairman's Statements. First, the dialogue has remained at a superficial level, concentrating more on the formulations than on the substance. Second, nearly every reference to human rights in the Chairman's Statements has been coupled with the principle of non-intervention. Although the host of the summit or the ministerial meeting is responsible for writing the Chairman's Statements, it is done in close consultation with the partners. The declarations have to accommodate both European and Asian interests, which has most often resulted in short, scarce references. The

language of the Chairman's Statements on European or Asian meetings has therefore not shown significant discrepancy either. References to international human rights tools have only included unbinding declarations and none of the binding UN-treaties, which all ASEM partners have not ratified. In the most recent Chairman's Statement (ASEM6) the partners have, however, been willing to go into more detail and the principle of non-intervention is lacking.

It could be said that during its first ten years the ASEM process seems to have developed into a dialogue which can, albeit slowly and in a limited way, embrace even controversial themes on the agenda. Still, it can be said that the human rights dialogue reflects the relatively limited priority that ASEM as a non-binding, informal discussion forum receives from its partners overall.

*Common goal, different methods – Asia-Europe diplomacy toward Burma/ Myanmar*

The Common Position dictates clear commitments and restrictions for the EU Member States in their relations with Burma/Myanmar. Any concessions place EU under heavy public criticism from, for example, civil society groups, national parliaments and the European Parliament. Therefore the EU must find a way to operate within the Common Position.

For the EU, ASEM provides a complementary channel to pressure Burma/Myanmar and, most importantly, to engage the regional Asian partners in the dialogue. As attitudes toward Burma/Myanmar have been tightening in Asia, it is increasingly important for the EU to support this trend as it could facilitate change in the country. As long as the government of Myanmar has been able to count on the support of the ASEAN partners, or China, the pressure from Europe is seen as less threatening in the eyes of its leaders. It is too early to call, but in the light of the most recent summit, the dialogue on Burma/Myanmar has perhaps started to facilitate regional Asian pressure on the country. Originally, the Asian partners considered Burma/Myanmar's participation in ASEM an issue of principle. As a legitimate member of ASEAN, it was unacceptable that the country could not join ASEM. Discussions on the internal situation of the country or political pressuring of the regime were not considered appropriate in ASEM. Thus far, the ASEM dialogue on Burma/Myanmar has mainly catered to European interests, but in the future it could become an important part of regional pressure too.

Despite the disagreements over the methods employed against Burma/Myanmar, the ASEM partners have more or less agreed that in principle democracy should be promoted in the country and its constitutional process should become inclusive and transparent. At the same time the partners seem to agree that the ASEM process is too important to be sacrificed over one country and compromises need to be made in order to secure the continuation of the process and deliver positive change in Burma/Myanmar. The failed Economic Ministers' Meeting in Rotterdam 2005 showed the partners the fragility of the process and the seriousness of the Burma/Myanmar issue. The compromises made on both sides so far reflect this shared understanding. On the European side, the Common Position is not absolute as it allows constructive and critical dialogue with the regime to take place in Europe too, as happened in

ASEM6 in Helsinki and at the Labor Ministers' Meeting in Potsdam. On the other hand, the Asian ASEM partners have already made compromises in allowing Burma/Myanmar's internal affairs to be brought up for discussion at ASEM meetings. Both sides have shown readiness to modify their policies so that the dialogue can continue.<sup>12</sup>

Apart from Burma/Myanmar other human rights cases have been raised only briefly,<sup>13</sup> and Burma/Myanmar is the only ASEM member whose internal situation has been discussed at the summit in this context. However, it is not the only ASEM partner with human rights issues. Many non-governmental organizations have urged the EU to confront China about its own human rights record in ASEM. There are several reasons why this has not happened, chiefly that it would perhaps be too risky economically and politically for the EU to confront China in a multilateral forum, and because this dialogue is already conducted separately through bilateral consultations. It could even be argued that Burma/Myanmar has provided a safer and more limited platform for human rights and democracy discussions for the ASEM partners, in which, at least for the EU, there is less to lose economically and politically.<sup>14</sup>

Considering the difficulties human rights issues and Burma/Myanmar have caused in ASEM, one could speculate whether the political dialogue has hindered the development of the Asia-Europe cooperation and whether a purely economic partnership would have been more successful. Had the partners decided in 1996 to discuss only economic issues, the EU would have lost a unique opportunity to engage a key region in dialogue over issues that it deems important. Multilateral dialogue on human rights is indispensable for legitimizing their principles, especially as bilateral dialogues, such as the EU-China one, have sometimes been criticized for being inefficient (see for example Baker 2002). Multilateral discussions will also prevent human rights issues from being isolated from the main political dialogue. In this way, ASEM can try to complement the human rights dialogue in other international fora.<sup>15</sup>

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12 The author is grateful for Timo Kivimäki for his important help in formulating these thoughts.

13 FMM2 in Berlin 1999 reportedly discussed human rights issues in Kosovo and Tibet (opposed by China) (*Europe Information* 31 March 1999). FMM6 emphasized the human rights situation in Iraq and ASEM6 discussed human rights in Afghanistan.

14 The EU's exports to Burma/Myanmar totaled €83 million in 2005, while imports from Burma/Myanmar amounted to €287 million. In contrast, EU trade with China in 2005 comprised €158 billion in imports and €51,8 billion in exports (European Commission 2007c, Eurostat 2005).

15 ASEM has often been called a clearing house, a minilateral forum or a forum with multilateral utility *vis-à-vis* other multilateral fora. Observers, however, consider that ASEM has not yet fulfilled these expectations. See for example Rüländ 2005, 8; Dent 2005, 7, 32; and Gilson 2005c.



**Concluding remarks: The way forward**

The issue of Burma/Myanmar's participation in the ASEM process has not yet been completely solved, although after the Helsinki Summit a certain *modus vivendi* was achieved and the issue should no longer threaten the continuation of the partnership. Considering the inflamed state of ASEM relations after the 2005 Rotterdam Economic Ministers' Meeting, the fact that ASEM6 convened successfully and that the partners were able to present a unified critical statement to Burma/Myanmar was already something of a triumph. Nevertheless, if the human rights and democracy situation in Burma/Myanmar shows no progress in the near future, the EU's patience could run out at some point. At least it will become harder and harder for the EU to justify the continuation of the current invitation and visa waiver policy to its citizens. Will the EU continue to grant visas to Myanmar's military government for ASEM meetings in Europe? The next ASEM summit will be held in China in 2008, where Burma/Myanmar's participation will most likely be less problematic. However, it remains to be seen what the European reaction will be if Burma/Myanmar chooses to be represented at the highest level. It is also unsure how the human rights and democracy situation of Burma/Myanmar will be covered at the Beijing Summit. At least the European partners can be expected to take up the issue, especially if no progress is made in Burma/Myanmar by the time of the summit. How the host, as the Chairman of the meeting, will direct the dialogue is another question. China may be unwilling to allow too extensive dialogue on human rights issues, as it could draw unwelcome attention to its own situation. It can also be questioned how far the EU is willing to push China's understanding when it comes to such sensitive matters.

At the ASEM6 Summit in Helsinki, the partners agreed to invite six new members to join the process (Romania, Bulgaria, India, Pakistan, Mongolia and the ASEAN Secretariat). Will the enlargement affect the position of Burma/Myanmar in ASEM? Will ASEM partners take up human rights issues of India? India re-established its ties with Burma/Myanmar in the 1990s, mostly to balance the tightening relations between China and Burma/Myanmar. India, like ASEAN, values Burma/Myanmar's engagement (Mohan 2006). Nevertheless, improvement in the internal situation of Burma/Myanmar should be in everyone's interest. The ASEM partners have already demonstrated an emerging willingness to put collective pressure on Burma/Myanmar. After a decade of disagreements and controversies, it seems that the partners are finally coming closer to each other.

## Chapter 5

# ASEM as a Tool to “Bridge the Cultural Divide”

Bart Gaens

In May 2007 the European Commission launched a “European agenda for culture in a globalizing world”, emphasizing Europe’s common cultural heritage, the respect for cultural and linguistic diversity, and Europe’s role as a “soft power” founded on norms and values (European Commission 2007a). The strategy testifies to the increasingly important role that is assigned to intercultural dialogue as an instrument in the promotion of tolerance and understanding, conflict prevention, and the fight against terrorism. “Culture” has also achieved much greater prominence and importance within ASEM in recent years. After a decade it could be regarded as the one “pillar” of dialogue and cooperation which has attained the most substantial results. This chapter will first provide a few examples of ASEM’s enhanced focus on culture, and thereafter link it with European images and representations of Asia as a region.

### **ASEM’s cultural pillar**

The important role attributed to cultural interaction within ASEM is not an entirely new phenomenon. A lack of knowledge of Asian cultures, a pre-conceived notion of difference and the *a priori* existing image of an Asian “Other” also formed the basis of the European Asia policy as it was conceived in the early nineties. The EU has even tended to regard the lack of cultural exchange and “mutual” awareness as an obstacle in developing a coherent foreign policy for the entire region. “Traditional” Euro-Asian cultural relations, and common values and interests were seen as the basis for the future partnership (European Council 1994), but a strong need was felt for greater understanding of differences in values and customs among participating ASEM countries. The Council in particular regarded an open and wide-ranging dialogue between cultures and civilizations as an essential part of political collaboration, whereby exchanges between “intellectuals, those who form public opinion, politicians and businessmen” (European Council 1995c) would function as a catalyst for the rapprochement between both regions. For the EU, this could eventually facilitate its objective to enhance a common commitment to human rights and fundamental freedoms. The European Commission (1994, 2) on the other hand, in the first place regarded enhanced political and economic relations as the tool to promote international cooperation and understanding.

The Europe-Asia Cultural Forum, held in Venice in January 1996, was instrumental in further promoting awareness of the need for cultural rapprochement in order to develop economic relations. Leaders at the ASEM1 Summit reiterated the first important “message of Venice”, namely that different perceptions of values should not hamper the intensification of economic, scientific, and cultural links. The second message, however, concerning the priority that should be given to civil society, was entirely absent from the ASEM1 Chairman’s Statement (see Chapter 6). During ASEM’s early years, culture as a field of cooperation and exchange was clearly of secondary importance, as it was relegated to ASEM’s “third pillar”, the repository for cooperation in very diverse fields other than the political and economic ones. This reflects the obvious economic bias of the initial Euro-Asian cooperation, but is also strongly linked to the idea that an “open and wide-ranging” dialogue on cultural values in general and on “culturally relative” principles such as democracy, human rights, labor standards and rule by law could have hampered a smooth first summit. At ASEM1 cultural links and people-to-people contacts between Asia and Europe were lumped together with science and technology cooperation, human resources, education, development and health, environmental issues, and the fight against drugs, terrorism and international crime under a one-size-fits-all “Cooperation in Other Areas”. The cultural and social agenda, including intellectual, cultural and people-to-people exchanges, gained significance after the creation of the Asia-Europe Foundation (ASEF) in 1997.

### *The role of ASEF*

ASEF, ASEM’s only institution, celebrated its tenth anniversary in February 2007. Initiated by and based in Singapore, ASEF is a non-profit organization and plays a pivotal role in ASEM’s “Third Pillar”. It is ASEM’s prime tool for achieving the objective of strengthening cultural links between Asia and Europe, in particular through closer people-to-people contacts which the ASEM1 Chairman’s Statement referred to as indispensable in order to promote greater awareness and understanding between the peoples of both regions. The promotion of cultural, artistic, and educational activities and exchanges particularly involving young people and students, as well as tourism were quoted as tools for helping to overcome stereotypes and misperceptions. ASEF has hitherto organized over 310 projects, engaging over 13,500 people.

ASEF is funded primarily by voluntary contributions from the ASEM partner governments, but also receives donations from partner institutions and the private sector. ASEF therefore includes at least a partial privatization of international relations (Colomé 2001, 6). In recent years ASEF’s financial efficiency, sustainability and activity have come under discussion. The most important financial contributors have been the European Commission, Japan and Singapore. Germany, Korea, France, China, Luxemburg and Finland form a second group of substantially contributing countries (ASEF 2006). ASEM’s main source of resources, voluntary government funding, has sometimes been criticized as unpredictable and unsustainable. Nor has private funding as a main source of income found favor with the ASEM partners. Furthermore it has reportedly been difficult for ASEF to obtain general, non-

earmarked private funding, as it is usually targeted at specific projects. In addition, the idea of compulsory contributions has been raised from time to time. A major challenge for ASEF has been to create sustainability and long-term networks through its activities, instead of the proliferation of one-time events.

ASEF serves a dual function as a connecting agent or interface between the two regions. Firstly, ASEF promotes ASEM’s civil society dimension, with a view to ensuring that the process exceeds the purely governmental level and also enhances interaction between the peoples of the two regions. ASEF thus serves as a linking agent between Civil Society, academic institutions, NGOs, and professional organizations on the one hand, and Asian and European governments on the other. This aspect of ASEF interconnecting Civil Society and the governmental sphere will be examined in the following chapter.

Secondly, it is ASEF’s mandate to operate as a general interface between Asians and Europeans at the general public level. It thus contributes to the ASEM process by creating cultural and people-to-people networks, aiming to strengthen the “information multipliers” which each in their own field and location can increase awareness and understanding between the two regions. ASEF endeavors to accomplish this mission by organizing a wide range of activities, seminars, conferences and programs in four distinct areas: intellectual exchange, people-to-people exchange, cultural exchange, and public affairs. Intellectual Exchange functions as a think tank for ASEM. Its objective is to contribute to policy debate and long-term strategic thinking by bringing together representatives from academia, government, the private sector and civil society at unofficial high-level meetings. Projects focus on governance-related issues (for example the Informal Human Rights Seminars); education, science and technology (for example the Asia-Europe Workshop Series, the Asia-Europe Environment Forum, or the European Studies in Asia platform); the Cultures and Civilizations Dialogue Program (lecture tours and ASEF “Talks on the Hill”); and international relations (Asia-Europe Roundtables). As pointed out in Chapter 3, track-two diplomacy is an important tool for facilitating dialogue on sensitive topics such as Human Rights. People-to-People Exchange projects cover educational cooperation, including the ASEF University Program and the ASEM Education Hub, and also embrace Youth Cooperation such the Asia-Europe Young Leaders Symposia, Young Parliamentarians Meetings and the ASEF Youth Connections scheme.

The third field of action, Cultural Exchange, aims to promote cultural dialogue and networking among young artists and to offer platforms for dialogue at policy-makers’ level. Culture360, for example, is a Cultural Web portal due to be launched 2007 as part of ASEF’s tenth anniversary events which will serve as a cultural information platform. Lastly, Public Affairs aims to raise the profile of ASEF, ASEM, and Asia-Europe relations through activities aimed at the public, the media and other institutions. The activities include Editors’ Roundtables, seminars, public lectures and corporate communications.

ASEF has been criticized for a lack of focused projects and visibility. An extensive review process was launched at ASEM4 in 2002 to assess ASEF’s activities, management strategy and finances. Based input by the ASEF Board of Governors and on the assessments of an independent consultant study report commissioned by the

European Commission,<sup>1</sup> the ASEM leaders issued a set of recommendations in Hanoi 2004 to enhance ASEF's organizational and management strategy, and to promote its long-term financial sustainability. As a result ASEF's Charter, the Dublin Agreed Principles, were revised in order to align ASEF more closely with the ASEM process and its priorities. As ASEM priorities have evolved over the years, ASEF inevitably needed to follow suit. ASEF has in recent years launched numerous successful flagship projects following the priorities as defined by the ministerial meetings and summits. ASEF has also organized approximately 80 projects on a wide range of cultural activities as a follow-up to the cultures and civilizations dialogue (Cho 2005), in addition to a program consisting of conference series, lecture tours and ASEF "Talks on the Hill".<sup>2</sup> The foundation has furthermore modified its role from a grant-giving institution to a network-building organization. The European Studies in Asia (ESiA) initiative which aims to create synergies between European study centers in Asia and Europe, is representative of this new approach.<sup>3</sup> Remaining challenges include, first, the interaction with the diverse ministries (for example, education, culture, environment, foreign affairs) in all ASEM partner countries while officially only being linked to the Foreign Ministers' Senior Officials Meeting (SOM), and second, its representation of civil society in the broadest of meanings. Nevertheless, ASEF's importance has only increased over the years, not least because of the surge in significance of intercultural dialogue and "soft power" relations between Asia and Europe.

#### *ASEM Dialogue on Cultures and Civilizations, and the Interfaith Dialogue*

At the official ASEM level, 2001 was the year that marked the start of an enhanced role attached to intercultural understanding. The proclamation of 2001 as the "United Nations Year of Dialogue among Civilizations" was certainly behind this increased attention. More importantly, in the same year the EU's updated Asia Strategy prioritized strengthening awareness of Europe in Asia (and vice versa) as a core EU objective, in order to bring the EU's political and economic presence in the region up to par with "the growing global weight of an enlarged EU" (European Commission 2001a). The document acknowledged the lack of progress in this field:

One element which does not seem to have evolved greatly is the degree of mutual awareness between our two regions, with stereotypes on both sides still casting Europe as introspective and old-fashioned, and Asia as a distant and exotic continent, presenting more challenges than opportunities.

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1 "Asia-Europe Foundation's Strategy and its Long Term Financial Sustainability" also known as the van der Geest-Macaranas Report.

2 These brainstorming sessions on sometimes sensitive topics relevant for Asia and Europe have focussed on cultural tools as means of forging human interaction with nature, the relationship between religion and state, and the influence of the media on foreign policy and public opinion.

3 ESiA's first research project was launched in January 2006 and dealt with Asian perceptions of the EU. See for example Chaban, Elgström, and Holland 2006.

In addition, the events of 9/11 underscored the salience of dialogue and cooperation in socio-cultural issues. This enhanced focus was mirrored in the ASEM4 Summit held in Copenhagen in September 2002. In the light of the new security agenda after 9/11 and the fight against terrorism, ASEM leaders conducted a dialogue on cultures and civilizations for the first time during a retreat session. European ASEM partners first suggested the topic in May 2002 as a main theme for ASEM4 to be held in Copenhagen later that year. ASEM aimed to counter the Huntington scenario and promote "unity in diversity", drawing on the dialogue and confidence-building character, specifically addressing the role of education, access to information and the involvement of civil society.<sup>4</sup> The proposal included a special retreat session dealing with cultures and civilizations, without a formal agenda, official statements, or designated seating, but instead centering on informal dialogue on common values in order to achieve deeper understanding and overcome stereotypes and prejudice. The theme has since become a cornerstone of the ASEM dialogue, and has given rise to three ASEM Culture Ministers' Meetings.<sup>5</sup>

The initiative to hold a retreat session on "Culture and Civilizations" at ASEM4 has been criticized as a "refuge for unanimously agreeable discussion" (Gilson 2004b, 68). However, the events of 9/11 and its aftermath, and more recently the "clash of cultures" ignited by the publication of Danish cartoons satirizing Islam, have shown that deepened intercultural communication and attempts to promote cross-cultural understanding are important factors in dealing with the effects of globalization.

The ASEM Culture Ministers' Meeting is moreover often seen as an example of how ASEM should ideally function as a catalyst for obtaining results in other multilateral fora, as the Meeting was instrumental in rallying support for and achieving a common standpoint on the UNESCO draft convention on cultural diversity. The Hanoi Declaration on Dialogue among Cultures and Civilizations already included a generally-formulated recognition of the right of States to develop public cultural policies and preserve and develop cultural resources. This evolved into "the desire of many countries in Asia and Europe to give full consideration to the distinct nature of cultural goods and services, both by affirming the right of states to establish policies to protect and promote this diversity and by strengthening cooperation between developed and developing countries", as adopted by the Ministers of Culture in the Chairman's Declaration and fifteen-point Action Plan of the CMM2. The meeting and its results can in turn be evaluated as an important step toward adoption by the

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4 Updated non-paper by European ASEM partners on the possible main contents of ASEM4. May 2002.

5 The first ASEM Conference on Cultures and Civilizations (COCC) was held in Beijing in December 2003, based on an initiative by China, Denmark, France, Indonesia, Malaysia and Singapore. ASEM5, Hanoi 2004, subsequently adopted the "ASEM Declaration on Dialogue among Cultures and Civilizations". On 7 and 8 June 2005 the second Meeting of ASEM Ministers of Culture took place in Paris, ahead of and complementing work done in the UNESCO intergovernmental meeting which was held the same week (11 and 12 June). The workshops organized at the conference centered on the importance of exchange, the role of cultural industries, tourism, and culture as a factor of development, reflecting the main issues of the UNESCO meeting. A final declaration and a 15-point action plan were the main outcomes. Malaysia hosted the Third Culture Ministers' Meeting in June 2007.

UNESCO General Conference of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, approved on 20 October 2005 after two years of negotiations. The convention determined, for example, that cultural industries should be considered as exceptions to free trade rules and that governments are legally allowed to maintain subsidies and quota to promote the national industry, a decision which met with strong US resistance. Though there is no concrete means to measure its weight, work done in ASEM meetings may have had an impact by reaching common ground in Euro-Asian relations on a policy in order to cope with the fact that "...cultural uniformity is no mere bogeyman but a real threat."<sup>6</sup> At present it remains one of the EU's objectives to encourage Asian countries to ratify the Convention in order to allow it to enter into force.

The ASEM5 Summit in Hanoi highlighted the increased awareness of cross-cultural understanding, education, and human resource development as means of overcoming stereotyping and prejudice through its adoption of the ASEM Declaration on Dialogue among Cultures and Civilizations. Other successful initiatives such as the Interfaith Dialogue conferences are also seen as tools for addressing the conditions conducive to the spread of terrorism. The Bali Interfaith Dialogue Meeting, held for the first time on 21 and 22 July 2005 and sponsored primarily by Indonesia and Great Britain, brought together diplomats, scholars, journalists and religious leaders from the ASEM partners, aiming to tackle the undue use of religion to justify wars and terrorism. The "Bali Declaration on Building Interfaith Harmony within the International Community", adopted on 22 July 2005, aimed to translate commonly shared values of peace, compassion and tolerance into practical actions in the fields of education, culture, media, and religion and society. The follow-up meeting took place in Larnaca (July 2006), and resulted in an Action Plan containing concrete suggestions for projects and events which could contribute to better interfaith understanding, such as the inclusion of world religions in national educational curricula, essay competitions and educational exchanges. The success and importance of the Interfaith Dialogue is reflected in the enthusiasm of partner countries for hosting or participating in meetings. The third Interfaith Dialogue was organized by China, co-hosted by Italy and co-sponsored by no less than fourteen ASEM partners. The Netherlands together with Thailand will host the Interfaith Dialogue in 2008.

### *The role of educational exchanges*

Education is another area of cooperation that has advanced significantly in recent years. Since ASEM's beginnings, educational cooperation has been one of the key areas of the third pillar, but most progress in the field was only made after ASEM3. It was the imbalance between US-Asian and EU-Asian educational contacts and exchange in particular which prompted ASEM partners to encourage educational links and networking. The Asia-Europe Vision Group was highly influential in attaining a stronger emphasis on educational cooperation. In its 1999 report it made

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6 M. Renaud Donnedieu de Vabres. Opening Address for the Second ASEM Culture Ministers' Meeting, Paris, 7 June 2005.

three crucial recommendations in order to enhance educational cooperation. First, envisaging a five-fold increase in exchange students by 2025, it recommended the adoption of a Declaration on Education at the ASEM3 Summit, which would outline the long-term view on educational requirements and goals. Even though the Declaration never materialized, the third summit in Seoul went a long way toward giving ASEM a more "human face" through extended emphasis on educational, cultural and intellectual exchanges (*European Report* 20 November 2000). The ensuing ASEM4 Summit in Copenhagen emphasized the crucial role of education in improving understanding of other cultures and civilizations.

Second, the Vision Group also recommended the establishment of a high-profile, prestigious ASEM Scholarship Program and urged that a better balance should be achieved in Asia-Europe exchange student flows in the Asia-Europe Vision Group 1999. This was realized in the form of the Korea-French-Singaporean ASEM-DUO initiative, a two-way fellowship-granting program for university students and teachers of ASEM countries started in 2001. Thus far, five individual DUO-programs have been implemented by member countries (Republic of Korea, Singapore, Denmark, France and, as of 2006, Thailand). Educational exchange in the two regions is one area in which a lot of progress has been made, as evidenced by the number of student and teacher exchanges, which increased from 30 (14 teachers and 16 students) in 2001 to 987 (323 teachers and 664 students) in 2005. However, ASEM-DUO is still a very limited program, with only a handful of ASEM countries participating. As Denmark suspended its program in 2005, France is the only European member country. This could reflect the Europeanization of education. The EU, by way of a European Commission communication (2000), called upon the ASEM partners prior to ASEM3 to express their political commitment to facilitating educational exchanges between Asia and Europe in view of a five-fold increase in student numbers within ten years. It is clear that Europe needs to attract more highly qualified researchers from Asia to study and work in Europe, in order to curb the "brain drain" to the US. It is, however, at the EU level that this strategy is implemented, rather than at the Member State level, which could explain the low European participation rate. EU education policy including structural standardization such as the Bologna process and successful intra-regional exchange programs such as ERASMUS, makes education, more so than in Asia, a field for common policy. However, even though the European Commission has extended its Erasmus Mundus exchange program to include targeted Asian countries, it is clear that the density of exchanges between Europe and Asia is still lagging behind that of US-Europe partnerships for example (Wächter 2006).

A third recommendation by the Vision Group called for regular meetings by ASEM Education Ministers. This will materialize in 2008 as Germany will host the first education ministerial meeting.

Interaction between universities in both regions has been enhanced significantly. Korea and France initiated the Trans-Eurasian Network (TEIN), endorsed at ASEM3. The TEIN, operational since 2001, provides a direct link between Asian and European research and education networks. The initial TEIN project has been complemented by the TEIN2, officially launched at the ASEM6 Summit in 2006, a joint project of the Commission and DANTE (Delivery of Advanced Networking



Technology to Europe) aimed particularly at the Southeast Asian nations. TEIN2 enables joint scientific research, supports applications such as medical training, and allows access to digital libraries and databases in both regions. The third phase of TEIN, scheduled to start in 2008 aims to further extend and enhance the network and reduce the digital divide with a particular focus on the Least Developed Countries (European Commission 2007c).

ASEF-initiated programs on education and academic cooperation, the ASEM-DUO umbrella program, the TEIN project, and most recently the ASEM Database on Education Exchange Programs (DEEP), a comprehensive portal on universities, student exchanges and scholarships in Asia and Europe launched by ASEF in April 2007, are all visible signs of the increasingly important position education takes within ASEM. However, a convergence of European and Asian educational processes through interregional structures such as ASEM (as suggested by De Prado Yepes 2007) may not be realized in the foreseeable future.

### **ASEM, culture and representations**

This section will further explore Asia-Europe relations as a domain where cultural meanings are produced. As pointed out by Stuart Hall (1997, 3), culture is also about shared meanings and serves to “mark out and maintain identity within and difference between groups”. ASEM could be said to bring to life the images and representations of the “Other”, producing “Asian” and “European” identities.

ASEF, for example, and its proclaimed aim to address the need to promote “mutual understanding” by building a bridge between both regions<sup>7</sup> can be regarded as being premised upon the existence of two homogeneous cultural entities, Asia and Europe. In a seminal article on ASEM, Camroux and Lechervy (1996, 450) pointed out that ASEF symbolizes the mutual acknowledgement of a homogeneous regional “other”. The composition and behavior of one region shapes the evolving nature of other regions. “Europe” treats “Asia” as an equal partner, and acknowledges the existence of East Asia as a regional entity. The EU is thereby recognized as “Europe” and in turn “East Asia” or “Asian ASEM” as a grouping gains in actorness. However, given the vast cultural diversity in Europe, and especially in Asia, the question may be raised whether it is not so much the gap between “East and West” but also within both regions that needs to be addressed. As Colomé (2001, 11) pointed out, perhaps before creating ASEF, an Asia-Asia Foundation ought to have been created.

The dialogue on cultures and civilizations is another example. Ideally it functions as a tool for establishing a new approach to intercultural dialogue. As proposed by Stråth (2002, 5), a new active Europe as a mediator and bridge-builder, prepared to listen and promote dialogue, could contribute to the transformation of intercultural dialogue into a transcultural dialogue which would transgress “established images of demarcated civilizational camps”. ASEM offers a unique forum for such transcultural dialogue on topics such as the social construction of ethnicity or the role of religion in politics. At the same time, however, the dialogue on cultures and civilizations can

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7 Interview with ASEF Executive Director Wonil Cho, *Jakarta Post* 15 February 2007.

be criticized as placing emphasis on the discrepancy in values between a European civilization and an Asian one. The cultures and civilizations dialogue has indeed been seen as instrumental in "easing the growing tensions between what is perceived as the fundamental difference between 'Western' and 'Oriental' culture" (Reiterer 2004c, 367), acknowledging the existence of ultimately different and potentially conflicting civilizations with their own distinct values. For the EU, intercultural dialogue can function as a cohesive agent, enabling policymakers to project a single voice and to promote the integration of "problematic" immigrant and minority communities in Europe (Silvestri 2007).

As pointed out by Michael Drake (2002, 33), cultural identity can be seen as a product of cultural representation and, as is the case for ASEM, also appears as a focus for political organization. Representations are inextricably intertwined with social reality, as they have a direct bearing on what they represent. The following analysis will focus on European ideas and definitions of "Asia" as a region. European Union (EU) Communications and Strategy and Policy Papers for the Asian region that have appeared since 1994 create images and representations of an Asian "Other" in order to construct a European self-identity. These policy papers can be seen as a channel that serves to enhance a collective European identity in the mirror of a clearly demarcated "Other".

According to the constructionist or constructivist approach, meaning is constructed in and through language as a system of representation. Especially Foucault's discursive approach to representation and his emphasis on the fluidity of shared meanings in different historical periods offers a valuable hint when examining representations of Asia in the EU (cf. Hall 1997, 44). The EU's Asia discourse can thus be seen as a group of statements which provide a language for talking about and representing the knowledge about Asia as a region and dialogue partner. Different eras give rise to particular texts which form "discursive formations", peculiar to a certain period and culture. Discursive formations furthermore sustain regimes of truth. Truth is produced by types of discourse which society accepts and makes function as true (see Hall 1997, 49).

The European Union, which at present has achieved a globally unprecedented political and economic integration, looks back on a history of internal divisions and shifting dynamics, and is part of a larger, and not easily demarcated "Europe". Similar to a state, Europe can be seen as an "imagined community", a cultural frame of reference, or the "normative basis for collective identity" (Delanty 1995, 2). Bo Str ath (2002, 3-4) has pointed out that the concept of Europe is constructed in processes of contention and bargaining, and that images of Europe are discursively shaped. A collective European identity is forged in the mirror of a clearly demarcated "Other". "Asia" served as a non-European focal point allowing the definition of an "Us" versus "Them" identity, and reinforced the idea of the EU as an integrated community.

Two paradoxical ideas have dominated the European symbolic representations of "Asia": the idea of Asia as a homogeneous region ultimately different from Europe, and the notion of Asia as a "massively heterogeneous" region.

*“Not a region like others”: Asia as homogeneous and different*

The creation of the identity of self and other constitutes one of the core elements of a common European foreign policy (see Knodt and Princen 2003, 3). A common European is forged by juxtaposing “we Europeans” and “the others”, and by presenting “the others” anonymously as a challenge or threat. Regional blocks are described as separate cultural entities which, following the Huntington scenario, are hostile toward other “civilizations”. This depiction of regional bodies as compact civilizations, for example “Christian Europe” or an Asia with distinct “Asian values” is the result of a political exploitation of regionalism (Telo 2006, 124).

The idea of a homogeneous yet different region was predominant throughout much of the 1990s, at least until the Asian Financial Crisis of 1998. Prevailing European views on Asia were characterized by the tendency to regard the region as a cultural entity with distinct values, juxtaposing it with a “European civilization”. The tendency to deal with Asia as a cultural entity was singled out at an early stage as an obstacle preventing enhanced understanding of the specific characteristics of the three major Asian sub-regions and their individual countries and areas (Stokhof 1996). Asia as an entity was seen in the first place as a challenge or a threat. A European parliamentary document from 1997 on the relations between the EU and ASEAN offers a good example of this notion. For the EU to achieve progress in strengthening its economic position in Asia, one precondition had to be taken into account, namely that “Asia is not a region like others – neither in political nor in cultural terms – and that precisely for this reason a shared inspiration of civilization and cultural osmosis is lacking between Europe and Asia” (European Economic and Social Committee 1996, 2-3). The document thereafter explicitly refers to Huntington’s argument on the cultural causes of current and future conflicts between different “civilizations”, pointing out that “it is plausible to state that Asia provides one of the most probable scenarios for a clash of cultures”. Asian countries have undergone a cultural revival generated by economic growth “but this revival is rooted in a great cultural tradition specific to the region, different from and independent of western culture”. Asian countries advocate an “Asian model” based on particular values and cultural specificity different than the Euro-American one. In order to make political dialogue and economic cooperation succeed it is thus vital to increase knowledge of “European civilization” in Asia, both in terms of image as well as with regard to intellectual and artistic works.

A holistic view of Asia thus went hand-in-hand with the recognition of a particular Asian way of interacting. The so-called Asian way consists of a priority placed on consent, voluntary assumption of obligations, and non-interference and seeks to avoid any constraint that could arise from a pre-negotiated set of binding rules (Okfen 2001, 12). Asians tend to accentuate the process of cooperation, place less emphasis on output, and value informal and non-binding agreements (Loewen 2007). This value set is often regarded as tantamount to an “ASEAN way” of conduct, the idea of a common commitment in the ASEAN community to informality, confidence-building, consensus, compromise, non-confrontation and non-interference. Europeans on the other hand are often described as emphasizing aims and outputs, problem-solving through formal and rational means, and binding rules, symbolized by the Union’s

own formalized and rule-based supranational organization. The existence of two different cooperation cultures within ASEM is seen as a significant cause of ASEM’s lack of impact on global negotiations (Loewen 2007).

The existence of this “wide gap between Europe and Asia” (European Economic and Social Committee 1996, 1) in cultural terms was often confirmed in discussion papers on Asia in the EU member states. The Irish Asia economy-centered Strategy for example can be seen as repeating essentialist tendencies in Huntington’s book, which characterized Asians without distinction as people who tend to focus on maximizing long-term gains. According to the Irish policy paper:

This disadvantage of having neither supportive networks nor a positive image is compounded by the fact that, culturally, Asians place a high value on long-term relationships and a demonstrated long-term commitment to making the relationship mutually beneficial (Irish Government – Department of Foreign Affairs 1999, 20).

Moreover, Germany’s 1993 *Asienkonzept* stated that in the Asia-Pacific Germany is conducting a cultural and sociopolitical dialogue with partners who are, more than elsewhere, influenced by independent value systems and who, following their successful development, assert this independence with confidence. Therefore Germany not unsuccessfully conducts a pragmatic and discreet dialogue on values in a spirit of partnership, while aiming to exert influence in order to achieve success in the long term. In particular with respect to human rights, it is important to involve social actors and proceed with caution and “*Fingerspitzengefühl*”. Furthermore, discussions in the Belgian Senate (Belgische Senaat 1998) described Asians as people who assimilate rapidly and are experts in copying. Asian logic is difficult to understand, resulting in grave mistakes being made in Belgium as well as in Europe because of a lack of knowledge of the Asian culture.

### *ASEM’s Asian Way*

ASEM as an interregional framework for dialogue and cooperation is rooted in the views of Asia as Other described above, while its working methods mirror the features described above. ASEM was devised as a process of informal dialogue with a focus on consensus and non-binding agreements rather than as an international organization or a negotiation/cooperation framework. ASEM’s informal approach allows it to address areas which are thought of as “sensitive”, facilitating a deeper awareness of “mutual” positions and constraints and leading to smoothed interaction in other fora (Santer 1998).

From the outset the EU has acknowledged this informal approach as “Asian-style”: “The instrumental role of Asian countries in creating this forum is reflected in its working method: it is informal and centred on the participating personalities and their mutual understanding rather than on agendas and procedures” (European Parliament – Committee on Foreign Affairs, Security and Defence Policy 1999). It can therefore be said that a “culturalist” pre-supposition of distinct Asian and Western cultures has been at the root of ASEM.

However, while the EU regards this approach as explicitly Asian, question marks remain about their actual importance, underlying motives, and the salience of their “Asianness”. For one, values such as confidence-building and non-confrontation are as much European as Asian. As elaborated on in Chapter 1, it was France that was one of the driving forces behind Europe’s rapprochement with Asia on the basis of an interregional dialogue. France claims credit for the strengthening of Euro-Asian ties, not only because of their important role in launching ASEM, but also for effectively projecting the “French” method of constructive engagement onto the EU stage, dealing with sensitive topics through informal and non-confrontational dialogue-seeking (see Dorient 2002, 176-177). Communications by the European Commission are now replete with the French philosophy of dialogue (Dorient 2002, 184), and ASEM can at least in part be seen as the Europeanization of a French initiative (Wong 2006, 51).

Second, the actual role of the “informal and non-institutionalized” Asian approach can easily be questioned. The ASEM process is informal, and the process is “not intended to produce new agreements, treaties or contracts” (European Commission 1996b), but paradoxically the meetings do result in lengthy Chairman’s Statements and ministerial reports. ASEM can also be seen as quite formalized and bureaucratic,<sup>8</sup> and it also includes one formal organization (the Asia-Europe Foundation or ASEF). Furthermore, over the years the informal dialogue style has gradually eroded and official and pre-prepared statements, not least by Asian participants, have taken over. Five years after the birth of the process, the European Commission noted that “the initial ideas of an informal and candid dialogue have however vanished on the way: the more we see each other, the more formality and preparation seem to take place” (European Commission 2001b, 2). Also, at present much of the informal dialogue at the summits consists of well-prepared speeches and statements.

Third, the European Commission is the strongest proponent of a generally vague and uninstitutionalized approach. ASEM’s lack of a clear, relevant role in global governance, due to the open and non-binding approach, has led to repeated calls for institutionalization, in the first place through the establishment of an ASEM secretariat in order to enhance achievement orientation, and secondly through the appointment of a Secretary-General who could function as the “face” of the organization and increase public awareness. Primarily (though not solely) Asian partners have been the strongest proponents of the creation of a secretariat. Individual EU member states and also the European Parliament have supported gradual institutionalization. The EP for example is in favor of the constitution of an organization capable of acting collectively, and step by step institutionalization of the relationship between the EU and the ASEM partners would pave the way for the achievement of more concrete results (European Parliament – Committee on Foreign Affairs, Security and Defence Policy 1999). The European Commission, however, has always rejected these proposals for institutionalization. Argumentation against the establishment of a secretariat is manifold, and can be linked to financial implications, ramifications for the launch of initiatives by partner countries, motives related to the EU’s internal institutional composition and dynamics, consequences for relations with other parts

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8 Julie Gilson (2004b, 69) has labeled ASEM a “semi-institutionalized relationship”.

of the world, and contradictions with ASEM’s original concept, philosophy and possible impact on other fora.<sup>9</sup>

*“The sheer diversity of Asia”*

Asian claims of distinctive values, and the European recognition of the existence of an Asian “Way” all but disappeared after the Asian Financial Crisis. The “Asian model” lost most of its credibility, and ethnic and religious conflict in the region enhanced views of Asia as highly diverse. The updated Asia Strategy of 2001, entitled “Europe and Asia: A Strategic Framework for Enhanced Partnerships” symbolizes the perception that there is no single Asian region with which to forge a single partnership. The document acknowledged “the sheer diversity of Asia, and the scale of the economic, political and cultural differences between and within the different constituent parts of the region as a whole” (European Commission 2001a).

The New Asia Strategy (1994) had made a distinction between the eight countries of East Asia,<sup>10</sup> ten countries of Southeast Asia,<sup>11</sup> and eight countries of South Asia,<sup>12</sup> but was heavily focused on the booming economies of Southeast Asia and Japan. The fact that there was a “Europe” seeking to engage more closely with an “Asia” centered around Southeast Asia was picked up by the ASEAN grouping. Singapore in particular was instrumental in defining East Asia as Asia. Speeches by Goh Chok Tong in the mid-90s, for example, echo the European rhetoric concerning “the rise of Asia”, the need for Europeans to engage more in a decolonized and economically strong Asia, and the necessity of learning about and from Asian culture and values. “When the cultural gap between Europe and Asia is narrowed, the bridge between our two regions need only be a short one” (Goh Chok Tong 1995b, 9). The emphasis on Asian values in the context of a growing Asian community consciousness can therefore partly be seen as a direct result of Europe’s view of East Asia as a cohesive regional bloc, defined as “Asia”, and treating the region as a separate negotiating partner within ASEM. In other words, the EU and the “Asian Ten” come to recognize each other as “Europe” and “Asia” (Gilson 2004b, 73).

The revised Asia Strategy of 2001 on the other hand, took a much broader approach and illustrates the increased emphasis on Asian diversity and heterogeneity. The document also included Australasia in the definition of Asia, and targeted “the countries stretching from Afghanistan in the west to Japan in the east, and from China in the north to New-Zealand in the south, plus all points in between” (European Commission 2001a). The Swedish Asia Strategy, which appeared in 1999, pointed out that Asia is not an entity in anything other than the geographical sense, therefore

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9 For a more detailed overview of the argumentation against a secretariat, see Chapter 7 on ASEM working methods.

10 China, Japan, North and South Korea, Mongolia, Taiwan, Hong Kong, and Macao.

11 Brunei, Indonesia Malaysia, the Philippines, Singapore, Thailand, Cambodia, Laos, Vietnam and Burma.

12 India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan, the Maldives, and Afghanistan.

deepened relations require long-term investments in terms of bilateral relations (Ministry for Foreign Affairs of Sweden 1999, 56):

There is no such thing as a homogeneous Asia, and the chances of Asian countries agreeing on specific Asian values appear rather remote. The differences are too great.

Belgium's most recent discussion paper defined Asia as a highly heterogeneous continent stretching from Afghanistan to Indonesia, with India and China (and ASEAN, provided it can accomplish its integration) as the main engines of growth (Federal Public Service Foreign Affairs of Belgium 2006a).

This recognition of Asian difference and diversity has a double outcome: first, it is seen as complicating the establishment of a comprehensive strategy for the region, resulting in an explicit bias toward certain countries, and secondly it strengthens the belief in the EU's role as a model for integration. First, the heterogeneity of the region and the different value systems necessarily result in a policy based on pragmatism. The EU's approach to ASEM is seen as counterproductive in promoting an overall strategy, and the EU's policy for Asia is criticized as being too focused on China (European Parliament – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy 2001, 15).<sup>13</sup> The same criticism is valid for the member states. The UK's East Asia policy, as formulated in the response of the Secretary of State for Foreign and Commonwealth Affairs to a Report of the Foreign Affairs Committee, is almost uniquely focused on China. Belgium's foreign policy toward Asia perhaps illustrates this pragmatism. According to a recent policy note, Asia's heterogeneity complicates a comprehensive policy. Instead the strategy is adapted to the specifics of each country or group of countries, to the characteristics of the national interests, colored by history and driven by momentary opportunities and prospects for cooperation. Belgium's new approach emphasizes the need to "establish a more coherent and efficient strategic framework based on firm knowledge" (Federal Public Service Foreign Affairs of Belgium 2006a). It stresses the necessity to better understand Asia's diversity. In spite of this it appeals for a continued need for a diversified and "clever" policy which both takes into account and takes advantage of the diversity of the Asian continent. The EU's "heavy fixation" on the bigger countries of the region, China, Japan and more recently India, much criticized by the Southeast Asian countries (*European Voice* 31 August 2006), may not change substantially for the time being.

Second, views of Asian diversity and lack of integration serve to reinforce the idea of Europe, defined as the European Union, as an integrated community and a model of regionalism. The EU believes that the European institutional model is a framework that can be exported and that it can have a positive influence on region-building in Asia. As the European Parliament's Committee on Foreign Affairs, Security and Defence Policy (1999) phrased it:

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<sup>13</sup> The same view was expressed by Yusuf Wanandi at the Policy Dialogue "EU-Asia relations in the wake of the ASEM Summit", European Policy Centre, Brussels, 12 September 2006. According to Wanandi, ASEM's role remains constrained partly because of the EU's near-obsession with China's economic growth and its subsequent neglect of region-to-region economic relations.

It should be remembered that the ASEM Process is a cross-cultural exercise and that its participants on the Asian side are much more diverse than the European Union. It is, in fact, already an achievement that ASEM has brought all these countries together. In contrast to Europe, Asia has very few regional organisations and ASEM can be seen to play a constructive role in promoting dialogue in particular between China and its neighbours.

In this context, the EU sees itself as an “external federator”, shaping regionalism through interregional contacts and contributing to local identity-building in a heterogeneous group of Asian countries (Rüland 2002, 8). Europe’s treatment of the East Asian region as a separate dialogue partner within ASEM has already forced the Asian ASEM partners to consult internally, coordinate on diverse and occasionally sensitive issues, and build consensus ahead of meetings with their European counterparts. The formation of the ASEAN Plus Three in 1997 can at least partially be seen as a result of that process, as interregional interaction with the EU has sharpened regional identities, and, according to Gilson (2004b, 73), interregionalism has led to regionalism. In order to live up to the perceived need to become a global actor, the EU applies the principle of interregional relations as the main vehicle to spread its own integration experiences in the world (see Söderbaum et al. 2005, 371). In the words of EU Trade Commissioner Peter Mandelson (2005):

Europe needs to build a stronger, more dynamic relationship both with the countries of Asia individually and bilaterally, but also with the Asian region. A stronger “Euro-Asian space” is not only desirable in itself – we are, after all, at either ends of the same land mass. But in spearheading this relationship in the twenty first century, the European Union can demonstrate that it is able to respond to a demand for “more Europe”, a demand I have heard with heartening clarity from many of my Asian interlocuters.

## **Concluding remarks**

The proliferation, success and increased focus of initiatives launched by ASEM partners relating to socio-cultural issues in recent years illustrate ASEM’s shift in focus. It is no exaggeration to say that the “cultural pillar” has yielded most results. Examples of this success include the flagship projects organized by ASEF, partner initiatives such as the Interfaith Dialogues aiming to address the conditions conducive to the spread of terrorism, policy-shaping discussions at summit level on dialogue among different cultures and civilizations, the important consensus-building process on the protection and promotion of cultural diversity, and the increase in educational exchanges between Europe and Asia. ASEM’s third pillar clearly had most to gain, given the increased awareness of the interlinkages between culture and broad security-related issues. Also, as Chapter 6 will illustrate, the amplified presence of civil society in Asia-Europe relations and the increased focus on ASEM’s social dimension should be seen as important accomplishments in the process. In addition, it is the one area which receives less attention in bilateral interaction, as most often political and economic relations are prioritized. “Culture” as an area of cooperation therefore provides the ideal arena for achieving “ASEM



added-value” and “subsidiarity”. At the same time, however, it cannot be denied that ASEM’s intercultural dialogue takes for granted the existence of distinct “Asian” and “European” identities, thereby potentially widening the “perception gap”. This chapter has shown that European representations of Asia have alternated between “different and homogeneous” and “massively heterogeneous”. It has been argued that the demarcation of a distinct “Asian” Other can be seen as a means of enhancing the idea of the European Union as “Europe”, and of strengthening Europe’s role as a global player in processes of Asian community-building, possibly by offering a framework to emulate.

## Chapter 6

# ASEM and Civil Society

Silja Keva

During the first decade of ASEM two key questions have characterized the partners' dialogue in the third pillar on socio-cultural topics. The first issue concerns the extent and depth of the dialogue on social matters, which has been the focus of repeated criticism by different civil society actors. The second question revolves around the role of civil society in the ASEM process. The lack of linkages between civil society groups and the official ASEM has been a recurring topic of debate for ten years. This is an issue that has created conflicts not just between civil society actors and ASEM governments but also among ASEM partners themselves.

The aim of this chapter is to look into the present role of civil society in the ASEM process after ten years of dialogue and cooperation. Originally, ASEM was strongly characterized as a high-level meeting. However, recently the bottom-up input has strengthened and the grassroots level has managed to make an impact on the official process. Moreover, the most recent ASEM6 Summit in Helsinki provided more contacts between civil society and official ASEM than any of the summits up to that point. This chapter will assess the development and progress made in Helsinki and also consider the future prospects for the dialogue as China prepares to host the next summit in 2008. The analysis is based on the official documents issued after summits and foreign ministers' meetings, on key ASEM-related documents, on the most relevant research literature, and on consultations with experts, civil society representatives and government officials conducted by the author.

Civil society is a much debated concept and various formulations have been applied in order to define it.<sup>1</sup> In the context of ASEM the term is even more challenged as the partnership presents a large variety of members with different state systems and civil societies. In addition, the understanding of the concept varies among the partners: many European countries emphasize a distinction between state and civil society, whereas in China, for example, the idea of civil society and state as opposite, separate forces is often regarded as unfitting. The Asian side in particular covers a large group of countries, in which the role and position of civil society and the attitude of the governments toward it varies significantly, from positive and engaging to negative and even oppressive. For example, in Indonesia civil society is gradually assuming its role as a legitimate actor, whereas in Malaysia it remains more or less controlled by the state. In China most civil society actors are required to have strong linkages to the state (Alagappa 2004). Regionally the Association of Southeast Asian Nations (ASEAN) has provided a channel for civil society organizations to engage

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1 See for example Cohen and Arato 1997, Keane 1998, and Kaldor 2003.

in and contribute to its activities. This channel has been criticized, however, for still excluding civil society from the real policy-making dialogue (Chai 2003). Although the engagement policy started as far back as 1986, the first time the ASEAN leaders met with the Civil Society Conference was in 2005 at the Eleventh ASEAN Summit in Kuala Lumpur.

The European side represents a more uniform and generally more engaging attitude toward civil society, even though differences exist from country to country. Western Europe and Nordic Countries, although different in many aspects, in general have a well-developed and broad nonprofit sector which is engaged in key welfare services and is often financially supported by the state. In countries of Central and Eastern Europe, formerly under Communist rule, the civil society is just re-emerging and the role of social welfare actors remains smaller and state support lower (see for example Salamon, Anheier, List, Toepler, Sokolowski and associates 1999). The European Union has a tradition of civil society involvement in common policy-making. The Civil Dialogue initiated by the European Commission in the 1990s was the EU's first attempt to give civil society a voice in policy-making and bring more transparency into the political process. Today regular consultations between EU institutions and civil society actors are organized on a variety of topics in order to engage them in the dialogue and to receive input (European Commission and Civil Society 2007). According to a recent review conducted by the Civil Society Contact Group, the European Commission has aimed for more structured forms of interaction, followed by the European Economic and Social Committee. The European Parliament, despite its open attitude towards NGOs, has until now concentrated on more informal ways of interaction. The Council was reviewed to be most closed to NGOs. In addition, it was argued that civil dialogue has developed unevenly in different policy areas (Civil Society Contact Group 2006).

Asia-Europe cooperation in the area of civil society brings together very different actors ranging from small advocacy groups to large international NGOs. In addition, research institutes as well as minority groups, trade unions and women's associations participate in the dialogue. In addition, research institutes as well as minority groups, trade unions and women's associations participate in the dialogue. Due to the large array of actors and political systems in which they operate, it is very difficult if not impossible to find an overarching definition that would describe the entire Asia-Europe civil society. A common denominator for these groups is that they all demand the voices of grassroots and ordinary people to be heard in ASEM more clearly. This chapter adopts a broad understanding of the concept, reflecting the definition by Helmut K. Anheier which suggests that "[c]ivil society is the sphere of institutions, organizations and individuals located between the family, the state and the market in which people associate voluntarily to advance common interests" (Anheier 2004). The analysis follows the working definition adopted by the Centre for Civil Society at the London School of Economics:

Civil Society refers to the arena of uncoerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Civil society commonly

embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. Civil societies are often populated by organisations such as registered charities, development non-governmental organisations, community groups, women's organizations, faith-based organisations, professional associations, trades unions, self-help groups, social movements, business associations, coalitions and advocacy group.

Parliaments are not usually regarded as a part of civil society, as they belong to the arena of the state. This chapter will, nevertheless, discuss the role of ASEM parliaments in the context of the civil society dialogue, as in ASEM the parliaments have remained, similar to the NGOs or the trade unions, outside the official process.

### **ASEM as a top-down process**

In order to understand the development of the relations between civil society and the official ASEM process, a short introduction to the historical background is called for. The early 1990s witnessed an emerging economic interest in Europe toward the rapidly developing Asian economies. For Europe it was important to rapidly establish contacts to Asia, as the US had already started to strengthen its own economic relations in Asia with the APEC framework. For many Asian countries it was necessary to reach out to Europe in order to diversify their economic contacts. There were also fears in Asia that European integration would turn Europe into a closed economic area, dubbed "fortress Europe". When the first ASEM summit was held in Bangkok in 1996, the main motivation of the partners was therefore to focus on the economic dialogue, which over time was believed to facilitate talks and cooperation in other fields as well. Some partners feared that dialogue on sensitive issues, such as human rights or labor matters, would have hindered success in the economic cooperation (Pelkmans 1997; Yeo 2003; O'Brien 2001).

Despite the emphasis on economics, by 1994 the European Commission had already underlined the importance of dialogue on a broad range of subjects in its New Asia Strategy. This was further confirmed at the Madrid European Council in 1995, which defined the European guidelines for ASEM. Hence the ASEM partners agreed, despite Asian concerns, to cover political, cultural and social issues as well (O'Brien 2001, 25). The latter two were, however, lumped together in the third pillar, where they formed a miscellaneous group of topics often referred to as "Cooperation in Other Areas". It covered everything from people-to-people contacts, science and technology cooperation and human resources, to education, development, health, environmental issues, and the fight against drugs, terrorism and international crime. Some of these items, such as environmental issues, terrorism and drugs, have since been discussed under the political pillar.

Another key characteristic of the ASEM process was its exclusive, informal nature. Originally the ASEM summits were mainly understood as high-level gatherings, which would bring together the Heads of State or Government in Asia and Europe. Meetings were organized to help the leaders get to know each other, to discuss and enhance mutual understanding and awareness in a closed, intimate environment. The

partners believed that contacts made at the top level would contribute to Asia-Europe cooperation at lower levels. The input of ideas and initiatives would, however, mainly flow from top to bottom or horizontally, but not from bottom to top. Civil society was not acknowledged as an active actor and contributor to the top, official level, although contacts at all levels were considered important.

The first ASEM summit in 1996 called for a strengthening of cultural links between Asia and Europe, emphasizing closer people-to-people contacts, which were considered indispensable to the promotion of greater awareness and understanding between the peoples of both regions. Civil society was not mentioned in the Chairman's Statement. The leaders stressed that the new links between Asia and Europe should be further reinforced through the promotion of cultural, artistic, and educational activities and exchanges, which would involve young people and students in particular. In order to realize these goals, the ASEM partners decided to establish a separate institution, the Asia-Europe Foundation (ASEF), which was located in Singapore.

ASEM2 in London (1998) followed the same general line: in the Chairman's Statement, linkages between "all sectors of society" were encouraged without any specification. The Asia-Europe Vision Group, set out to sketch a vision for the process, did recommend in its 1999 report the engagement of NGOs in the ASEM process, even in political and security cooperation in order to promote good governance and human rights, but these proposals were never endorsed (AEVG 1999, 37). The Vision Group Report as a whole was largely ignored. However at ASEM3 in Seoul (2000) some progress was made. The Asia-Europe Cooperation Framework 2000, endorsed at the summit, encouraged dialogue between the peoples of the two regions and among all sectors of society and identified civil society as a "prime actor" in the process, together with the government and business community. This was an important step and improvement compared to the earlier ASEM dialogue, as civil society was now for the first time named a key stakeholder.

Since the AECF2000, references to civil society have rarely appeared in the Summit Chairman's Statements. In Copenhagen 2002 (ASEM4) the dialogue was strongly focused on terrorism and dialogue among cultures and civilizations. The Hanoi Summit in 2004 was overshadowed by the disagreements over Burma/Myanmar and ASEM enlargement to the very last minute, hindering any meaningful debate on the issue. The ASEM6 Summit in Helsinki 2006 marked a new kind of approach in civil society contacts. The meeting will be discussed at length later in this article.

### **Outside ASEM – civil societies, trade unions and parliaments building a wider Asia-Europe partnership**

The organization of the first ASEM summit in Bangkok generated wide interest in Asia-Europe relations among non-governmental organizations, trade unions and parliamentarians. Over time these spontaneous initiatives have consolidated into established processes with regular meetings and broad agendas. Although civil

society, trade unions and parliamentarians function largely outside the official ASEM process, they have become part of the “wider Asia-Europe partnership”.

### **Asia-Europe People’s Forum**

Prior to ASEM1 different civil society actors were interested in monitoring the forthcoming summit. Two leading NGOs were particularly active, namely the Transnational Institute in Europe and the “Focus on the Global South” in Asia. As these civil society groups were not invited to the summit, they organized a parallel, non-official meeting on the eve of ASEM1, which convened under the theme ‘Beyond Geo-politics and Geo-economics: Towards a New Relationship between Asia and Europe’. Recommendations were given to the ASEM leaders in the fields of social and economic issues, democracy and human rights and politics and security. At the following meeting in 1998 in London, the process adopted the name Asia-Europe People’s Forum (AEPF). AEPF has now developed into a regular series of meetings held every other year parallel to ASEM summits with the aim of making ASEM more transparent, accountable and open to civil society. AEPF brings together a large group of different civil society organizations (in AEPF6 there were 450 participants from 200 organizations) ranging from small local activist groups to international NGOs. AEPF argues that the ASEM agenda is dominated by economic issues, and that it fails to address social questions. During the first ten years, AEPF conferences have debated various issues from social justice to civic participation, democracy and human rights, and from gender equality to migration and the environment. AEPF aims to incorporate the ideas and experiences of ordinary people from both continents and raise awareness about ASEM policies, thereby increasing transnational solidarity. AEPF attempts to generate dialogue on issues that it believes go unnoticed by the official ASEM and thus impact the governments’ agenda (Transnational Institute 2007). AEPF still lacks, however, a formal connection to the official ASEM process.

AEPF promotes the inclusion of a social dimension in the three existing pillars of ASEM. The social impact of ASEM initiatives would be studied by a Social Forum, acting as a consultative mechanism between civil society, trade unions and the official process and enabling a systematic exchange of views and ideas. The proposal emphasizes that the business society’s participation in and contribution to the process has already been facilitated, whereas the social dimension remains absent. AEPF also argues that in other international institutions such as the UN, the importance of the people’s participation has already been recognized (Fritsche 2002, 6-7; 58-60).

Despite the limited contacts with the official level, it is important to note that AEPF has succeeded in increasing horizontal networking between non-governmental organizations in Asia and Europe, both between the two regions as well as within them. For example, AEPF6 in Helsinki 2006 was the largest civil society event ever organized in Finland and it brought together many Finnish actors for the first time to cooperate at an international level. At the same time cooperation with the often more established European civil society has been an important experience for

those Asian groups which are working in an environment where civil society is still challenged. Asia-Europe cooperation can help them to strengthen their influence at home. According to the interviewed civil society representatives, the cooperation has furthermore been challenged by the fact that the participants come from very different backgrounds. For example, in China and Vietnam the civil society actors that can participate in AEPF are often closely linked to the state and thereby bring a governmental dimension to the activities of AEPF. The latter emphasizes that no governmental or military organizations may participate in the People's Forum. Yet, as the partners represent different civil society cultures, their relations to the national governments may vary distinctly. According to one civil society actor, some ASEM governments have tried to influence the process by giving recommendations on suitable and unsuitable agenda items or participants. During the preparations for the AEPF6 the Chinese associates of the AEPF International Organization Committee had objected to the inclusion of Tibet in the Human Rights Workshop of the conference and opposed the invitation of Kesang Takla, representative of the Dalai Lama in Northern Europe (Tibet House Trust), as a guest speaker. Instead, the Chinese associates suggested the China Association for Preservation and Development of Tibetan Culture, which represents the Chinese view on Tibet. Eventually both groups, presenting their distinct views, attended the actual AEPF Conference in Helsinki. On the other hand, it is quite an achievement for the AEPF to convince both parties to sit around the same table and talk (AEPF 2006b, KEPA 7 September 2006, KEPA 25 July 2006).

Taking into account that AEPF involves a broad range of civil society groups with very different backgrounds and interests, it is remarkable that they have still been able to find common ground even in very sensitive issues. At the end of every AEPF Conference a joint declaration is issued which states the vision and values of the participants and gives recommendations to the ASEM governments. One of the key documents is the "People's Vision: Towards a more just, equal and sustainable world" (2000), which highlights women's and children's issues, human rights, democracy and civil society and trade, as well as investment for sustainable environmental, social and economic development. The AEPF also plays an important role in enhancing the awareness of ASEM among the wider public. It should also be noted that ASEM is not the only *raison d'être* for AEPF, although it certainly provided the initial motivation and framework for the process. Together, the Asian and European NGOs can rally for support in global issues nationally, regionally and interregionally and not all impact needs to be made through ASEM. European NGOs for instance try to influence the EU's bilateral trade policies with individual Asian countries based on the support built in AEPF with the Asian partners.

AEPF has covered a larger geographical area than ASEM, as it has since the beginning welcomed all Asian and European countries to join the cooperation, even outside the ASEM partnership. For example, at AEPF2 almost 14 per cent of the participants represented countries outside ASEM. Because of its wider geographical scope, the legitimacy of AEPF as the representative of ASEM civil societies has at times been questioned (see for example Rüländ 2001a). However, this should no longer be a relevant argument, as the ASEM6 Summit agreed in 2006 to invite India, Pakistan and Mongolia to join the official partnership.

Regarding the unofficial status of AEPF, Jürgen Rüländ has argued that the People's Forum is merely a self-styled representative of civil society with no legitimately established mandate (Rüländ 2001a, 68). In a democratic system, elected members of parliaments and governments represent the people, from whom they have received their mandate. Strictly speaking, NGOs and other civil society groups only have a clear mandate from their members – not from the majority of the people, who are not members of any civil society groups. On the other hand, as long as ASEM is an informal, non-binding dialogue forum, more important than AEPF's legitimacy or mandate is what the civil society actors could offer to the ASEM process that could help to improve the Asia-Europe relations, as pointed out by Holger Hansen of the Danish EU-NGO Platform (Hansen 2002, 15).

### *Trade unions*

Asian and European trade unions became involved in the Asia-Europe dialogue in 1996 when they presented a statement demanding an official link to the new ASEM process.<sup>2</sup> The first workshop was organized in 1997 under the auspices of the German Friedrich-Ebert Foundation. Since then the Asia-Europe Trade Union Forum (AETUF) has convened regularly. The trade unions argue that issues related to employment policies and decent work have not been covered sufficiently in ASEM (European Trade Union Confederation 2007). They also promote the ratification and full application of ILO fundamental workers' rights conventions, which many partners, particularly from Asia, have so far failed to do. For years AETUF has remained outside the official ASEM in a similar way to other civil society organizations. However, recently the ASEM process has gradually started to open up to the trade unions. Successful informal consultations with the trade unions and governments were organized in 2003 and 2004 with the help of Germany, China and Vietnam.<sup>3</sup> The first ASEM Labor and Employment Ministers' Conference held prior to the ASEM6 Summit Germany, was an important step ahead in this context.

The latest ASEM Trade Union Forum in 2006 in Helsinki was attended by some 30 union representatives from 12 ASEM countries. The meeting called for a more established Asia-Europe dialogue on employment and labor issues, efforts for making globalization fair, and for a permanent trade union consultation on social issues (Asia-Europe Trade Union Forum 2006).

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2 Presented by the International Confederation of Free Trade Unions – Asian and Pacific Regional Organization (ICFTU-APRO).

3 The first informal ASEM brainstorming “Future of Employment and the Quality of Work” convened in Beijing 2003 (Co-organized by German Friedrich-Ebert-Foundation, the Federal Ministry of Economics and Labour and the Chinese Ministry of Labour and Social Security) and the second in Hanoi 2004 under the title “The role of Corporate Social Responsibility”. The ASEM Employment Conference (“Future of Employment – a European-Asian Dialogue”), organized in Berlin 2004 (by the Vietnamese Ministry of Labour, Invalids and Social Affairs, the German Federal Ministry of Economics and Labour, and the FES) brought together civil society organizations and government officials in a back-to-back meeting.



*Parliamentary dialogue*

As noted in the introduction to this chapter, the parliamentarians have been largely left out of the official ASEM process. Similar to the civil society actors, they were not initially regarded as key stakeholders. Over time they too have become part of the wider Asia-Europe dialogue. The Asian and European parliaments have organized parallel meetings with the ASEM summits on four occasions.<sup>4</sup> The parliamentarians themselves see the Asia-Europe Parliamentary Partnership (ASEP) as a contributor to the ASEM process and they have repeatedly called for reinforced interaction between ASEP and ASEM (ASEP 2004, 2006).

The European Parliament, which participates in ASEP, considers the forum a good channel for providing parliamentary guidance to Asian countries (European Parliament 2005). Countries without functioning national parliaments, such as Brunei and Burma/Myanmar, have sometimes participated in the meetings as observers, for example in Hanoi 2004.

Due to the special role ASEM plays in the EU's external relations, the European Parliament (EP) is excluded from the decision-making on ASEM-related matters on the European side.<sup>5</sup> Nevertheless, the European Parliament tries to influence the ASEM process by debating ASEM-related documents issued by the European Commission and by analyzing summit conclusions. As an active advocate for human rights, democracy and rule of law, the European Parliament has called for clear commitments to these principles in the ASEM dialogue, and has also demanded the exclusion of any state that does not respect these. Furthermore, the European Parliament supports the establishment of a Social Forum, promotes stronger civil society dialogue, and demands a clear role for itself and the national parliaments in the ASEM process (European Parliament 2000).

### **Building links between the official ASEM and civil society**

Despite the fact that, in the early stages, ASEM did not recognize civil society as a prime actor or contributor in the dialogue, the ASEM partners have not been unanimous about the role of civil society in the ASEM process. Generally speaking, European governments have pushed for the opening up of ASEM against the opposition of many Asian governments. The broad range of partners with different attitudes toward civil society is one of the key reasons behind the slow pace of development in this area. Some, particularly Asian, partners may fear that including a civil society aspect in ASEM would lead to a dialogue that they do not wish to have and allow criticism on matters considered internal in many Asian countries, such as human rights or the role of civil society.

The European Commission has pushed for stronger civil society engagement in ASEM. In 2000 it noted that "the active involvement of civil society in the dialogue between our two regions should be encouraged" (European Commission 2000, 7). It

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4 ASEP meetings have been held in Strasbourg (1996), Manila (2002), Hue (2004) and Helsinki (2006).

5 See also Teija Tiilikainen's chapter in this book.

was also pointed out that as a matured dialogue ASEM should give more weight to a “bottom-up” approach and encourage regular meetings with NGOs, parliamentarians and officials as all sectors of society should be invited to contribute to the process (European Commission 2001b, paragraph 7).

### *Asia-Europe People's Forum and ASEM*

Since the beginning of the ASEM process, the official level has more or less disregarded the engagement of civil society in general and AEPF in particular. AEPF has not been included in the preparations or agenda-setting and there have been no regular meetings between AEPF and ASEM officials. AEPF was only first publicly recognized in 2000 when the European Commission stated that the output of the parallel civil society meetings should be heard in the official ASEM process (European Commission 2000). Supporting the involvement of civil society, the EU member states and the European Commission proposed in 2001 that ASEM should encourage regular meetings between AEPF representatives and Senior Officials in order to inject more substance into the process. It was also noted that all sectors of society should be invited to contribute to the ASEM process, as already stated in the AECF 2000 (European Commission 2001b). At ASEM3 in Seoul some ten senior officials (in their individual capacity) had agreed to meet with the representatives of the People's Forum (Yeo 2002, 8). Two years later the host of ASEM4, Denmark, organized a similar ad hoc meeting in Copenhagen, which was meant to bring together civil society actors and government representatives, but official participation reportedly remained low. The ASEM Foreign Ministers acknowledged the civil society conferences at their meeting in Bali 2003, and the Chairman's Statement noted that the host countries of ASEM events could organize parallel activities with the business sector, think tanks, academia and other sectors of society. However, as contacts with the parallel civil society meeting are in the hands of the host government, the treatment of AEPF has varied. Progress was made at ASEM3 in Korea, but the fifth AEPF, for instance, organized parallel to ASEM5 in Hanoi 2004 was very much complicated by the Vietnamese government, which first tried to cancel the meeting and then insisted that it had to be organized one month prior to the summit in a remote location (Bangkok Post 2004).

A key question in the civil society debate has been the potential value of civil society links and the sectors of the dialogue that civil society should be involved in. David Milliot argues that in order to maintain the informal and sometimes even fragile flow of discussion in the first pillar, civil society representatives should not necessarily be involved directly. However, the concerns of civil society could be channeled onto the agenda. He regards the economic dialogue as being more open to civil society as it could help to ensure that the impact of business and trade on people's lives, human resources and the environment are taken into account. In Milliot's view, civil society actors can inform and educate the public as well as provide concrete and practical assistance in the implementation of different projects. This would help ASEM evolve into a consultative and participatory forum and enhance its sustainability, transparency and visibility (Milliot 2003, 2-3). As pointed out by the trade union conference in 2006, involving workers, civil society actors or

activists in the policy-making process would firstly enlist expertise from the concrete grass-root level and, secondly, facilitate the actual implementation (Asia-Europe Trade Union Forum 2007). ASEM itself is not a binding, decision-making body, but mutual understanding reached in this forum can lead to decisions in other fora such as the ILO or UN. The unique, informal nature that distinguishes it from other Asia-Europe cooperation frameworks (for example, EU-ASEAN cooperation or bilateral relations) can contribute to ASEM's adoption of innovative ways to broaden the dialogue and engage the whole wider Asia-Europe partnership, which already exists at its periphery.

### *ASEF and civil society*

Another key question in the civil society debate has been the role of ASEF *vis-à-vis* AEPF and NGOs. The relationship between ASEF and civil society groups is problematic and further complicated by the somewhat unclear status of ASEF which has led to contradicting interpretations and ideas of the role of the foundation. It has sometimes even been seen as the sole representative of Asia-Europe civil society. However, according to its original mandate, ASEF is a facilitator of Asia-Europe contacts at all levels, not a representative of civil society as such. The original guidelines of ASEF (the Dublin Principles) mandated it to promote mutual understanding through intellectual, cultural and people-to-people exchanges. It was meant to act as a clearing house and facilitator of different contacts and exchanges, a promoter of common understanding and awareness working with civil societies of Asia and Europe. Over the years ASEF has engaged a wide range of actors from different sectors of society, outside the business community, in the Asia-Europe dialogue by bringing together students, intellectuals, parliamentarians, NGO representatives, youth leaders, entrepreneurs, artists and journalist from Asia and Europe. In addition ASEF has tried to contribute to the networking of non-governmental institutions by co-organizing international conferences and by facilitating civil society actors' participation in ASEM-related meetings and events.

As far as AEPF is concerned, however, the Asia-Europe Foundation remains elitist and limited in its approach toward civil society. There have been misgivings that ASEF would act as the representative of civil society or choose who gets to represent the people of Asia and Europe in ASEM. As a government-initiated project, which functions under the guidelines of ASEM governments, AEPF regards it as an inadequate representative or facilitator. The forum demands wider access to ASEM than that provided through ASEF, and seeks to contribute to the official process directly, as the business community does through the AEBF. ASEF has also been criticized for the project funding it provides, which, according to the interviewed AEPF representatives, does not favor small civil society groups with limited resources. Nevertheless, the AEPF-related NGOs participate in activities organized by ASEF and thus already use the channels it provides to impact the ASEM leaders.

ASEF represents all 39 (45 after the next enlargement) partners of ASEM and the same controversies that divide the partners in ASEM surface to some extent in ASEF. Civil society links have been a sensitive, difficult issue in ASEM, and one which is also reflected in ASEF. The foundation has also taken a wider approach toward Asia-

Europe people-to-people contacts as it also reaches out to groups such as artists, children and students, who are not necessarily represented in AEPF directly.

To answer the criticism leveled at it by the civil society sector, in 2004 ASEP co-organized the Barcelona Conference “Connecting Civil Society of Asia and Europe”, which represented a new style of civil society relations in ASEM. The conference, which hosted 187 participants from 27 countries, was aimed at facilitating cooperation and networking among actors interested in Asia-Europe relations. The participants debated how ASEM could further promote civil society relations and how their access to and representation in the ASEM process could be developed. The conference in Barcelona was open to all civil society actors interested in Asia-Europe relations: think tanks, universities, NGOs, and trade unions (Barcelona Report 2004).

The conference formulated suggestions and recommendations that would increase public access to the policy-making level. The three key messages were (a) the need to establish a social pillar in ASEM; (b) the need to improve ASEM’s transparency, and (c) the need to solve the Burma/Myanmar issue with a common ASEM position. The ASEM leaders were challenged to create a direct and regular link between civil society and ASEM officials. The participants stressed ASEP’s role in supporting the participation of NGOs and policy advocacy groups in relevant ASEM meetings.

The Barcelona Conference transmitted a clear message from the wider civil society demanding a role in the official ASEM. Sebastian Bersick notes that the conference reflected ASEP’s interest in expanding its own activities, although ASEP was also criticized for using it to consolidate its own role as the official civil society representative. Nevertheless, the Barcelona Conference managed to give a voice to a balanced, representative group of civil societies from Asia and Europe. According to Bersick, the conference implied that the Asia-Europe civil society is becoming a more legitimate political actor, participating in Asia-Europe policy-making (Bersick 2005, 12-13).

The final Barcelona Report was distributed to the ASEM leaders amid expectations that it would be acknowledged at ASEM5 in Hanoi 2004. However, neither the conference nor its final report were brought up for discussion in Hanoi. Only the subsequent Foreign Ministers’ Meeting in Kyoto 2005 welcomed the civil society proposal to hold a meeting of Labor and Employment Ministers. AEPF and the Asia-Europe Trade Union Forum (AETUF), with the help of the German Friedrich Ebert Stiftung, have been pushing for such a meeting for years. This was the first time the civil society actors’ initiative was welcomed and realized by the official ASEM process. AEPF called the ministerial meeting, held in Germany in September 2006, as the first step in recognizing the social dimension in ASEM (AEPF 2006c).

### **The ASEM6 Summit – a new gear in civil society relations**

Considering the limited contacts between civil society and ASEM at the previous summits, the ASEM6 meeting in Helsinki 2006 made remarkable progress in this respect, despite the fact that not all the civil society requests were met. As the host of ASEM6, Finland provided 300,000 euros for the organization of AEPF6 in

Helsinki, which is reportedly much more than previous hosts have contributed. The host government also had close contacts with AEPF during the summit and People's Forum preparations.

Building on the positive experiences of the Barcelona Conference and other seminars, ASEF, together with the Ministry for Foreign Affairs of Finland,<sup>6</sup> organized a first of its kind high-level consultation for civil society, the business community and ASEM governments. The "ASEM at Ten: Connecting Civil Societies of Asia and Europe" conference brought together all the different stakeholders of the process to discuss ASEM's first ten years and its future. Compared to some of the earlier pre-summit meetings, the lack of official attendance was no longer an issue, as the meeting was attended by high-level representatives from all parties. Guest speakers included former President Martti Ahtisaari and current UN Secretary General Ban Ki-Moon. The success of the conference goes to show that ASEF is continuing what was started in Barcelona 2005, and that the forum is further growing into a facilitator between civil society and the official ASEM process. It also supports the idea that the Asia-Europe civil society is becoming a political actor with stronger legitimacy, as Sebastian Bersick (2005, 12) has pointed out. The civil society representatives valued the conference as an important development, although cooperation between ASEF and AEPF was reportedly still not without problems.

The ASEM@10 Conference was based on a joint research project carried out by Finland and Japan, entitled "ASEM in its Tenth Year: Looking Back, Looking Forward". Civil society representatives were also consulted for the study, which encouraged the partners to develop ASEM into a democratic, participatory process and to clarify the role of civil society *vis-à-vis* ASEM. The study also pointed out that bottom-up initiatives such as the Asia-Europe People's Forum should be welcomed and harnessed (University of Helsinki Network for European Studies and JCIE 2006).

AEPF had requested an invitation to the ASEM summit to deliver their message together with the Asia-Europe Business Forum. Although the ASEM process and the partners were not yet ready to agree to it, Finnish Prime Minister Matti Vanhanen, host of ASEM6, met with the representatives of AEPF on the eve of the summit and conveyed their message to his colleagues during it. At the end of the summit the organizers also delivered the AEPF Declaration to the ASEM partners, together with all the official ASEM documents.

To highlight the tenth anniversary of the process, the ASEM6 Summit issued the Future of ASEM Declaration, which set out recommendations and guidelines for the partners. In the declaration the "closer involvement of parliaments, academia and civil society in the broad sense" was recognized as a way to further contribute to a stronger feeling of ownership, enhanced visibility and awareness of ASEM among the wider public. ASEF's role in developing interlinkages between Asia-Europe cooperation and civil society groups was highlighted. Most importantly, the declaration encouraged the partners to consider recommendations resulting from seminars co-organized by ASEF. This was a direct reference to the successful labor

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6 In collaboration with the International Institute for Asian Studies (IIAS), the European Institute for Asian Studies (EIAS) and the Japan Centre for International Exchange (JCIE).

minister meeting, held in Berlin in 2006, which was one of the key recommendations of the Barcelona Civil Society Conference in 2004. It also refers to other seminars organized by ASEF such as the Informal Human Rights Seminars. The upshot of this is that the partners recognize and welcome initiatives emanating from the civil society sector, and regard them as valuable input for the process. Still, AEPF was not mentioned by name in the document as was for example the Asia-Europe Parliamentary Partnership Meeting (ASEP).

Building on the positive experience and progress made at the ASEM6 Summit, Finland encouraged other EU partners and the European Commission to further consolidate links with the different stakeholders, including AEPF. Finnish Foreign Minister Erkki Tuomioja pointed out that this is one area where the Asian countries could learn from the European experience (Tuomioja 2006b).

The civil society actors themselves also considered ASEM6 a positive step forward, while the cooperation with the Finnish government and the progress made in civil society engagement were appreciated by AEPF. Finland's open approach to civil society was also noted by the Corporate Europe Observatory (CEO) (CEO 1 September 2006).

Progress was also made in the parliamentary dialogue. The host of ASEM6, Prime Minister Matti Vanhanen, delivered a speech at the ASEP4 Conference and, more importantly, the Chairman of ASEP4 was invited to the summit to convey the parliamentarians' message directly to the leaders for the first time. This was a significant development, considering that not all ASEM partners are democratic states with real representative parliaments and many partners have traditionally opposed this kind of outside intervention. Recently, ASEP has taken steps to become a more institutionalized process with biennial meetings back-to-back with the ASEM summits. The invitation of the Chairman of ASEP4 was an important step forward in opening up the ASEM process, and the practice will hopefully continue at the next summit in China. The latter has announced that it will organize ASEP5 in the first half of 2008.

## **Concluding remarks**

After ten years of activity, the ASEM process is slowly being transformed from a one-way, top-down process into a two-way dialogue, where the bottom-up approach is gaining more and more importance. Firstly, the Asia-Europe partnership has become much more than just the original leaders' meeting. Civil society organizations, parliamentarians and trade unions have de facto created a vibrant and broad Asia-Europe dialogue, regardless of whether they are formally a part of ASEM or not. This cooperation in itself is already valuable.

Secondly, the actors that were originally outside the official process are gradually entering the official ASEM process. The legitimacy of civil society in the ASEM process is increasing. Sebastian Bersick argues that the ASEM process is even moving toward a participatory democracy (Bersick 2005, 13). There is perhaps still some way to go before ASEM becomes a participatory democracy with some kind of established cooperation framework, which would facilitate regular consultations.

Nevertheless, there are signs that civil society is slowly becoming recognized as a contributing actor. This has a lot to do with the active lobbying of the civil society actors themselves and the European partners, as well as with the maturing of the ASEM process. At the same time, ASEF's role as a facilitator of contacts has developed and the consultations co-organized by the foundation have achieved positive results. The successful Labor Ministers' Meeting is a good example of civil society input, although it was taken on board slowly. The Helsinki Summit pushed forward this emerging development. For the civil society actors and parliamentarians, as well as many ASEM partners who support further civil society engagement, it was important to make the ASEM6 Summit a precedent in civil society connections. The next summit will be held in China, and the circumstances for organizing the People's Forum there or securing access for civil society representatives to the ASEM summit are uncertain. Therefore it was important to push the civil society engagement as far as possible in the favorable environment provided by Finland, thereby raising the bar for the Chinese organizers. It remains to be seen whether China will impose conditions on AEPF regarding the selection of participants or agenda items and whether consultations such as the ones held in Helsinki can be arranged there. If China fails to capitalize on the positive developments facilitated in Helsinki, it may expect criticism, at least from European partners. However, it is unlikely that even European partners would engage in a severe boycott of the meeting on such an occasion. China is mostly likely to be too important a partner for the Europeans to risk valuable political and business relations.

As noted by Bersick (2005, 15) and other observers, the promising development achieved so far is not self-sustaining. The ASEM5 Summit in Hanoi completely ignored the Barcelona Conference's recommendations. The Hanoi Summit was, of course, challenged by the difficult enlargement issue and by the strict attitude of the Vietnamese government toward civil society. Nevertheless, the differences between ASEM5 and ASEM6 show that the host of the summit can strongly affect the outcome of the meeting, both positively as well as negatively. Therefore it is important for both the partners of the process and the civil society actors to acknowledge this and to continue to push for progress in the future.

## Chapter 7

# ASEM's Institutional Infrastructure

Silja Keva and Bart Gaens

In spite of its informal approach and “light” structure, ASEM possesses a highly intricate character. ASEM is not institutionalized yet gives rise to a vast array of meetings, workshops, initiatives, projects, task forces, and committees. It can also be seen as relatively formalized and bureaucratic, with meetings resulting in lengthy Chairman’s Statements and ministerial reports. It is a high-level, top-down process, but is also characterized by bottom-up participation by the private sector, NGOs and civil society. In addition, ASEM performs a balancing function between an interregional structure and an intergovernmental tool. The purpose of this chapter is to explore questions related to the institutional mechanisms and management of ASEM, and re-evaluate them in the light of the outcomes of the most recent summit in Helsinki in 2006. The analysis will focus on five elements related to ASEM’s institutional machinery: partner-driven initiatives and projects, representation and attendance, political statements and declarations produced by summits and meetings, tools for coordination, and rules for enlargement of the partnership.

### **ASEM initiatives**

ASEM’s work takes place in three pillars of cooperation in the form of intergovernmental initiatives. ASEM’s formation of “pillars” is reminiscent of a similar arrangement introduced in the EU’s Maastricht Treaty in 1992. Yet whereas the EU pillars consist of the European Communities, the CFSP, and cooperation in the fields of Justice and Home Affairs, the ASEM pillars reflect a political, an economic and a cultural/social dimension. The three-fold division follows the model provided by the Euro-Mediterranean Partnership (EMP), also known as the Barcelona Process, which started in November 1995 and also includes three “baskets” or dimensions of cooperation: political and security partnership, economic and financial partnership, and social, cultural and human partnership.<sup>1</sup> Work within the ASEM pillars is coordinated at the top by the summit (HOSG, Heads of State and Government, and the President of the European Commission); the Foreign Ministers and the Senior Officials on a second tier controlling the political dialogue; and the Coordinators (European Commission, Council presidency, one North Eastern Asian

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<sup>1</sup> Justice, security, migration and social integration emerged as a fourth area of cooperation in 2002.



country and one ASEAN representative) on a third tier in charge of the overall management of the process.

In line with the informal, non-binding character of ASEM, the initiatives undertaken by the partners are of a political nature and based on voluntary contribution and participation. ASEM initiatives can take numerous forms. Various meetings, conferences and dialogues have been organized, some one-time events (for example, the ASEM Seminar of Digital Opportunity 2001) and others more continuous processes (such as the Informal Human Rights Dialogue or the Interfaith Dialogue). Some initiatives have resulted in permanent institutions with wide-ranging activities such as the Asia-Europe Foundation. Other extensive, ongoing initiatives are the TFAP and the IPAP, which aim to facilitate cooperation in trade and investment. As of 2006, a total of 107 initiatives have been implemented: 14 in the political area, 51 in the field of economy, and 42 under the social/cultural pillar. Initiatives have become a visible and concrete dimension of the ASEM process, which at best link the process to the citizens of ASEM countries, increase ASEM's visibility, and create a feeling of ownership among the partners. In reality the quality, effectiveness, evaluation and follow-up of the initiatives have been the focus of debate throughout the process.

At the first summits the enthusiasm for the new process was reflected in the large number of proposed initiatives: ASEM1 endorsed twelve new initiatives, ASEM2 seven and ASEM3 sixteen. The danger inherent in the uncontrolled proliferation of initiatives and activities soon presented itself. Although 70 per cent of the initiatives created at ASEM1 were implemented (because many of them were of a procedural nature), only half of the initiatives launched at ASEM2 were realized (European Commission 2001b, 13). The European Commission noted as early as 1997 that the partners should adopt a set of agreed procedures for reviewing, endorsing and coordinating initiatives in order to ensure that they are in line with the key goals and objectives of the process (European Commission 1997b). The so-called "laundry list" or "the Christmas tree" phenomenon reflected the tendency to propose initiatives for initiatives' sake. After the summits, endorsed projects were withdrawn, scaled down or completely forgotten. For example, the Asia-Europe Information Technology and Telecommunications Program (AEITTP, endorsed at ASEM2) was reformulated to a one-time event and the Asia-Europe Agricultural Forum (endorsed at ASEM2) was later withdrawn completely. In order to address these problems, the ASEM partners introduced a set of guidelines in the Asia-Europe Cooperation Framework (AECF) 1998, to help focus and streamline the initiatives and activities. These were further elaborated in the updated version AECF2000.

In the AECF the initiatives were tied more closely to the ASEM dialogue. The partners had realized that initiatives need to be supportive of the dialogue, and they need to attract many partners. It is the purpose of the initiatives to facilitate the dialogue, not vice versa. The senior officials were given responsibility for the overall management of the initiatives (Asia-Europe Cooperation Framework 1998, 2000). The AECF2000 reflected the partners' recognition of the potentials of successful initiatives. Specific, well-targeted projects which would engage as many partners as possible would be instrumental in strengthening the partnership and in enhancing cooperation, visibility and ownership among the partners. On the other

hand, the document hinted at a common understanding of the negative impact that miscellaneous, irrelevant activities could have on the process and its attractiveness and credibility. The AECF2000 also introduced a reorganization of the initiatives in thematic clusters. This was implemented for two reasons: the fear that the proliferation of proposals and initiatives would lead to loss of focus and direction, and the awareness of the interaction between the pillars. In addition, the clusters aimed to facilitate a more coherent approach and provide an easier overview of the ASEM process. The “matrix of ASEM initiatives” was composed of political, justice and home affairs, globalization, economic and social, finance, cultural and human resources, information technology, environment, and health clusters. The clusters fit loosely under the three pillars of ASEM, but the division was not meant to be rigid as some of the clusters were clearly cross-pillar.

It goes without saying that in the global system, economy is not isolated from political issues, and that economy and foreign policy-making also affect social issues and human rights. The Asian Financial Crisis for example demonstrated the intrinsic link between economic and social issues, leading to an increased awareness that ASEM should be used more to exchange views on relevant socio-economic issues at both the official level and civil society level (European Commission 2000).<sup>2</sup> The cancellation of several Ministerial Meetings in 2004 furthermore showed the influence of the human rights discussion on the dialogue on trade and economy.<sup>3</sup> Designed to increase cross-pillar linkages and enhance cooperation inside groups of related activities, the clusters allowed the partners to build on existing expertise and to decrease duplication and overlapping with other initiatives. The idea was that the overall achievement of a cluster would be more than just the sum of its individual activities (Reiterer 2002a, 49; 56).

In order to streamline the dialogue and to enhance the effectiveness of the activities, the ASEM Foreign Ministers' Meeting in 2005 introduced three areas of substantive cooperation, supported by focused dialogue, specific goals and result-oriented programs and projects. These areas were 1) strengthening multilateralism and addressing security threats, 2) sustainable development (including environment and energy security) and 3) dialogue among cultures and civilizations. Later, globalization and competitiveness was added to the list by the High-Level Meeting within the Framework of the Economic Ministers' Meeting in Rotterdam 2005.

In spite of the reform processes, a general understanding exists that the inadequate management of initiatives has been a long-lasting problem and that the common tools for assessment have not been used properly. According to some European experts, the coordinators and senior officials have rarely used their powers to object

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2 Ahead of ASEM4 the European Commission furthermore urged the leaders to “(c)onfirm that social and employment issues are an integral part of the ASEM work program of the economic pillar and encourage therefore the enlargement of scope of and the participation in the dialogue on social matters, including gender issues” (European Commission 2000).

3 It concerned the Financial Ministers' Meeting in Brussels and the Economic Ministers' Meeting in Rotterdam. In addition a Senior Officials' Meeting on trade and investment was postponed (*European Report* 15 June 2004). See also Chapter 4.

to or dismiss initiatives made by the partners. Sometimes politics have influenced the decision-making: coordinators have promoted their own national projects, and proposals made by major partners or neighbors have rarely been dismissed. According to one European view, the Council Working Group for Asia-Oceania (COASI) has been slightly more controlling in its approach than the Coordinators or the Senior Officials. Projects have sometimes emerged from national interests to serve the national agenda without actual relevance to the common ASEM priorities and objectives.<sup>4</sup> Sometimes strong national motivations have led to the establishment of overlapping projects as in the case of educational exchanges, where different projects have been launched to promote the same objective. Two ASEM initiatives have also conflicted with the non-institutional character of ASEM. The European Commission warned the partners as early as 1997 of the proliferation of “ASEM Centers” or other permanent or semi-permanent institutions. ASEM1 endorsed two such initiatives, ASEF and AEETC. Over the years ASEF has acquired a meaningful, central role in the ASEM process, but AEETC had to be closed in 2002 because of lack of direction and funding (European Commission 1997b).

Another key problem related to ASEM initiatives has been the inadequate follow-up of projects, which has created an image of superficiality as noted by the European partners in 2001 (European Commission 2001c, 6, Annex 1). A glance at the ASEM Matrix on the European Commission website reveals for example that many organizers have failed to provide any follow-up information on their projects. The senior officials have the right and the responsibility to review the activities and make recommendations about whether a project should be continued or terminated, but it has been argued that they rarely seem to implement their duties in this respect. Politics and fear of losing face may interfere once again here. As is the case with all ASEM deliverables, the initiatives are also based on voluntary action. Therefore peer review and pressure are the only available tools to control the agreed commitments or reporting schemes. As Paul Lim contends, “initiatives as institutions take a life of their own”, and resist reform or termination although found inadequate (Lim 2002, 2). Sunset clauses, used in the investment experts group (IEG), have been raised as one possible solution to some of the problems related to follow-up (Lim 2003, 7). A two-year sunset clause, for example, would force the project facilitators to conduct a thorough assessment, if they wish to continue the project after the deadline.

Many of the problems related to the initiatives are symptoms of a bigger dilemma: the lack of a clear vision regarding ASEM’s role and purpose. A long-term perspective for ASEM was first drafted in the AECF1998 and updated in 2000 after taking into consideration the Asia-Europe Vision Group Report (1999). The AECF2000 set out a vision, principles, objectives and mechanisms for the cooperation and it still serves as the main guideline for the cooperation. The very broad goals and objectives aimed at “maintaining and enhancing peace and stability” or “enhancing mutual awareness and understanding” have given rise to too many initiatives and projects of a miscellaneous nature. The proliferation of initiatives and the lack of a clear strategy only leads to waste of energy and resources, and creates duplication as

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4 For example the Vietnamese Conference on Traditional and Modern Medicine. See Yeo 2003, 166.

pointed out by Percy Westerlund, former Director-General of the External Relations Directorate of the European Commission. He adds that the onset of “forum fatigue” is also imminent. When the objectives of the activities are too vague, the need to take action remains low (Westerlund 1999, 19). The clustering of initiatives may not have been very successful in focusing activities. The decision of ASEM5 to locate only a few areas of substantial cooperation reflects a need to refocus the dialogue. Some of the clusters have comprised few activities, or the initiatives involved have been very different, making the value-added of the system debatable. Hence, it can be questioned whether clustering was just another classification system, as noted by Paul Lim (Lim 2003, 6). The principle of subsidiarity, clarified by Gerald Segal (Maull, Segal and Wanandi 1998, xv), can provide a relevant guideline for the ASEM dialogue and initiatives. Cooperation should be concentrated on issues which can best be handled by ASEM, not any other institution.

In order to sharpen the focus of ASEM initiatives and take into account “ASEM subsidiarity”, the ASEM6 Summit in 2006 produced the Helsinki Declaration on the Future of ASEM. This document, which complements the guidelines of the AECF2000, outlined a number of key priority areas of cooperation and emphasized issue-based leadership as a guiding instrument. The six key policy areas in which ASEM can produce results with added-value for other ongoing multilateral processes of cooperation comprised (1) strengthening multilateralism and addressing global threats of common concern; (2) globalization, competitiveness and structural changes in the global economy, including labor issues, education and human resource development; (3) health; (4) science and technology including Information and Communication Technology (ICT); (5) sustainable development with special focus on the MDGs, climate change, the environment, and energy; and (6) intercultural and interfaith dialogue. Within these fields, ASEM partner countries are encouraged to form leading “shepherd” groups which drive a number of related initiatives in a particular priority area, based on their interest, expertise, and willingness to financially support the projects. These issue- and interest-based leading groups report to the Senior Officials, who remain responsible for the review and overall coordination of all initiatives. In line with issue-based leadership the European Commission announced its intention to establish a “Facility for ASEM dialogues” in 2007 which would finance and support a number of projects in order to drive the dialogue in fields where Asia-Europe dialogue and interaction can be enhanced. These areas indicate the “European” priorities for cooperation with Asia: economy and finance; employment and social policy; environment; and cultural diversity and intercultural dialogue. Concretely the dialogue facility could support networking activities, provide funding for workshops and conferences, or commission specific studies.

## **Representation and attendance**

The biennial summit for Heads of State or Government is the single eye-catching event upon which the whole ASEM structure hinges. In general however, it can be said that especially on the European side, representation both at summits and

Ministerial Meetings, has been diluted in recent years, with ministers replacing heads of state, and ambassadors replacing senior ministers (Gilson 2004b, 71). For example, in 2003 only two European ministers attended the Finance Ministers' Meeting, and as a result meetings were decreased from annually to biennially. The reluctant attendance of European ministers at the ASEM3 Summit and their weak involvement was criticized in the European Parliament, and the "minimalist approach" of the EU Council, particularly by Ministers of Foreign Affairs was seen as one of the flaws in Europe-Asia relations.<sup>5</sup> Attendance by deputy Prime Ministers and ambassadors sitting in for Prime Ministers was a prominent trend at the fourth and fifth ASEM summits, whereas the Asian representation shows much more consistency at the highest level.

Waning attendance can be seen as an internal EU problem, and one that is not limited to ASEM but which is also extending to other interregional fora. A focus on relevant substance and attractive agendas for discussion is certainly the main remedy for this phenomenon. Yet a cultural reason also lies at the root of the issue. In Europe it is more accepted that any representative can commit his country, whereas in Asia it is the presence of the leaders that shows the authority. The problem is furthermore related to ASEM's distinct character in the EU and its consequences for internal coordination. In all summit-level meetings at the bilateral level (for example, EU cooperation with China, Japan, Korea, and India) as well as at the interregional level (EU-ASEAN), the EU is represented by the EU troika, namely the CFSP High Representative, the Commission and the Council presidency (occasionally with the assistance of the succeeding presidency). In ASEM, however, the Commission is involved in its own right as an independent partner, the Council and Parliament are not represented, and the member states in the first place pursue individual interests. This is related to the view that ASEM should not serve as a negotiating forum or a vehicle to reach new agreements, and that the European Commission, with a few exceptions, also does not channel funding into ASEM, as all initiatives are self-financed.<sup>6</sup>

As a short-term solution (at least until the European Constitutional Treaty is adopted) EU representation by way of the "open-ended troika format" could be considered, as it could solve the process of dilution, lead to a more streamlined functioning, and most importantly, convince the Asian side that the EU's underlying commitment to Asia also has the potential to develop into genuine action-oriented dialogue. In this format the European Union would be represented by the troika, while the member states with interests in Asia could utilize summits to pursue

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5 Debates on the ASEM Process of 12 June 2001, and on "Europe and Asia" of 4 September 2002.

6 Concerning development assistance, for example, the Commission does not consider ASEM in principle as a mechanism for delivering technical assistance or organizing development co-operation (cf. European Commission 2004). In fact, the EU only contributes financially to ASEM in the fields of culture, finance and information technology. At present it concretely supports ASEF (December 2002-2006), the ASEM Trust Fund II (August 2002-2005), and the second phase of the Trans-Eurasia Information Network (TEIN2) (March 2004-2007).

bilateral interests, and those without priorities in Asia could forego attendance without compromising European ASEM credibility.

Representation and attendance is also related to ASEM's nature as an intergovernmental process colored by region-to-region features. Within ASEM the EU equals the total of its member states, whereas the Union as such is not represented in ASEM, but still plays an important coordinating role. One interviewed government official expressed the view that the intergovernmental process should be finished before the summits and that if results are expected the process should have more of a group-to-group nature, while retaining the possibilities for bilateral meetings on the sidelines of summits. First of all, in order for the ASEM process to remain relevant, the EU needs to be goal-oriented and achieve results in line with a common EU policy. But secondly, the bilateral meetings can help participants to understand country-specific sensitivities. Another former government official said that the lack of a common EU strategy is one of the causes of poor attendance. Larger countries tend to pursue individual interests through bilateral meetings. ASEM on the other hand remains more important for smaller or recently joined member states, who often support the group-to-group approach and see ASEM as the ideal instrument for promoting multilateral dialogue. Another view contends that the intergovernmental character allows member states to debate freely, while staying close to the CFSP, and with the Presidency (also the coordinator or facilitator) leaving enough scope for individual member states.

Attendance at the ASEM6 summit was more than solid, as 34 out of 39 partners participated at the highest level. For the European Union, 22 out of 26 partners were represented at the highest level.<sup>7</sup> This accounts for an 85 per cent attendance rate at the highest level, a drastic improvement compared to the two preceding summits in Hanoi and Copenhagen (see Chapter 8). As ASEM enlarged to a partnership of 39, and after the Helsinki Summit, to 45, more than anything it seems essential that a stronger focus will be placed on working formats and substance. ASEM needs to define a vision which promotes political will for the realization of narrowly-defined goals based on the awareness of ASEM's potential as well as its limitations. If ASEM can define a clearer vision on its short-term as well as long-term objectives, the initiatives and agenda will be focused and show more continuity, while political leadership in the form of guidance will be facilitated. This in turn will sharpen the focus of Ministerial meetings, and solve the problem of attendance. ASEM6 paved the way with its definition of four key priority areas for discussion at the summit.

### **Chairman's Statements and Political Declarations**

In addition to the biennial summit, a growing number of meetings between ministers of specific fields from partner countries take place. All these meetings yield two types of policy documents: Chairman's Statements and Political Declarations. The documents of ASEM summits and meetings are necessarily in line with ASEM's legal and political character – hence the outcomes are political documents without legal

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7 Exceptions were Belgium, Hungary, Sweden, and the UK.

effects. Since 1996 the key ASEM document has been the Chairman's Statement issued after each summit, ministerial or senior officials' meeting.<sup>8</sup> At the beginning of the process Chairman's Statements quickly developed into extensive, negotiated documents which did not reflect the actual discussion at the meetings. Former European External Relations Commissioner Patten for example openly criticized the "pre-prepared speeches and pre-cooked and usually overboiled chairmen's statements, which no-one ever reads" and questioned the value of meetings when most of the real dialogue took place beforehand and concerned the joint statement to be issued.<sup>9</sup>

Recognizing the need for reform, the partners agreed at FMM4 (2002) that the Chairman's Statements should be developed into factual reports of the meeting's discussions. Time-consuming negotiations of formulations and wordings were to be avoided. Short, concise statements would attract more publicity for the summit as they would provide a quick, understandable insight into the summit dialogue for the media and public. It was emphasized that the statements should not repeat already known positions, but highlight the actual contributions of the ASEM process.<sup>10</sup> Following these ideas the Chairman's Statement of ASEM4 (Copenhagen 2002) was remarkably short and concise as it reflected the summit's focus on Unity in Diversity. After Copenhagen, however, the statements have again become lengthier and the number of issues covered has increased. The ASEM5 concluding statement was double the length of its predecessor, and ASEM6 even produced the longest Chairman's Statement in ASEM history.<sup>11</sup> However, it needs to be kept in mind that the Chairman's Statements are more a reflection of the summit discussions and themes than actual reports of the leaders' conversations. The host of the summit or the Ministerial Meeting is responsible for producing the Chairman's Statement. The text is written, however, in consultation with the partners and it has to accommodate both European and Asian interests. Therefore the Chairman's Statements paint a picture of the shared values, attitudes and commitments of the partners. What is said, and what is left unsaid in the Statements show the common position of the partners regarding various topical international issues as well as reflect the differences between the partners.

In order to draw attention to specific issues and challenges, the leaders have since 2002 issued separate political declarations to support the Chairman's Statement:

- Statement on the Financial and Economic Situation in Asia, ASEM2 1998
- Seoul Declaration for Peace on the Korean Peninsula, ASEM3 2000
- Declaration on the India-Pakistan Situation, FMM4 2002
- Declaration on the Middle East Peace Process, FMM4 2002

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8 SOM Chairman's Statements are not publicly available, whereas SOMTI Statements are.

9 Debate on the ASEM Process in the European Parliament, 12 June 2001.

10 The recommendations of FMM4 were based on the European Commission policy document "Vademecum" (European Commission 2001b, 6; and Annex 1: 1, 5).

11 Number of words of the six ASEM Chairman's Statements is as follows. ASEM1: 2,516; ASEM2: 3,216; ASEM3: 4,505; ASEM4: 1,791; ASEM5: 3,403; ASEM6: 5,538.

- Political Declaration for Peace on the Korean Peninsula, ASEM4 2002
- Declaration on Cooperation against International Terrorism, ASEM4 2002
- Political Declaration on Prevention of Proliferation of Weapons of Mass Destruction and Their Means of Delivery FMM5, 2003
- ASEM Declaration on Multilateralism FMM6, 2004
- ASEM Declaration on Dialogue among Cultures and Civilizations, ASEM5 2004
- Hanoi Declaration on Closer ASEM Economic Partnership, ASEM5 2004
- Bali Declaration – ASEM Interfaith Dialogue 2005
- Helsinki Declaration on the Future of ASEM 2006
- ASEM6 Declaration on Climate Change 2006.

With the system of separate Chairman's Statements and Political Declarations, the leaders have been able to place emphasis on important international issues. While a declaration brings more visibility to the issue, it also enhances the image of ASEM as an international actor. The declarations have portrayed a picture of a more unified ASEM, which is able to form common positions on regional conflicts in Asia and elsewhere or on issues of global concern such as terrorism or proliferation of weapons of mass destruction. Nevertheless the effectiveness of the Chairman's Statements and Political Declarations can be questioned. Due to their unbinding nature there is a danger that they will never be developed beyond talk. Christopher M. Dent points out that the Declaration on Multilateralism (FMM6 2004), for example, was largely repeating what ASEM partners were already doing in other diplomatic levels. The declaration, as many others, uses affirmative words and includes no commitments (Dent 2005). This largely applies to the other declarations and Chairman's Statements too. They reflect ASEM's inability to go beyond "declaratory" diplomacy. The partners show deference to international institutions, the central role of the UN and its instruments, and confirm their support of ongoing processes. Although the Declarations convey a picture of a concerned, unified group of European and Asian leaders who want to address current problems, they hardly contribute anything new to the issue at hand.

Academic observers such as Jürgen Rüländ have criticized the lack of more binding commitments in ASEM declarations. Rüländ argues that in the long run a process which does not produce tangible results cannot be justified in terms of cost and time. He further notes that ASEM meetings could obligate partners to support negotiated common positions in global fora or oblige them to implement agreed commitments. His proposition is to link Chairman's Statements to specific scheduled goals, such as a timeframe for ASEM partners to fulfill the emission targets of the Kyoto Protocol. This way ASEM could also attract publicity and arouse the interest of the wider public. The ASEM partners could make a commitment to exceed the requirements of international agreements by creating a WTO Plus or Kyoto Plus for ASEM partners (Rüländ 2005, 9-10).<sup>12</sup> In light of the non-binding nature

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12 Acknowledging the difficulties of binding commitments and the reluctance of certain partners, Rüländ introduces a three-staged process, which would start with voluntary unilateral implementation of target-setting and benchmarking and be continued with more precise and



of ASEM cooperation, the fulfillment of these goals would have to be based on voluntary implementation. However, specific common goals and guidelines could facilitate comparisons between partners and assessment of outcomes, and boost peer pressure.

### **Coordination of the process**

Apart from the biennial summit, the ASEM process is carried forward by a plethora of Ministerial and Senior Official Meetings which build on a wide range of coordinating mechanisms and bureaucratic procedures. Foreign Ministers are mandated to prepare for the summits, meeting in the intervening year between summits. ASEM furthermore includes Meetings of Ministers of Economy, Finance, Environment, Science and Technology, Culture, Employment and Labor, and Education. In addition, Ministerial conferences and meetings have been held on Migration, Information and Communication Technology (ICT), and Small and Medium-sized Enterprises (SMEs).

Coordination of the ASEM process is a vital element as proposals for meetings or initiatives require prior consultation and consensus among all partners. Coordination takes place at three levels: the general, the regional, and the partner state level. First of all, the Senior Officials' Meetings (SOM) play a central role in policy discussion as well as in preparation of meetings and summits, while the Senior Officials' Meeting for Trade and Investment (SOMTI) reports to the Ministers of Trade, and the Finance Deputies coordinate financial cooperation. Given the increase in Ministerial Meetings in recent years, the Helsinki Declaration on the Future of ASEM, issued on the occasion of the Helsinki Summit, hinted at the creation of additional SOM in the new fields of cooperation. Plenary Senior Officials' Meetings take place at least twice a year, more often in summit years. In 2006, for example, the SOM convened on four occasions. Senior Officials should ensure sufficient regional coordination on political issues ahead of plenary SOMs, receive the power to approve and/or filter initiatives, and monitor follow-up of initiatives. ASEM is in the first place an intergovernmental process, yet internal coordination does follow a region-to-region structure. The European political directors who function as ASEM Senior Officials rely on the European Union's regular coordinating mechanisms, in particular through the European Commission, the Council Secretariat and the Asia-Oceania Working Groups (COASI). The Asian partners do not have the same well-oiled coordinating mechanisms as their European counterparts do. The Officials of Asian Foreign Ministries gather in informal caucuses known as "Asian SOM" ahead of plenary meetings.

Second, at the practical level the four ASEM Coordinators are at the heart of scheduling and organization, complementing the role of the SOM. Any new proposal for an ASEM initiative should be presented to all partners through the Coordinators who disseminate the information via their regional instruments, namely in the case of

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binding implementation together with self-reporting and peer-group evaluation. At the final stage the partners could include mechanisms to sanction free-riding and non-compliance.

the EU formally through the COASI. In Asia the Coordinators rotate every two years and comprise one ASEAN member and one Northeast Asian partner. In Europe the European Commission and the Council presidency (rotating on a six-month basis) function as Coordinators. The (rotating) presidency of the EU Council is in charge of organizing the summit and is in the driving seat for the preparation of the agenda, which offers opportunities to include a particular issue-based predilection on the agenda, or incorporate special interests held by other member states.

The Helsinki Declaration on the Future of ASEM included the suggestion to strengthen the role of the Coordinators by institutionalizing regular working methods, such as a regular meeting schedule, smoother regional dissemination of the outcomes of meetings, and the creation of ministerial-level Coordinators' meetings to enhance policy orientations. In addition, the restricted continuity in the management process resulted in the suggestion to enhance the role of the host of the next summit or Foreign Ministers' Meeting in order to complement the functions of the coordinators' group. Allowing future (and when needed also past) hosts of high-level gatherings to attend Coordinators' meetings would contribute to an improved level of "permanence". It would also partly resolve the fact that at present the European Commission is the only constant coordinator, and has therefore been regarded as the *de facto* informal secretariat of ASEM (Gilson 2004b, 69). One interviewed government official identified the different mandates held by regional Coordinators in Europe and Asia as one of ASEM's key challenges. The EU member states are well integrated and represented as a Union, unlike the Asian side. The official further stressed the need to include the future hosts of an ASEM summit in the coordination process in order to ensure continuity. This is a practice which is already at the basis of EU workings: both previous and future presidencies are included in the internal preparation as early as possible. The Finnish Presidency of the EU Council in charge of organizing the ASEM6 Summit cooperated closely with preceding and following presidencies, Austria and Germany respectively. While the preceding host of the ASEM summit already offers a certain amount of consultation and advice, the addition of the future host in the coordination process would strongly enhance continuity.

Third, at the partner state level a network of contact officers (so-called ASEM Contact Points) facilitates the flow of information on a more informal basis. Consultation between the Senior Officials, Coordinators, and ASEM Contact Points happens on an *ad hoc* basis. In order to further standardize information-sharing and coordination "on the ground", the Helsinki Declaration furthermore proposed the establishment of regular contacts between embassies or permanent representations in Brussels (EU headquarters), Jakarta (ASEAN headquarters), and/or in the country hosting the next summit.

It is expected that the ASEM Virtual Secretariat (AVS), inaugurated at ASEM6, will become the main coordinating instrument, particularly with the increase of initiatives, ministerial meetings, and sectoral SOM in mind. The AVS is a compromise solution between those who wish to keep ASEM as informal and non-institutionalized as possible, and those who strongly support the establishment of an ASEM Secretariat. The former include in the first place the European Commission (see Chapter 5) which argues that institutionalization would nullify ASEM's purpose and added-value, and that it is the Asian grouping that requires more elaborate

channels of coordination. Proponents on the other hand contend that a secretariat and the appointment of a Secretary-General would greatly enhance ASEM's achievement orientation, increase public awareness, and equip ASEM to deal with the growing complexity of the process. Primarily (though not solely) Asian partners have been the strongest proponents of the creation of a secretariat. Japan was the prime mover behind the initiative to establish a virtual secretariat, endorsed by the Seventh Foreign Ministers' Meeting in Kyoto. Malaysia co-sponsored the project. For Japan the AVS averts the potential construction of an Asian Secretariat which would confine it too much to the Asian camp, and keeps open the option to develop ASEM into "an organization with greater geopolitical perspective" (Togo 2004).

The proposal to institutionalize ASEM (and effectively make it an international organization) has been a bone of contention since 1999. It was in March of that year that the Asia-Europe Vision Group (AEVG) suggested the establishment of a "lean but effective" ASEM secretariat as a point of coordination. In the same year the European Parliament's Committee on Foreign Affairs, Security and Defence Policy (1999) equally argued for a gradual institutionalization of the relationship in order to pave the way for the achievement of more concrete results. Scholars in the field of international relations have also argued that a secretariat and permanent working groups in key areas of cooperation, in combination with a decisive move toward high politics, can counter the erosion of interest of European governments and publics, and assist ASEM in becoming more achievement oriented (see for example Rüländ 2001a, 67). Most recently, the Task Force for Closer Economic Partnership between Asia and Europe (2004) indicated the need to develop an initial virtual secretariat into a physical one in the medium-long term.<sup>13</sup> This would not only contribute to institutional memory, which is now dependent on frequently transferred national officials, but also be a first step in upgrading the process from dialogue to cooperation.

The European Commission, however, has always rejected these proposals on the grounds that such an institutional approach would be inappropriate and counter-productive given the informal character of the ASEM process. In the words of one EU official: "if ASEM wants to protect the informality, a secretariat is the last thing it needs." Institutionalization would therefore nullify ASEM's "value-added". From the outset the summit was not intended to lead directly to new agreements, treaties or contracts, but was to serve as a groundbreaker, setting the scene for follow-up (European Commission 1996b). ASEM is perhaps limited in legalistic terms, but at the same time it offers a highly adaptable, multidimensional and all-encompassing framework for interaction. Policy issues can be dealt with at the summits, in the different ministerial meetings, or at the track-two level, and can easily be moved up and down a hierarchy depending on their importance and sensitivity (Forster 1999, 753) which makes ASEM "an expandable box of opportunities". Other arguments against the creation of a possible secretariat include the following:

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13 The actual Hanoi declaration for CEP made no mention of this recommendation, though. What is more, the Chairman's Statement only tasked Foreign Ministers and SOM with submitting recommendations on the issue.

- Institutionalization would generate matters related to staffing, funding and location, and could even slow down the process as it potentially conflicts with the existing EU coordination machinery. As the EU already possesses the necessary channels for coordination, the creation of a possible Asian secretariat should therefore be left up to the Asian leaders (see Quigley 2004, 16).
- An institutional approach is inappropriate and counter-productive as it would lead to a weakened sense of ownership and responsibility for the initiatives among the partners (European Commission 2000).
- Institutionalization runs counter to the EU's standard approach to external relations, which usually strengthens relations with third countries or regions through an upgrading of the institutional basis by means of "third-generation" or comprehensive cooperation agreements.
- When negotiations in other broad fora such as the WTO as well as in narrow but conflict-ridden relations such as EU-ASEAN face a cul-de-sac, ASEM offers "an advantageous level for negotiation (Gilson 2004b, 70), exactly because it is more informal and loose. While not offering a clear way out of negotiations that have stalled in other fora, ASEM does provide both sides with "an ideal venue for diffuse reciprocity" (Gilson 2004b, 70), promoting constructive engagement and alternative approaches to problem-solving. The Portuguese rapprochement to Indonesia on the issue of East Timor during the ASEM1 Summit can be seen as an example of how "ASEM diplomacy" can at least be successful in restoring the dialogue between two opposing parties.<sup>14</sup>
- ASEM's informal nature ensures that the results of the meeting do not "affect the participants' special relations with other areas of the world" (European Council 1995c). Cooperation with Asia would therefore not jeopardize the EU's privileged relation with North America, and also the EU-ASEAN relation would not be overshadowed.
- ASEM offers the best way to integrate the mixed interests of the different intra-EU levels, namely the European Commission, representing the interests of the Union as a whole, and the Council, embodying the different national interests in Asia. Anthony Forster (2000, 798) sees the EU in the first place as a multi-level, multi-tiered political system containing different streams of policy interaction and competing pressures and motivations. The Union can therefore not impose external policies which are too far from the consensus of the member states. Often specific preferences are left open to ongoing negotiations within an agreed framework, allowing the participants to each get something different out of the process. In his words, "(m)ultilayered boundary agreements, with different policy streams underpinned by a network

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<sup>14</sup> *European Report* (6 March 1996) reported as follows on the re-establishment of contacts: "Of his approach to Indonesian President Dr Suharto, Portuguese Prime Minister Antonio Gutierrez said: 'After dinner I walked over to him and said 'I think there is a problem to be discussed', and he accepted'. After his initial surprise, the Indonesian President appeared open to suggestions. "There is no obstacle to even the most touchy issues," said European Commission President Jacques Santer of the encounter."

of relations, offer a process and set of rules in which actors can pursue a range of policy opportunities”.

Nevertheless, it is clear that the long-standing, continuous discussions on a potential ASEM secretariat have actually blurred the real issues and have probably prevented discussion on more substantive issues for cooperation between Asia and Europe. Julie Gilson, for example, argues that the difficulties with ASEM are not rooted in intercultural or intersubjective barriers, but in the “constant focus upon the need to expand the formal institutional parameters (such as a secretariat) of the forum”. This results in cognitive misconceptions at the functional level, which prevent issues such as human rights and future membership from being brought up for discussion. “ASEM, therefore, needs greater cognitive institutionalization, rather than being overly concerned about its structural façade” (Gilson 2001b, 119).

Thus far, then, institutionalization is only being carried out through the strengthening of the existing channels as outlined above, and through an enhanced electronic exchange of information through electronic means. The ASEM Virtual Secretariat operates as a closed intranet system. It facilitates the management of the agenda and working program, the circulation of documents and working papers, notifications related to ASEM initiatives and the dissemination of their results. It furthermore includes mailing and archival functions, serving as ASEM’s institutional memory. Ideally the AVS enables real-time exchange of information through chat, internet calls, or video conferences but several observers during the conducted interviews expressed fears that a virtual secretariat would only end up functioning as an archive for related documents. An additional task that remains to be solved is how to synchronize the AVS with another ASEM-related website, the ASEM InfoBoard, created in October 2004 and maintained by ASEF. Both sites include an openly accessible area providing up-to-date information on ASEM to the wider public. However, at the time of writing the two sites have many overlapping elements, while at the same time neither site provides a comprehensive overview of meetings, initiatives and related documents. This substandard functioning of the InfoBoard was addressed at the FMM7 in Kyoto (May 2005), which called for a more active publicizing of related meetings, initiatives, programs and projects. So far at least, the AVS has not been able to perform any better.

## **Expansion of the partnership**

### *Background*

Enlargement of the ASEM partnership has turned into a complicated, long-term challenge in Asia-Europe relations. The core issue is rooted in ASEM’s ambivalent nature as a region-to-region intergovernmental forum, balancing between a clear state-to-state and a region-to-region approach. On the one hand the process highlights the roles of the national governments and emphasizes the state-to-state approach. Moreover, strong support exists in the EU for the intergovernmental approach. The Union certainly does not always present itself as a unitary actor. Both ASEM and

wider Asia-Europe relations offer plenty of examples illustrating the lack of a single voice.<sup>15</sup> ASEM offers the different member states the opportunity to utilize the bilateral space in summits or other meetings to promote national interests. Not all EU member states share the same level of interest in East Asia. For example, France, Germany and the UK place emphasis on the role of ASEM in Asia, in part because of their pre-existing bilateral interests in the region, whereas Spain, Denmark, Sweden and Greece tend to prioritize human rights considerations or, on the whole, show little interest in ASEM at all (see also Forster 2000, 797).

On the other hand, considering ASEM strictly as a forum of nation states would undervalue the special roles the EU and ASEAN have acquired in it. In Europe, ASEM functions are closely integrated into the institutions and mechanisms of the European Union, thus already making it a part of the agenda of a regional process. Regional coordination also occurs in Asia, based on the ASEAN+3 grouping. In comparison, the Asian partners have not coordinated their agendas regionally in APEC (Council for Asia-Europe Cooperation 1997, 84). Both regional integration processes suggest that the partnership could be seen more as a region-to-region relationship than merely a strict state-to-state one. It could furthermore be argued that from a historical perspective ASEM can be seen as an extension of the region-to-region EU-ASEAN relationship.

“Europe”, represented by the member states of the European Union (EU) and the European Commission (a separate and equal partner in its own right), embodies a coherent regional agency with an institutional character. The EU and its member states therefore claim exclusive representation of “Europe”, and membership of the EU should automatically lead to participation in the ASEM partnership. “Asia” on the other hand is much less integrated, and until 2006 was represented by the ten ASEAN partners in addition to China, Japan and South-Korea, a grouping of countries which as ASEAN+3 forms the focal point for an emerging East Asian regional identity. Signs of ongoing processes of integration in East Asia are undeniable. The East Asian region has shown a remarkable advancement of market-led “new regionalism” and economic integration, evident in the boosted importance of intra-regional trade and

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15 In 1996 France and the UK applied for individual membership, separate from that of the EU, of the ASEAN Regional Forum (ARF), citing their status as nuclear powers as justification (*European Voice* 5 September 1996). In 2000 before the Seoul ASEM3 Summit, the UK and Germany decided to establish diplomatic links with North Korea, which was strongly criticized by France and the European Commission (*European Report* 20 October 2000). The ASEM4 Summit in Copenhagen (2002) was marked by internal EU divisions over policies toward Iraq, with Spain, Italy and the UK strongly supporting the US policy, in contrast to France and Belgium (*European Report* 29 September 2002). Ahead of the ASEM5 Summit in Hanoi in 2004, the UK was leading calls to exclude Burma, whereas France argued that because Burma is part of ASEAN it would be difficult to exclude it. France expressed difficulties “to accept that the Union imposes obligations on its partners about their presence at summits” (*European Voice* 2 September 2004). At the same ASEM5 Summit China lobbied to lift the EU’s ban on selling weapons to China. France and Germany supported a review of the ban, whereas Sweden, Denmark, the Netherlands and the UK criticized the plan to end the embargo (*European Voice* October 2004; *European Report* 18 April 2005).

investment and the proliferation of Free Trade Agreements in the region.<sup>16</sup> The main catalyst for increased regionalism, however, was the Asian economic and financial crisis. The heightened realization of the need for cross-regional cooperation led to the invitation by ASEAN for a summit meeting with the three Northeast Asian countries in 1997, and marked the beginning of the ASEAN+3 (APT) process. Functioning as a regional grouping in the Asia-Europe Meeting (ASEM) denotes a *de facto* realization of the East Asian Economic Caucus (EAEC) suggested by Malaysian Prime Minister Mahathir in 1994. The APT also functions as the core of the East Asia Summit (EAS), in addition to Australia, New Zealand and India. The recent East Asia Summit meetings in Kuala Lumpur (December 2005), Cebu (January 2007), and Singapore (November 2007) though short and mainly confidence-building occasions, are a further sign of this burgeoning “New Asianism”.

### *Burma/Myanmar's membership*

The underlying idea of ASEM as an interregional forum has resulted in questions on how to define membership of both regions. The all-embracing term Asia-Europe Meeting was chosen precisely for its elasticity and possibility for future inclusion of countries such as India (South Asia), Australia and New Zealand (Australasia) and Russia (depending on the observer's point of view, Central Asia or Europe), and European countries outside of the EU. However, even in the early stages EU membership became the common requirement for partnership in Europe. In Asia the partnership was built around ASEAN and the three dynamic states of China, Korea and Japan. At the first summit the partners agreed that the process should remain open and evolutionary, but no membership criteria or concrete plans for enlargement were identified.<sup>17</sup> The question of enlargement became acute soon after the initial ASEM summit, as Laos and Burma/Myanmar acquired membership of ASEAN in 1997, followed by Cambodia in 1999. Burma/Myanmar's potential joining of ASEM caused perpetual disagreements between the partners, which culminated in 2004 in a critical freezing of relations. On the one hand the European partners opposed the integration of Burma/Myanmar because of its military regime and human rights violations, while on the other hand the ASEAN partners demanded that Burma/Myanmar should be included in ASEM as a full-fledged member of ASEAN. The situation led to the cancellation of two ministerial meetings (see Chapter 4). The EU, holding to the principle that it must be represented by all its 25 member states at international meetings, indicated that as there was no agreement on ASEM enlargement, the European side could not participate in any ASEM meetings before the Hanoi Summit (*Europe Information* 15 June 2004). Eventually the partners

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16 The ratio of intra-regional trade compared to total trade in East Asia (including Hong Kong and Taiwan) rose from 34.9 per cent in 1980 to 52.4 per cent in 2003 (Hiratsuka 2005, 7). Free Trade Agreements (FTAs) include the ASEAN Free Trade Area (agreed in 1992 and scheduled to be completed by 2012), the ASEAN-China FTA (2004), and bilateral FTAs between Japan and Singapore (2002), the Philippines (2004), Malaysia (2005) and Thailand (2005).

17 See ASEM1 Chairman's Statement, Bangkok 1996.

reached a compromise which allowed Burma/Myanmar to participate with a lower-level representation. At ASEM5 in Hanoi the partners welcomed thirteen new states to join ASEM (including Burma/Myanmar and the ten new EU member states). Burma/Myanmar's participation in European ASEM Ministerial Meetings and summits still remains unresolved, as the 2004 Council Position bans visas for high-ranking Burmese military leaders, including many ministers.<sup>18</sup> The problems related to the Rotterdam Economic Ministers' Meeting in September 2005 were a concrete example of the current dilemma. The Asian ASEM partners view this as a European problem and have criticized the Europeans for placing conditions on a partner state.

Although the case of Burma/Myanmar should no longer be regarded as a question of enlargement, solving the dilemma may well be a prerequisite for future enlargements. The disagreement over its participation in ASEM summits can cause perpetual difficulties in cooperation and pose an obstacle to enlargement.

### *AECF and enlargement*

The current ASEM enlargement policy is based on the Asia-Europe Cooperation Framework 2000. The original AECF, endorsed at ASEM2 in 1998, touched only briefly on enlargement and failed to define any criteria for ASEM partnership. The issue was addressed in more detail in the AECF 2000: ASEM is an open and evolutionary process, and enlargement is conducted in consensus by the Heads of State and Government. According to the AECF every enlargement should reinforce the Asia-Europe partnership. Enlargement should be conducted in progressive stages and each candidate should be examined on the basis of its own merits and in the light of its potential contribution to the ASEM process. In addition, a two-key approach is utilized: a candidate state should first receive the approval of the partners in its own region and only then can all the partners in consensus decide on its participation. The ASEM5 Chairman's Statement further defined the current position of the partners regarding ASEM enlargement thus:

The Leaders, emphasising the need to consolidate the ASEM process after enlargement, agreed to consider future enlargement, taking into account the continued EU enlargement and the important role of other candidates.

The issue was raised again at FMM7 in Kyoto in 2005, where the Foreign Ministers called on the partners to seek a common understanding of the future membership in the light of the open and evolutionary nature of the ASEM process. The Helsinki Summit took a landmark decision to widen the partnership. In order to allow the new EU member states Romania and Bulgaria to join ASEM upon accession, the EU agreed to accept membership of India, Pakistan, Mongolia and the ASEAN Secretariat as proposed by the Asian side. At the same time however, the Helsinki Summit of 2006 and the ensuing Foreign Ministers' Meeting in Hamburg in 2007

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<sup>18</sup> However, according to the Common Position (Article 6 Paragraph 5), exceptions to the visa ban can be made to accommodate Myanmar's representation in meetings where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in Burma/Myanmar. Council Common Position 2004/730/CFSP of 25 October 2004.



tasked the SOM with studying a possible adaptation of the AECF, deferring a decision at least until the next summit in China in 2008.

*The European point of view*

The enlargement issue therefore revolves in the first place around the EU's "special status" in ASEM. On the one hand the EU and its member states thus claim exclusive representation of "Europe", and membership of the EU should automatically lead to participation in the ASEM partnership. The EU effectively insists on special treatment given its advanced integration process, requiring automatic membership of its new member states (see European Commission 1997; 2000). The two-key approach stipulated by the enlargement guidelines of the AECF2000, however, gives the Asian partners a chance to veto the accession of new EU member states to ASEM. The framework also states that each candidate should be examined on the basis of its own merits and in the light of its potential contribution to the process. Hence the possible input and relevance of some EU applicants could be questioned and vetoed by the Asian partners. On the other hand, the EU insists that since individual governments, rather than regional groupings, participate in ASEM, new members can only be admitted by consensus (*European Voice* 11 December 1997). This justified the European opposition against Burmese admission to the partnership, but also led the Asian partners to criticize the EU for adopting different enlargement criteria for Europe and Asia.

The two regional groups in ASEM are very different actors with distinct working methods and levels of coherence. As far as the EU is concerned, a situation whereby some of its member states would be disallowed to participate in one part of the common external relations would be unacceptable. The EU enlargement is an ongoing process and as new states enter the EU they become full-fledged members with equal rights to participate in the common policy-making. ASEM is only one part of the EU's overall relations to Asia, and the preparation of ASEM-related issues is conducted among other EU-Asia affairs in the Council Working Group for Asia-Oceania (COASI), where all member states are represented. What could be the position of the non-ASEM EU member states in these and other meetings and processes when ASEM-related issues are debated? Would it be acceptable that these countries could have a say in the EU-ASEAN affairs but not in ASEM affairs? Similar problems would arise in the EU Council among the Foreign Ministers.

The question of ASEM's possible enlargement beyond the EU is also closely related to the definition of ASEM. If ASEM were a clear state-to-state partnership, where the EU did not have any role, the participation of a non-EU state could be legitimized. However, as the EU has been the core of the European partnership since the beginning of the process and the institutions of the EU are involved in the European coordination, the possibilities of non-EU states for participating in ASEM in Europe become scarce. Nevertheless, the possible participation of non-EU states has been raised from time to time when certain European countries have indicated their interest to join ASEM. In the case of Russia the debate is rooted in the fact that although geographically Russia is a truly Eurasian state, it would still be difficult to

determine on which side it should join the partnership.<sup>19</sup> The EU-as-Europe approach, however, necessarily allocates it to the Asian grouping. Switzerland and Norway initially seemed certain to be admitted to the club (*European Voice* 23 October 1997). But as non-EU participants, they would be excluded from the preparation and coordination of issues within the EU, and therefore would not be likely to follow the common positions of the EU partners, making it even more difficult to maintain a common European voice in ASEM (Council for Asia-Europe Cooperation 1997, 82-83). The fact that ASEM coordination is bound to the Commission and the rotating presidency, two central institutions of the EU, significantly complicates the participation of any non-EU state. In concrete terms, how could the participation of a non-EU ASEM participant be organized in the internal working groups of the Union (for example, the above-mentioned COASI) where other affairs of the EU are also handled?

A second consequence of the EU constituting the European counterpart in ASEM is that a moratorium of membership is not a feasible option. From the point of view of the EU, however, EU enlargement is a continuous process, which has repercussions on European representation in ASEM. Future EU enlargement will therefore have to be matched by a widened Asian grouping, and the accession of future EU member states to ASEM could face a veto by Asian partners, unless the guidelines for ASEM enlargement in the AECF are adapted. Chapter 9 will further elaborate on the implications of the present guidelines on regional membership in the light of the enlargement decision taken by the Helsinki Summit.

### Concluding remarks

This chapter provided an overview of ASEM's main institutional mechanisms. The Helsinki Summit contributed to more streamlined initiatives by defining key policy fields as priority areas and strengthened issue-based leadership as a guiding principle. The same summit proved that a sharpened agenda and ample provision of space for bilateral meetings can do much to ensure the largest possible attendance. The chapter further looked at the policy documents resulting from ASEM meetings, namely the Chairman's Statements and Political Declarations. While these documents lack legal implications, they do sketch the political priorities and result in concrete initiatives and projects at lower policy-making levels. The intricate coordination machinery at the heart of ASEM is entrenched in the conception of ASEM as an interregional process. The decision to establish a Virtual Secretariat, rather than a first step toward institutionalization, should in the first place be seen as a way to retain ASEM's fundamental approach of informal dialogue, while still answering to the need for better coordination mechanisms on the Asian side. Also, ASEM's rules for enlargement are rooted in a region-to-region concept, as the case of Burma/Myanmar's joining amply illustrated. The EU's insistence upon automatic ASEM membership for its acceding member states is at odds with the consensus principle

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19 Russia expressed its interest to join the partnership at ASEM3, without indicating which side it would prefer to join (Reiterer 2002, 46).

that underlies the present rules for enlargement, and therefore necessitates a revision of the AECF2000.

## Chapter 8

# ASEM in the Context of the European Union's External Relations

Teija Tiilikainen

It is a general understanding that the EU – unlike the Asian community in ASEM – forms a more or less unitary “region” in the ASEM process with clearly coordinated goals and interests. This understanding has given grounds to the argument that the Asian partners could learn from the EU regarding the level of their internal community-building. On the other hand, one of the most frequent criticisms directed at the European dimension of ASEM relates to the weak commitment to the process and its principles shown in European capitals. This seems to contradict the first assumption in the sense that if the EU functioned in ASEM as a collective actor, one would have good reason to believe that its commitment would be firm. All the official documents stress the importance of relations with Asia, and the role of ASEM is widely recognized as the political accelerator of these relations.

The purpose of this chapter is to take a closer look at the role that ASEM assumes in the EU's political and institutional system. If ASEM came into being as a result of the new recognition of Asia in the EC's policies – and the transformation of the EC into the EU enhanced the possibilities for common external policies – why is this not reflected in the EU's contribution and commitment to ASEM? Are there major institutional constraints in the EU which would affect the Union's role and efficiency in ASEM issues? Or are the major constraints political and linked with possible differences in the Asia policies of the different EU members? If seen from this perspective, what are, in general, the EU member states' possibilities of conducting a common policy *vis-à-vis* the ASEM process? To what extent do the member states share a common understanding about the significance of ASEM as such and about the priorities of its political agenda?

The chapter starts with an introduction to ASEM's role in the EU's institutional system and to the challenges emanating from it. The impact of the Treaty on European Constitution will be analyzed separately as when entering into force it would play a major role in the Union's external relations system. Then an assessment of the political challenges behind the formulation of a common policy – and of the differences in the policies and points of emphasis of different member states – will follow. Finally attention will be paid to the outcomes of the Helsinki ASEM Summit and their implications for ASEM's challenges as a part of the EU's political and institutional system.

**ASEM in the overall EU-Asian relations**

In terms of institutions and decision-making, external relations form one of the most challenging policy fields of the EU. There are two major reasons for these challenges. The first is the institutional division of policy-making into external economic and development policies on the one hand and the Common Foreign and Security Policy (CFSP) on the other. While economic and development policies, which very much centre around the common trade policy, were from the beginning constructed as a part of the normal supranational decision-making system of the then European Community, the ancestor of the CFSP was originally added as a separate cooperation of its own with a highly intergovernmental mode of decision-making. In the pillar system created in the Maastricht Treaty, the Union's external relations have consequently been divided between two pillars, which has been seen to challenge the formulation of a coherent external policy comprising the two parts (Bretherton and Vogler 2006, 171-178). Efforts have continuously been made to enhance the coordination between the two pillars, and the constitutional treaty would finally narrow the gap between the two fields of external policies without, however, a complete subordination of the CFSP to the supranational institutional system of the first pillar.

The other reason behind the institutional complexities of the EU's external relations reflects the very nature of the EU as an actor with partial competences only. This comes well to the fore, for instance, in the context of many treaty-making processes where the EU is preparing a treaty with a third country. Even if their focus were in the field of the EU's competences, numerous treaties also include provisions which fall outside them and which therefore require different procedures where the member states function as the main actors. Then, of course, there are non-legal relations which the member states, more for political reasons, want to keep in a state-to-state form instead of conducting them through the EU's system of collective representation and management. The ASEM dialogue is a typical example of such an arrangement and therefore it is appropriate to look at its position in the EU's external relations system.

ASEM forms one element of those interregional structures of cooperation in which the EU and its member states participate. The EU maintains a permanent dialogue with a number of groups of states in Africa, Asia, Latin America as well as in Europe.<sup>1</sup> These dialogues are very different as far as their forms of cooperation and institutional mechanisms are concerned. They comprise different models also with regard to the structure of participants. In some dialogues – such as those with the Rio Group or Mercosur – the EU takes part as a collective actor through its

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1 The EU's dialogue partners cover, for instance, the African, Caribbean and Pacific group, the Southern African Development Community, the African Union, the Intergovernmental Authority and Development, Association of South East Asian Nations, Asia-Europe Meeting, South Asian Association for Regional Cooperation, Organization for Security and Cooperation in Europe, EFTA, Council of Europe, Countries of South Eastern Europe, Andean Community, Central American States, Rio Group, Mercosur, Latin America and the Caribbean, Gulf Cooperation Council and Euro-Mediterranean Partnership.

representation by the Commission and troika.<sup>2</sup> Other dialogues, then, involve all the individual EU members separately. ASEM and the EU's meeting with Latin American and Caribbean states, however, form the only two cases where a state-to-state concept is applied at the head of state/government level. There are also extensive differences in how policies are being prepared under the political level of participation.

ASEM forms one particular part of the overall EU-Asian relations. The EU's relations are, first, conducted in the form of a multilateral dialogue with two regional Asian organizations, ASEAN and SAARC. In the first dialogue, the individual member states of the EU participate in the ministerial level meetings whereas in the dialogue with SAARC the EU is represented by the troika. In addition to these bloc-to-bloc dialogues, the EU's relations with Asia are conducted at the bilateral level. The EU has intensive bilateral relations with a number of individual Asian countries. Different types of institutional and political practices characterize even the conduct of bilateral relations.

A general characteristic of the conduct of all relations with Asia is that the political and institutional practices follow the logic of the EU's pillar system and the division of external relations into the "first pillar" relations covering, above all, economic and development policies (and in general, all other EU competences within external relations with the exception of the CFSP) and into the "second pillar" issues covering the Common Foreign and Security Policy (CFSP). This division is reflected in the conduct of EU-Asia relations in the sense that the Commission is – in general – the key actor as far as the economic and development policy issues in these relations are concerned. In the Commission, responsibility for these relations is divided between the External Relations Directorate-General (RELEX), the Directorate-General Trade, and the Europe-aid Cooperation Office. The political dimensions are dealt with as a part of the CFSP, which means that the High Representative of the CFSP, the Council presidency and the troika constitute the key forms of leadership and representation. EU-Asian relations are prepared in the Council working group for Asia and Oceania (COASI), which is a working group dealing with both economic and CFSP matters.

ASEM has to be seen as a particular form of cooperation between EU members and specific Asian countries. It complements the other forms of multilateral and bilateral cooperation mentioned above. But – as it comprises only the ASEAN countries plus Japan, China and the Republic of Korea – it includes only a part of those Asian countries with which the EU has an ongoing relationship in other frameworks. The European motives behind the establishment of ASEM were both economic and political. The earlier relationship with ASEAN and the trends in the world economy in the early 1990s are, however, reflected in ASEM's partnership structure (see Chapter 1). In any case, it has to be taken into account that, irrespective of its name

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2 Troika refers to the mode of representation in the EU's Common Foreign and Security Policy, where the EU is represented by the presidency in office, the Council Secretariat and the European Commission. The troika can be assisted by the member state holding the next presidency. The troika takes place at different levels of representation depending on the context.

“The Asia-Europe Dialogue”, ASEM accounts for only a very specific geographical part of these relations in a very specific format. The successes and failures of ASEM – as a part of the EU system – cannot therefore be analyzed without paying attention to the way this dialogue fits into the overall system of EU-Asia relations.

As shown above, the EU’s relations with Asian countries – both multilateral and bilateral – are essentially conducted on the basis of the normal external relations mechanisms of the Union. ASEM was, however, not established to serve the normal day to day functioning of these relationships but to enable an informal top level dialogue among leaders of the EU countries and ten Asian countries. The partnership structure reflects this goal as well as the informal character of ASEM, which lacks any formal legal base. The individual EU members are partners of ASEM and not the European Community, which normally represents the EU members in formal external relations comprising legal commitments.<sup>3</sup> The European Commission is another partner, but not in its normal external relations capacity of representing the member states in first pillar matters (through the European Community) but more in its own capacity of an important actor in the general EU-Asian relations.

The specific character of ASEM reflects itself in the position it takes in the EU’s institutional set-up. As an informal political dialogue, ASEM forms basically a state-to state structure, where the EU member states participate in their own capacity. This is reflected in the structure of ASEM’s key functions – summits and ministerial meetings – in which individual member states and the Commission participate.<sup>4</sup> The coordinating role is carried out by one composition of the ministerial meetings – the foreign ministers assisted by their preparatory body, the senior officials (SOM).

The EU’s role as a collective actor – and the fact that in many other contexts of EU-Asia relations the EU functions on the basis of a common policy – is reflected in other dimensions of ASEM arrangements. ASEM coordinators, which are nominated by both regions, themselves give expression, in the EU’s case, to the more normal external relations system. The Commission and the Council presidency being the two coordinators in the EU’s case implies a clear linkage to the roles assumed by these two institutions in those fields of external relations which belong to the EU’s competences. The two institutions that carry out the task of coordinating and administrating ASEM-issues on behalf of the EU are, consequently, the same ones that coordinate and administrate general EU-Asia relations. A clear linkage to the formal EU-Asia relations can also be seen in the fact that issues related to ASEM are, along with other Asian policy issues, prepared in the Asia-Oceania Group (of the Council’s working bodies).

The fact that ASEM differs from formal EU-Asia relations can again be understood from the details. First, the division of labor among the two European coordinators

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3 The EU-ASEAN relationship is based upon a co-operation agreement (1980) between the EC and the ASEAN member countries. In addition, there is a political dialogue in which the separate member states of both organizations as well as the Commission (as the representative of the EC) participate.

4 Usually the Commission has been represented by its President. In the Hanoi Summit in addition to the Commission President Romano Prodi, the Trade Commissioner Pascal Lamy participated.

is not the same as it is in other parts of EU-Asia relations. The Commission's role is not limited to the (EU's) first pillar issues in ASEM only, but covers the whole range of ASEM issues. This implies an unusual division of labor among the two bodies. A third body of representation and administration, which in normal parts of external relations is to be found among the Commission and the presidency, is missing from ASEM, i.e., the Council secretariat and the all the more powerful chair of the High Representative of the CFSP, established by the Amsterdam Treaty. The role of the latter is unclear at the moment as the Asian partners of ASEM have not accepted his participation in ASEM summits (Reiterer 2004b, 5).

Contradictory views seem to exist regarding the factual role taken by the Commission. It has been pointed out that the fact that the Commission forms the only permanent body among ASEM's coordinators has been an asset (Reiterer 2004b, 4).<sup>5</sup> The Commission serves as ASEM's historical memory and point of continuity for European as well as Asian partners. On the other hand, the Commission has been criticized for its weakened contribution in ASEM, for instance as far as the number of staff assigned to ASEM issues is concerned. In the Commission, only one civil servant in RELEX is in charge of ASEM and this also applies to the preparation of the biennial summits.

Even if ASEM issues are, in institutional terms, dealt with in the Council system very much like any other issues of the EU's Asian policy, there are clear differences in their detailed handling. ASEM's informality and state-to-state character is reflected in a process which is less oriented towards producing a common policy – or common understanding in different issues – than processes applied in other contexts of Asian policy.<sup>6</sup> It has for instance been pointed out that, in principle, the various EU leaders are free to choose the contents of their summit contributions even if some coordination of the themes might take place in the council system (Bersick 2002a). On the other hand, there are of course a number of issues relevant also for ASEM, where common positions among the EU members have been formulated in other contexts of Asian policy. The role of Burma can be mentioned as one topical example. According to the provisions of the CFSP, EU members will have to respect common positions in all fields of their own policies. This means that irrespective of the particular and state-to-state character of the ASEM process, there are clear constraints on the individual policies of the EU members, which, in fact, in many respects are bound to common positions.

Finally, one more difference between ASEM and the ordinary parts of the EU's external relations is that ASEM is excluded from the competences of the European Parliament. In general, the EP's role is stronger in the first pillar external relations whereas in the CFSP the EP does not have any legally binding powers over council decisions. Taking into account the stronger intergovernmental character of the CFSP, its parliamentary control is seen to become fulfilled through national

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5 Bersick (2002a) refers to the "quasi right of proposal" that the Commission is understood to possess on the European side.

6 The interviews conducted with EU officials and ASEM Desk Officers of EU member states made it clear, for example, that the agenda of the Hanoi Summit was only superficially dealt with.



parliamentary systems. Concerning ASEM, the Commission's working documents on the perspectives and priorities for the ASEM process have been discussed in the EP's committees, which have given a report on them (see for example European Parliament – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy 2001). The Asia-Europe Parliamentary Partnership was established to enhance the parliamentary participation and it involves the national parliaments and the EP.

### *Institutional development in other regional dialogues*

The EU's regional dialogues have changed their format and institutional structure partly as a reflection of the changes taking place in European integration. In general, "regional dialogue" in EU parlance refers to a relationship which covers both economic and political elements. From the point of view of the EU's institutions, this means that the institutional mechanisms of the first pillar as well as the second pillar are involved. Broad regional dialogues – like those with Asia (ASEM), Mediterranean countries (EUROMED) or Latin American and Caribbean states (LAC) – are a reflection of the EU's post-Maastricht policy and of the new phase adopted by its external policies due to the Maastricht Treaty.

In order to analyze and compare the Union's regional dialogues, a distinction has to be made between "formal" regional dialogues, namely dialogues which as far as their objectives and forms are concerned are based upon a treaty among the partners, and informal dialogues. ASEM along with the two broad dialogues mentioned above, EUROMED and LAC, all lack a treaty basis. The political basis of EUROMED, namely "the Barcelona declaration", forms the most detailed and treaty-like document of the constitutive instruments of the three processes. For ASEM's part this role belongs to AECF. The LAC dialogue was established by the 1997 Conclusions of the European Council meeting in Amsterdam. A common characteristic of all three dialogues is that they are not pure region-to-region ones. As far as ASEM and LAC are concerned, it is a question of the extension of a region-to-region process into a more extensive dialogue. In the Asian case, the starting point was the EU-ASEAN relationship and in the case of LAC it was the EU's relationship with the Rio group. Both of these original region-to-region relationships are based upon a treaty among the parties.

Practices vary as far as the political and institutional structures of regional dialogues are concerned. ASEM and LAC have common characteristics also in the sense that they are both led by summits at the heads of state or government level. In this respect they form a minority as the major part of these dialogues is led from the ministerial level. In addition to the two dialogues mentioned, only the very recently launched summits between the EU and Africa take this top level. For the time being, it is unclear whether the EU-Africa Summits will continue. In addition to these multilateral dialogues, summits at the top level form the practice in the Union's bilateral dialogues, for instance with the United States, Russia and Ukraine. But these dialogues differ essentially from the three multilateral dialogues in the sense that the EU is represented by its normal collective representation. This means that

the presidents of the European Council and the Commission represent the Union at the summit level and the troika format at lower ministerial and civil servant levels.

The EU's mode of representation – and the institutional practices related to a regional dialogue for the EU's part – depend decisively on the type of outcomes the dialogue produces. The more binding decisions a dialogue is set to achieve, the more the EU is involved as a collective actor on the basis of the structures for common policy-making. The EU's bilateral relations with major historical partners, the US and Russia as well as with some important new neighbors such as Ukraine, can be mentioned as examples of relationships which are dominated – at all levels of the relationship – by the troika format of representation on behalf of the EU. In the EU-ASEAN dialogue the EU participates in the format of 25 member states at the ministerial level, but at the senior official level in the ASEAN-EC Joint Cooperation Committee the EU is represented by the Commission.

Even the structures of EUROMED and LAC differ from those of ASEM. ASEM and LAC have the summits and all three have ministerial meetings, in which all EU members participate.<sup>7</sup> While ASEM and LAC meet also at a lower level in a state-to-state constellation (the SOM meetings), in EUROMED the EU is represented by a troika throughout its preparatory system (Euro-Mediterranean Committee as a horizontal body covering both I and II pillar issues and other meetings in the CFSP). The institutional practices of ASEM and LAC differ from each other in the sense that due to the more binding character of conclusions of the EU-LAC Summits, the EU states' positions are better coordinated in the Council system. In ASEM, the corresponding document concluding the summits – the Chairman's Statement – is less binding, which means that its contents are less coordinated among the partners in general, and this also applies to coordination in the EU.

### **ASEM – institutional challenges in the EU**

The greatest challenges to which ASEM's role in the EU's institutional system gives rise seem to be linked with its ambiguous character. ASEM appears to take a role in between a pure state-to-state structure and a part of the EU's common external relations. This ambiguity is in part a result of the constitutive decisions due to which ASEM was – as a state-to-state structure – planted among the communitarized (first pillar) or at least semi-communitarized (second pillar) structures of the EU's external policies, comprising also the overall EU-Asia relations. The motive for keeping ASEM separate from the other structures of the EU's Asia policy stemmed from its informality and from the Asian resistance to its bloc-to-bloc characteristics.

It seems, however, to be a challenge to maintain such a different – essentially state-to state – structure in a situation where a growing number of issues in the EU's relations with Asia are simultaneously dealt with as parts of the EU's common policy.<sup>8</sup>

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7 In practice, not all of the 25 EU member states have participated at the top level, neither in the ASEM nor in the LAC summits (only 15/25 in the latest LAC summit and 10/25 in the ASEM summit in 2004).

8 In other parts of the EU's interregional dialogues, state-to-state constellations have been gradually replaced by the EU's collective representation with the result that ASEM and LAC

ASEM's ambiguity can also be seen to have increased during its existence due to the fact that a clear deepening of the EU's external relations has taken place during this period. This deepening comprises the structures and institutions of policy-making as well as the material scope of the EU's external relations. The changes implied by the Amsterdam Treaty, which entered into force in 1999, were decisive as far as both the institutions and instruments of the common external policies are concerned. The profile and visibility of the EU's external relations was strengthened by the establishment of the function of the High Representative of the CFSP. This lightened the portfolio of the Council presidency in representing the CFSP and led to changes in the format of the troika. A still more significant change took place through the creation of the crisis management capacity of the EU. The incorporation of the so-called "Petersberg tasks" into the treaties launched a process which later led to the construction of both a military decision-making system and military capabilities for the EU.

While the structures of the common policy have been strengthened, new issues have been included in its scope. Examples of such fields in the EU's external relations which have gone through a decisive deepening of the common policy since the mid 1990s cover the EU's Mediterranean relations, its relations with Russia and its relations with states which are part of the former Soviet Union.<sup>9</sup> As far as the EU's relations with Asian countries are concerned, many new steps have been taken to deepen these relations, both in the bilateral and multilateral context. The EU has deepened its political dialogue with individual Asian countries as well as expanded its trade and investment relations. The EU has also become involved in the Asian Regional Forum (ARF), where it is represented by the troika.

From the EU's point of view, the informality and state-to-state character of ASEM on the one hand and the constant deepening of the EU's common external policies on the other seem to form a contradiction in ASEM. This contradiction will affect the opportunities to develop ASEM. The lack of concrete – and legally binding – results is often mentioned as one of the reasons behind ASEM's low profile in Europe and the weak commitment of European governments to it. But on the other hand, the development of ASEM in the direction of a formal negotiation forum with legally binding instruments would demand a change in the EU members' participation and representation as one would then necessarily enter into the field where the EU's competences apply. The possibilities for the further development of ASEM as an informal dialogue forum thus seem to be quite limited from the European point of view. This is one of the reasons why the EU members in the context of other regional

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remain as the only two cases where the member states of the EU are individually represented at the head of state/government level.

9 The Euro-Mediterranean Partnership was launched in 1995. It forms the framework for the EU's relationship with 12 states in North Africa and the Near East. The EU's relations with Russia and with Ukraine were given more concrete content through the Partnership and Cooperation Agreements concluded in the late 1990s. The EU has even adopted a common strategy on relations with both countries. A Partnership and Cooperation Agreement forms the basis for the EU's relationship with former Soviet republics in Central Asia. The EU's neighborhood policy adopted in 2004 deepens the EU's common policy *vis-à-vis* these states.

dialogues have moved from a state-to-state representation to the EU's collective troika representation.

### *The impact of the Treaty on a Constitution for Europe*

The changing institutional structures as well as the changing scope of the EU's external relations have affected the conduct of the EU's regional dialogues. As the Treaty establishing a Constitution for Europe would imply major changes in the EU's external relations setting, there is reason to briefly deliberate upon its impact on the ASEM dialogue. Even if a lack of clarity clouds the possibilities of the treaty entering into force, the changes it will bring to the Union's external relations are most likely to see the light of day sooner or later. First, these amendments have not figured among those treaty elements which have been opposed in the political campaigns or by the European public in general. Second, they are to a large extent changes which are crucial for the efficiency of a further enlarging EU. If the changes to the EU's external relations included in the Constitutional Treaty are included in the new treaty which would replace the Constitutional Treaty – and there is every reason to believe that they will be – they are planned to enter into force in 2009.

The Constitutional Treaty will promote a further unification of the two parts of the EU's external relations – the economic relations and the CFSP/ESDP – which are currently separate as far as their objectives as well as institutional systems are concerned. The treaty will first confirm the EU's legal character. It will furthermore bring all external policies of the EU under a common list of principles and objectives.<sup>10</sup> The unification will be further promoted by the abolition of the current pillar system, that is the institutional division of external relations among first and second pillar issues. The treaty leads to the harmonization of the Union's instruments and brings the normal first pillar legal instruments also to the CFSP.

As far as decision-making and representation are concerned, the new treaty brings the currently separate parts closer to each other. The CFSP/ESDP maintains its intergovernmental mode of decision-making which implies that the European Commission, the EP and the European Court of Justice have less powers than in the first pillar economic policies. But a common function, the Union Minister for Foreign Affairs (UMFA), is created in order to lead and represent common external policies in the whole field. UMFA is supported by an administration and a network of the EU's representations in third countries. An additional new leader figure, the European Council President, which will be a permanent function instead of the current rotating presidency, will be in charge of external relations representation at his or her level. An additional change in the rotating system of Council presidency transforms the system based on six-month periods of individual member states into 18-month team presidencies where the team consists of a group of three member states.

At this stage it is, of course, premature to assess in detail how the changes mentioned above would affect the leadership and preparation of ASEM issues. It is at least highly likely that the role currently taken by the Commission would be affected

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10 See Treaty on European Constitution, art. I-7 and III-292.

by the merger of the functions of the current RELEX commissioner and that of the High Representative of the CFSP – including parts of their administrations – into the function of the Union Minister of Foreign Affairs. The whole coordination system of ASEM would need to be reconsidered as the transfer into team presidencies would further challenge the current system. Additional pressure toward ASEM's state-to-state character at the summit level would grow as it would be difficult on the EU side to bypass the European Council President as an additional top-level participant.

Once the constitutional treaty – or the provisions on the EU's external relations it comprises – enter into force, it will probably also have more indirect consequences for the European management of ASEM. By weakening the tasks of council presidency in external relations and centralizing them more and more in the function of the Union Minister for Foreign Affairs and his administration, the treaty would harmonize the conduct of the EU's political dialogues. This would imply, for example, that the troika format of representation would be replaced by the minister and his administration including also the common external service. The treaty would also unify the Union's representation in treaty negotiations. These changes might additionally increase pressures toward those dialogues which still rely upon a state-to-state structure.

### *The impact of the Helsinki Summit*

While the EU's internal development pulls the conduct of the ASEM dialogue – along with all corresponding interregional structures – toward a normal external relations model where the EU – and not the member states separately – takes a leading role, this trend is not that evident in the results of the Helsinki Summit. ASEM's institutional challenges appear for obvious reasons in a different light when viewed from an Asian perspective.

First, the long discussion about the need for more binding results did not lead to any changes in the form and end-products of the ASEM dialogue. The Helsinki declaration confirmed ASEM's role as an informal dialogue at the top level.<sup>11</sup> From the EU's perspective, ASEM thus remains as a structure in between the Union's common policies and a purely intergovernmental system with the member states as key actors. The idea of issue-based leadership was one of the novelties confirmed by the Helsinki declaration.<sup>12</sup> The new arrangement whereby individual partner states can take the lead in sectors or issues of cooperation can even be seen to further strengthen ASEM's state-to-state character. Even if the Helsinki declaration stresses the role of coordinators, the system of issue-based leadership and the aspirations to give a more prominent role to the hosts of the following summit and Foreign Ministers' Meeting might in fact challenge their role. From the EU's point of view this is not desirable. In the Union's case, irrespective of ASEM's character, what the EU members do in its framework must be compatible with the Union's Asia-policies in other contexts and the role of coordinators is pivotal in this respect.

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11 Helsinki Declaration on the Future of ASEM, Helsinki 10-11 September 2006.

12 See Annex to Helsinki Declaration on the Future of ASEM, ASEM Working Methods and Institutional Mechanisms. Helsinki 10-11 September 2006.

Finally, the decisions taken by the Helsinki Summit on the enlargement of ASEM can be seen to reassert the state-to-state character of the dialogue rather than its region-to region dimensions. The enlargement of the EU has caused some tensions between the European and Asian ASEM partners as the latter have viewed ASEM's enlargement as an issue of equality between the partners where the entrance of new European members presupposes an equal Asian enlargement. European partners have tried to gain understanding for the logic of integration which implies that a new member of the EU must join the EU's external relations and become a full and equal partner also in the Union's regional dialogues. In the Helsinki Summit, the approval of Romania and Bulgaria implied that three new Asian partners, India, Mongolia and Pakistan were accepted. The new partnership of the ASEAN secretariat also approved in the Helsinki Summit might again steer the dialogue more in the region-to-region direction. It makes the regions more similar with respect to the structure of their participation and will in the long run enhance coordination on the Asian side.

### **The political challenges of ASEM**

In spite of all the progress achieved in integrating the EU members' external policies, national differences still clearly come to the fore as far as the key orientations and points of emphasis in their foreign policies are concerned. These differences are also reflected in the role ASEM takes in the policies of various European partners.

In general, France and Germany are the large EU member states regarded as being most committed to the ASEM project, whereas the three others, the UK, Spain and Italy are reported to have adopted a more ambiguous policy (see for example de Prado Yepes 2005, 31-33; Gilson 2002a and Bersick 2002a). Many of the EU's smaller member states have lacked strong Asian policies with the exception of Portugal and the Netherlands which, due to their histories, have strong connections to several Asian countries. It must also be kept in mind that the launch of ASEM coincided with a number of other important projects on the EU's agenda. Austria, Finland and Sweden had just joined the Union and were just about to adapt themselves to its common policies and institutional processes. The EU was intensifying its relations with many states and regions including Russia and other former Soviet republics, as well as the Mediterranean countries and the future EU members in Eastern and Central Europe.

Both Germany and France were important driving forces on the European side behind the establishment of ASEM. Germany was responsible for the original initiative for the intensification of relations with Asia by issuing its "Asienkonzept" in 1993. The reasons for an increasing German interest in Asia were both economic and political. On the one hand, the economic dynamism of Asia and the ever growing international competition lay behind the German policy. But on the other hand, the political aspiration to consolidate the position of Germany in a post-Cold War order has been cited as an equally important reason.

France again gained a key position as the idea of launching ASEM was advanced with the support of the French government and during its EU presidency. In France the Euro-Asian relationship is – in addition to its economic assets – seen as an

important counterforce to the increasing US hegemony. This very quality of ASEM, namely the capacity to bring Europe closer to Asia, is regarded as being behind the more reluctant British attitude toward this cooperation (Gilson 2002a). The priorities of the Spanish foreign policy had traditionally been focused in other directions too. The EC had, consequently, in the immediate aftermath of the Spanish and Portuguese EU memberships, intensified relations both with Latin America and North Africa.

Only a few of the smaller EU members had a well-established Asian policy before ASEM was launched. Similar to the EC in general, relations with Asian countries had been dominated by economic issues. As de Prado Yepes shows, ASEM has contributed to a stronger emphasis being placed on Asian policy by many smaller EU members (de Prado Yepes 2005, 33-34). It has also provided a new forum for regional participation for the newest EU members joining the Union in 2004.

The EU members' commitment to ASEM has been affected by different factors. As far as attendance at ASEM meetings is concerned, the EU's record shows low levels of commitment as well as political problems in the EU-Asia relationship. The first Asia-Europe meeting was attended by only eleven of the fifteen heads of state and government from the EU's side and the president of the Commission. Denmark, Greece, Spain and Sweden were represented at the ministerial level as a reaction to a disagreement that had emerged among Asia and Europe about the role that human rights issues should play on the agenda (Forster 2000, 799). The second ASEM summit in London was attended by all fifteen heads of state and government from the EU countries and even the third meeting arranged in Seoul was attended by fourteen European leaders. Only Greece was represented at a lower ministerial level. The two summits preceding ASEM6 have brought the problems inherent in the process to light. ASEM4, held in Copenhagen in 2002, was attended by only five European partners at the heads of state or government level, whereas ten member states were represented at a lower political level. Only in the case of the UK did this lower level mean ministerial participation, in the other nine cases it was a question of a civil servant representing the country. The year of the Hanoi Summit, 2004, heralded major political problems in ASEM as three ministerial meetings were canceled due to European opposition to the partnership of Burma/Myanmar. The summit was, however, attended by ten of the 25 European heads of state or government, which against this background is a solid showing. Thirteen European partners were represented at the ministerial level, which raised the general level of attendance far above that of the Copenhagen Summit.

To some extent, the low levels of attendance on the European side are also a sign of the development in the EU's external policies, where different policy fields are increasingly managed through the EU's collective system of representation. Informal top-level dialogues such as ASEM or LAC are, from this perspective, an odd constellation which might also obscure their significance among European governments. Their attitude to ASEM might also be affected by the fact that as major parts of EU-Asia relations are dealt with through the EU's common policy, the governments' room for maneuver in ASEM is getting increasingly limited. The purpose of such a state-to-state structure might therefore become unclear.

In addition to the different levels of commitment to the ASEM process, the European partners of ASEM differ from each other as far as other Asia-related issues

are concerned. The special relationships that many of the EU countries have with their former Asian colonies affect their Asia policies as well as their willingness to subordinate these policies into a supranational EU framework. France and the UK have been mentioned as examples of EU members with strong bilateral investments and an unwillingness to have these usurped or bypassed by contacts which might further the Commission's or even the EP's interests at the expense of their own (Forster 2000, 794). Germany again is more favorable to multilateralism also because of its clearly political aspirations for relations with Asia. The year 1999 was the key point for German activism in ASEM not least because it hosted three ministerial meetings in the ASEM framework. Bersick has shown how Germany as a host made use of its influence to strengthen the political dialogue in ASEM (Bersick 2002a). Smaller EU members have traditionally also belonged to the supporters of multilateralism in relations with Asia because this format clearly provides an institutional asset for them.

The importance of political dialogue in general – and the role of human rights issues in particular – have formed another dividing line between the European ASEM partners. The Scandinavian EU members, Denmark and Sweden, as well as the Netherlands have traditionally belonged to the staunchest supporters of a tight human rights policy *vis-à-vis* Asia. The UK has also taken a firm position in the Burma/Myanmar issue. Differences among the European partners have not, however, in this respect reached the level they have reached between the two regions.

### **Concluding remarks**

On the basis of the ten years of experience, the added value of the ASEM dialogue is not being questioned by its European partners. In a world of rapid change, the importance of a continuous dialogue with an open and flexible agenda remains. The political importance of a firm interaction between Asia and Europe is the same – if not greater – than ten years ago.

European integration is, however, a unique process that poses challenges to the political structures and processes of its member states. The same phenomenon seems to occur when it comes to ASEM. Many of the problems that ASEM has been faced with among its European partners can in one way or other be linked with the speed and logic of integration. During ASEM's ten years, the EU, and particularly its external relations, have essentially changed their form. Many more fields and issues of the member states' external policies have been transferred to the field of the EU's common external policies. This means that in this respect the member states' bilateral policies are subordinated to the EU's common positions and policies. The importance of state-to-state structures, such as ASEM, is not denied, but the form of the dialogue is becoming an increasingly odd phenomenon among the EU's external relations. This might have affected the level of commitment to the process among some EU members who might have prioritized those formal EU-Asia relations which lead to more concrete and binding results.

The fact that the ASEM dialogue, for the most part, takes place at a high political level has without doubt affected its image and visibility in European societies.



ASEM has been criticized for a lack of parliamentary accountability as both the European Parliament and national parliaments have been excluded from the group of major participants. It goes without saying that in European societies parliamentary participation is a guarantee of the visibility and openness of political issues. ASEM's weak visibility in Europe – and the lack of media interest in ASEM-related issues – is above all a consequence of the weak parliamentary element.

From the EU's perspective, the key problem with the future development of ASEM lies in the fact that if more concrete and binding results are required, not much can be achieved in the current state-to-state format. If one wants to transform ASEM into a more results-oriented process, it will have to be developed into a more region-to-region structure. This is first and foremost a consequence of the EU system and the logic of the Union's external relations. In order to make ASEM more efficient, it has to be made a more normal part of the Union's external relations. This deals with the internal management of ASEM in the EU's institutional system. Secondly, this is the only way ASEM can cope with a continuing EU enlargement, which has already caused problems due to ASEM's state-to-state structure.

At the current time, it is not possible to draw any long-term conclusions about those institutional amendments that an efficient ASEM would presuppose on the part of the EU. When the EU's Constitutional Treaty – or the changes it implies in the EU's external relations – enters into force, the Union's external relations will be faced with further upheaval. The whole coordination and management of ASEM will then have to be reconsidered. For the time being, a more cautious development of ASEM along the lines of the majority of the EU's interregional dialogues might be considered.

## Chapter 9

# The Outcomes of the ASEM6 Summit in Helsinki

Bart Gaens

Helsinki was the third European city after London (1998) and Copenhagen (2002) to host an ASEM summit. As Finland held the rotating Presidency of the Council of the European Union for the latter half of 2006 the Finnish capital was designated as the venue for the sixth ASEM summit, which also coincided with the celebrations of the forum's ten-year existence. Helsinki hosted the largest meeting at the level of Heads of State and Government in the history of the country. Approximately 1500 delegates and one thousand media representatives gathered for the summit, in addition to 1000 participants in the parallel conferences and other side events organized during the summit week between 3 and 11 September 2006. The summit itself took place on 10 and 11 September, under the overarching theme "Global Challenges – Joint Responses". During three sessions, a working luncheon and a retreat dinner, Asian and European leaders held open discussions on relevant clustered topics introduced by lead speeches.

It may appear that the Finnish Presidency of the EU Council had no particular national agenda to promote, and only wished to "get the whole thing over with without any incident" (see Camroux 2006, 30). Nevertheless, it can be argued that at least three clear deliverables were from the outset high on the Finnish ASEM agenda, in close coordination with the European Commission. First, Finland aimed to reinvigorate the ASEM process itself, culminating in a "Helsinki Declaration on the Future of ASEM". This revitalization could be achieved by streamlining the agenda, contributing to a *modus vivendi* to overcome the stalemate caused by Burma/Myanmar's joining in 2004, and reaching a solution on the enlargement of the partnership. This priority is not directly linked to national Finnish interests, but for smaller EU Member States ASEM offers the chance to interact through EU-interregionalism with a grouping of Asian ASEM partners and exchange views on a wide range of relevant topics, at Senior Official, Ministerial and Summit level. It is therefore also in Finland's interest to secure ASEM's continuity and relevance.

The second goal concerned a more focused agenda, by promoting sustainable development, climate change and energy security as a key field of interaction in which ASEM can achieve its envisioned "added-value". This was a topic, high on the EU agenda, in which Finland could take the lead by coordinating positions between Europe and Asia with a view to support the ongoing multilateral efforts to stabilize greenhouse gas emissions through the UN Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol. It is furthermore a crucial

“cross-pillar” field within ASEM, interlinking social development, sustainable economic growth, and economy and environmental protection. In addition it enabled the Finnish Presidency to aim for synergies with the AEBF10 in the sidelines of the ASEM Summit (under the overarching theme of “Partnership for Sustainable Growth”) as well as with the International Energy Audit Conference, also hosted by Finland (in the city of Lahti, 11-13 September 2006).

Third, Finland is a country with a well-developed civil society that has strong links with the government, even compared to other EU member states. The Finnish government aimed to increase the involvement of European and Asian Civil Society in ASEM by promoting additional means of communication and input for NGOs and Civil Society groups. It actively supported the ASEM@10 conference, organized jointly with ASEF, bringing together all the different stakeholder groups.

In addition to the *modus vivendi* reached on Burma/Myanmar (see Chapter 4) three achievements reflecting this “Finnish” agenda have an important bearing on the nature of the interregional relations and hold particular relevance in steering the process beyond its first decade: the enlargement decision, the confirmation of ASEM’s overall philosophy while streamlining ASEM working methods, and the enhanced involvement of the different stakeholder groups. This chapter examines these accomplishments in more detail, before pointing out the issue of visibility and public awareness as a remaining challenge for the process.

### **The enlargement decision and its ramifications for ASEM as a region-to-region and an intergovernmental forum**

The decision taken at the Helsinki Summit to enlarge ASEM to a partnership of 45 members by including India, Pakistan, Mongolia and the ASEAN Secretariat was certainly the most striking outcome of the Helsinki Summit. With the impending accession of Romania and Bulgaria to the EU in mind, the Finnish presidency started negotiations at an early stage, but the Asian partners only reached a decision on “Asian ASEM” enlargement at a relatively late stage, during the ASEAN Plus Three Foreign Ministers’ Meeting in Kuala Lumpur on 26 July. The Meeting agreed to the inclusion of India, Pakistan, and Mongolia provided that the new members became part of the Northeast Asian coordinating mechanism and that the ASEAN Secretariat was also allowed to join as a partner. For the EU it was vital that its two acceding member states were simultaneously accepted into ASEM, but the inclusion of India, with its western democratic system, was something that the Union and most member states had been pressing for since ASEM’s inception (see Chapter 7). Not including Pakistan could have had a negative impact on the regional balance and could have been detrimental for the EU’s bilateral relations with the country. The partnership of the ASEAN Secretariat was seen as potentially strengthening the ASEAN institutional basis and furthermore contributing to Asian community-building. After the EU’s positive reaction, the SOM on the eve of the Helsinki Summit agreed on the inclusion of all European and Asian candidates. The leaders officially endorsed the candidates during the “Future of ASEM” session at the summit, and the new partners were officially invited to join the process during the summit’s closing ceremony. The

ASEM Foreign Ministers' Meeting in Hamburg (28-29 May 2007) for the first time gathered 43 partner states, as well as the EU External Relations Commissioner, the EU's High Representative for the Common Foreign and Security Policy (CFSP), and the Secretary-General of ASEAN. The formal celebration of accession will take place at the next summit in China in 2008.

Until 2006, the partnership in Asia was limited to the ASEAN+3, as most Asian partners favored this East and Southeast Asian focus. Australia and New Zealand had been proposed from time to time as possible candidates, but both of them have been considered too "western" to join the partnership on the Asian side. More than Australasia, the participation of India has been the topic of debate since the beginning of the process. The European Parliament in particular has questioned the absence of South Asia with its population of approximately 1.2 billion.<sup>1</sup> What is more, the European Commission pointed out in 2000 that the EU's dialogue with Asia cannot reach its full potential as long as certain major players in the region are absent. The Commission has suggested the Asian partners consider enlargement to South Asia and Australasia (European Commission 2000, 6). The EU backed Indian membership from the beginning, but failed to rally all the Asian partners behind the idea. India heavily criticized the narrow definition of Asia supported by the East Asian countries, which reduced Asia's vast land mass to its "Confucian fringe" or "Chopsticks Asia" (Datta-Ray 1998). Indian Foreign Minister Pranab Mukherjee sneered at the time that "Asia minus India is like Hamlet without the Prince of Denmark" (Datta-Ray 1998). Susanna Agnelli, the Italian Foreign Minister, went to Delhi immediately after the ASEM1 Summit to deliver the message that "the promises of 'global partnership' made in Bangkok will apply to all of Asia, not just to those present at the summit" (*European Voice* 29 February 1996). Still in 2002 former Commission President Jacques Santer expressed his frustration over China's, Thailand's, and Vietnam's refusal to let India, Pakistan, and Bangladesh join ASEM (*European Voice* 6 June 2002). The decision in 2006 taken by the Helsinki Summit to enlarge the Asian grouping within ASEM to include two South Asian countries met those aspirations.

The decision will eventually provide an answer to the ongoing debate on the potential impact of enlargement. Will an expanded partnership add inertia and inefficiencies, burdening the dialogue "with additional divisions beyond already existing fault lines" (Verdi 1999). Will the inclusion of South Asia further impair an already fragile forum by bringing in new sets of problems and by weakening the poor cohesion, as Jürgen Rüländ (2002, 9) has argued? Or will it on the other hand enhance ASEM's critical mass, and provide greater dynamism to dialogue and cooperation, making the partnership "better equipped to tackle present and future

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1 The European Parliament "Calls on the Commission, the council and the member states to invite India, one of the most important democracies in the world, to participate in the ASEM process, within a reasonable time-frame." (European Parliament 2000). For an earlier example, see Written Question no E-0086/96 by Philippe Monfils (ELDR) to the Council (30 January 1996). The Council reacted by stating that the question of future membership will be dealt with by the "Asia-Europe Union" at the time, and that the EU intends to strengthen relations with India.

global challenges” as the Helsinki Declaration on the Future of ASEM contends? There is no doubt that ASEM’s enlargement is a sign of the perceived relevance of the grouping on an interregional and global level. Similar to the EU, applications for membership are an undeniable sign of success. It is also uncontested that the Helsinki Summit’s decision to enlarge the partnership increases ASEM’s global weight. The statistics illustrate ASEM’s increased potential strength on a global scale. The 45-member partnership now accounts for 57 per cent of the global population (around 3,700 million people). The Gross Domestic Product (GDP) of the grouping would amount to approximately 18,452 billion euro, or around 52 per cent of the world’s GDP. ASEM merchandise trade would increase to 55 per cent of global trade (see Table 9.1).<sup>2</sup> Table 9.2 shows how the Asian ASEM countries as a partner for the EU now constitute a market of more than three billion people, almost half of the global population, accounting for 7,652 billion euros GDP, and involved in merchandise trade with the world amounting to 4,158 billion euros. Asian ASEM now includes five countries from the top ten of the world’s leading importers (China, Japan, Korea, Singapore, India). Considering ASEAN as a single partner, five of the EU’s ten most important trade partners would be part of the enlarged ASEM grouping (China, ASEAN, Japan, Korea, India) (see Table 9.3).

**Table 9.1 Merchandise trade by the ASEM grouping before and after the 2006 enlargement (including intra-EU trade, in bn euro)**

	Merchandise trade (bn euro)	% of world total
EU25	4,788	
Asian ASEM	3,871	
TOTAL	8,659	52.7
Romania	71.2	
Bulgaria	30.6	
India	24.0	
Pakistan	40.5	
Mongolia	2.6	
TOTAL enlarged ASEM	9,049	55.1

Source: DG Trade, Eurostat

<sup>2</sup> Including trade in services would further raise this figure to approximately 59 per cent.

**Table 9.2 Asian ASEM as a partner before and after the 2006 enlargement**

	Before enlargement	% of world	After enlargement	% of world
Population	1,976 mio	30.3	3,226 mio	49.4
GDP	6,893 bn	19.3	7,652 bn	21.4
Merchandise trade	3,871 bn	23.6	4,158 bn	25.3

Source: DG Trade, Eurostat

**Table 9.3 The EU's most important trade partners (2006)**

Partners	Mio euro	%
1. USA	444,410	17.7
2. China	255,130	10.1
3. Russia	208,966	8.3
4. Switzerland	157,651	6.3
5. ASEAN	126,612	5.0
6. Japan	121,139	4.8
7. Norway	117,232	4.7
8. Turkey	84,995	3.4
9. Korea	61,114	2.4
10. India	46,422	1.8

Source: DG Trade statistics 7 August 2007 (Eurostat)

From the EU's perspective it is clear that especially the inclusion of India, one of the EU's strategic partners, offers the chance to widen the existing dialogue through an additional mechanism. It will furthermore impel India to interact and coordinate policies with other Asian states, which can have a positive impact on regional stability. Nevertheless, the inclusion of South India in ASEM not only opens up new possibilities but also poses new challenges. The EU and India, the world's largest democracy, share common values such as "commitment to democracy, pluralism, human rights, the rule of law, and the independence of judiciaries and the media" (European Commission External Relations (2007d). However, India's reticence to criticize the Myanmar military rulers for example may also become a point of friction in its relations with the EU. Furthermore, the conflict between India and Pakistan over Kashmir, the non-compliance of both countries with the Treaty of the Non-Proliferation of Nuclear Weapons (NPT) and their refusal to accede to the Comprehensive Nuclear Test Ban Treaty (CTBT) could cause further fissures within the partnership. Tensions have increased after the civil nuclear cooperation agreement between the US and India, which led Pakistan to warn of a possible arms race in South Asia (*Financial Times* 3 September 2007). Pakistan's political

instability and struggles to build a democratic nation form a further challenge that will also affect ASEM. After the imposition of martial law and the crackdown on civil and judiciary society, the political crisis continues after the launch of a civilian presidency. The country has seen increasing tribal unrest and its border area with Afghanistan has witnessed increased terrorism by militant Islamist groups. However, as ASEM partners regard non-traditional security, particularly the threat of terrorism as a key issue of the ASEM agenda, engaging India and Pakistan could allow them to commit to multilateral solutions and undertake deeper and more effective mutual cooperation in order to promote regional stability. India is already linked to ASEAN via the ASEAN Regional Forum. In the field of cooperation to tackle climate change and ensure energy security, the inclusion of South Asia is especially significant, as the support of India is vital in order to lower emission levels.

The membership of India, Pakistan, Mongolia and the ASEAN Secretariat has, furthermore, ramifications for ASEM's nature as a region-to-region intergovernmental forum. ASEM has been marked by a certain degree of institutional asymmetry. Bersick (2002a) has pointed out that the Europeans aimed to enhance the development of two interdependent regions, whereas Asian aspirations to develop interregional cooperation were on an intergovernmental level. Because regional integration in Asia is still much looser and more fragile than the EU's own, the prospects of developing the relations into group-to-group negotiations are limited. A dual approach as both an interregional and a state-to-state framework has therefore always been at the core of ASEM, offering opportunities to promote a more coherent and coordinated regional Asian stance on global issues and to encourage regional community-building, while at the same time providing chances to interact on a bilateral basis and foster intergovernmental contacts.

As pointed out in Chapter 7, the AECF's rules for enlargement of the partnership follow a region-to-region approach. Proposals for ASEM enlargement take place on a regional basis, after which the consent of the other region is sought. The EU is bound to show more flexibility in allowing the Asian grouping (centered around ASEAN) to select new Asian partners, as it aims to link EU membership automatically to ASEM membership. The accession of Romania and Bulgaria to the EU therefore excluded a status quo in Asian membership. The strengthening of the region-to-region element through the rules for enlargement can, firstly and paradoxically, be seen as enhancing the importance of bilateral relations (state-to-state and more importantly EU-Asian state). The enlargement decision taken by ASEM6, therefore, has also steered the process in a new direction. The decision has significantly increased ASEM's diversity, making it a very large and heterogeneous grouping of 45 in which the emphasis will inevitably be on the intergovernmental aspect.

Chapter 2 pointed out the stagnation in ASEM's economic pillar, and argued that within the EU an increased emphasis has come to be placed on bilateral agreements. Due to its character, ASEM is simply not equipped to take a leadership role in trade-liberalization measures (Lee 2000, 43). ASEM does offer excellent opportunities for bilateral interaction. The EU-China Summit, held ahead of the Helsinki Summit on 9 September 2006 for example issued a joint declaration on energy security, and announced the launch of negotiations for a future EU-China Partnership and Cooperation Agreement (PCA). The EU-South Korea Summit provided the venue to

lay the groundwork for the start of negotiations on an EU-Korea FTA, and officially announced cooperation between the two partners on satellite navigation through the GALILEO program. This increased focus on bilateral relations can rekindle interest in AEBF (see Chapter 2), since companies usually focus on one or more countries rather than on an entire Asian market. Also, the negotiations over the new trade pact between the EU and ASEAN require negotiations with individual ASEAN member states. In important interregional treaties the ASEAN governments rather than the organization itself play the leading role (Palmujoki 2001, 111). However, in the case of the EU ASEAN trade pact ASEAN is eager to negotiate collectively, whereas the EU only aims to cooperate with certain ASEAN members and explicitly opposes the inclusion of Burma/Myanmar in the future agreement.

ASEM can thus provide a forum for additional and more informal discussions on free trade between the EU and South Korea, China, ASEAN or India, while at summit level continuing to gather support for resumed negotiations in the WTO's Doha Round. The Helsinki Summit therefore also accentuated this renewed importance of regional and bilateral free trade agreements as complementary elements to the multilateral trade system. As argued in Chapter 7, also on the European part the intergovernmental aspect is important for individual member states, particularly in non-economic issues. But parallel to the bilateral emphasis ASEM's interregional character has undoubtedly gained importance. ASEM is a case in point in that the pursuit of bilateral relations can go hand in hand with attempts to promote ongoing processes of community-building, which in East Asia have developed markedly compared to ten years ago. In the words of MEP Charles Tannock (*European Voice* 31 August 2006), "unlike EU multilateral relations with Latin America or North America, regions which share common European cultural values and language, relations with far more diverse Asia are inevitably more fragmented and bilateral, but this vast region is showing increasing signs of regional integration which the EU must accompany". The EU in general favors interaction with other groupings, since based on the EU's own experience, regional cooperation can facilitate tackling certain issues or meeting certain goals. The advancement of a more synchronized position on global issues through increased regional caucuses can facilitate the tackling of global issues in the political, economic, and other spheres. Regional security and non-proliferation, energy security and sustainable development, capacity-building, and efforts to address the misperceptions and stereotyping, and the promotion of interfaith and intra-faith communication are all examples of areas that benefit from enhanced regional interaction.

In promoting regional community-building especially the role of ASEAN is particularly salient. ASEAN forms a clearly defined multilateral negotiating partner and has had a formal institutional relationship with the EU dating back to 1980. Considering tensions between Japan and China, the European Union regards ASEAN as the key to regional developments in political, economic and security issues in Asia. It is clear that ASEAN plays a vital role in the EU's Asia Strategy, and that ASEM provides the "two regional blocs with the same ideals" with the impetus to move on to a higher level (European Commission 1996d). External relations Commissioner Manuel Marín in 1996 referred to the EU-ASEAN axis as the motor of the new Europe-Asia dialogue. He called for effective recognition of



ASEAN's leading role and for attributing high-profile priority to ASEAN within the EU (*European Voice* 5 September 1996). Due to its economic integration and steps toward the formation of an ASEAN Economic Community (AEC), and because of its leading role in regional security through the ASEAN Regional Forum (ARF), the Southeast Asian grouping is seen as playing an EU-like role in Asia. A decade ago, ASEM served the purpose of acquiring recognition for ASEAN as "Asia's" core region and a key player alongside the Northeast Asian countries. ASEAN has successfully profiled itself as the driving force behind regionalism in Asia through a number of organizations such as the East Asia Summit, which includes India (but not Pakistan) as well as Australia and New Zealand in addition to the ASEAN Plus Three. The inclusion of "awakening giant" India in ASEM in addition to China, the other regional power on the rise, certainly posed the risk that ASEAN's central role could decrease and that the interests of smaller Asian countries would be eclipsed. The ASEAN Secretariat ensured the key position of the ASEAN grouping as the driving force in the ASEM process along with the EU, by utilizing its ASEAN Plus Three unit and the newly created ASEM Virtual Secretariat, also maintained by the same unit. The ASEAN Secretariat's membership of ASEM, and the addition of the three new members to the Northeast Asian coordinating machinery *de facto* result in an "ASEAN Plus Three-Plus-Three" configuration. This greatly enhances the central position of ASEAN, placing it as a regional entity on a par with China and India (Camroux 2006, 33).

Closer cooperation between the EU and ASEAN is obvious in the ongoing negotiations to develop a FTA, but also in field of security, in the successful Aceh Monitoring Mission (AMM), and the EU's intention to accede to ASEAN's Treaty of Amity and Cooperation in Southeast Asia (TAC). From a European viewpoint, recent developments indicate that the EU to a certain degree has succeeded in promoting its own integration experiences as a paradigm that could possibly be emulated in Asia, in the first place through ASEAN. ASEAN's move toward a single market and creation of an economic community follows the European Union's model. On the occasion of ASEAN's fortieth anniversary the grouping's Foreign Ministers proposed the celebration of 8 August as ASEAN Day, emulating the designation of 9 May as the EU's Europe Day (*Financial Times* 3 August 2007). The EU provided assistance for the drafting of the ASEAN Charter in 2006 and 2007, after members of the Eminent Persons Group and the High Level Task Force in charge of drafting the document visited Brussels, Berlin and Nuremberg.<sup>3</sup> This first, albeit modest, mini-constitution was signed at the Thirteenth ASEAN Summit in Singapore in November 2007. The media release issued after the approval of the charter repeatedly refers to stipulations in the charter in which ASEAN has "outdone" the European Union, such as the use of English as the single working language and a motto (ASEAN Secretariat 2007a). It is clear that the European Union serves, if not as a model, then at least as a source of "good ideas and best practices" (ASEAN Secretariat 2007b).

The charter furthermore includes a provision for the creation of a Human Rights monitoring body for the region. This regional human rights mechanism is

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3 See the Joint Statement of the Sixteenth EU-ASEAN Ministerial Meeting, Nuremberg 15 March 2007.

to promote and protect human rights, drawing inspiration from “international law on human rights, universally recognized human rights, and regional and national laws, policies and practices consistent with international law”<sup>4</sup>. Even though the international legal procedures for protecting human rights are still weak, ASEAN’s intention to create the Human Rights Commission reflects global developments such as the strengthening of the United Nations (see Sjørusen 2003, 49) but can at least partly also be seen as a success for the EU as a normative power. ASEM’s increased region-to-region approach therefore confirms ASEM’s value as a vehicle for “the export of values”, in particular as an informal forum where human rights issues can be addressed. One of the EU’s main accomplishments through ASEM may indeed be that “Asia” has learned that “Europe” does not aim to “preach” but rather that it is willing to go through a constructive exchange of different perspectives and concerns. The increased Asian awareness of the European emphasis on human rights is also significant- Furthermore, as discussed in Chapter 4, it can be seen as an achievement that the Asian partners may be slowly but surely revising the traditional policy of non-interference in each other’s internal affairs, by increasing pressure on Burma. This process of confidence-building can indeed be seen as one of ASEM’s great accomplishments.

Higgott (2000, 14) has argued that the degree to which ASEM can foster stronger regional cooperation within East Asia is a defining factor for the strengthening of interregional relations. For the European Commission this enhancement of integration is one objective of its regional cooperation with Asia. The European Commission intends to allocate resources to SAARC and ASEAN to accomplish this aim, but ASEM is also seen as an instrument which can contribute to this process. In view of this, Commission funding is to be allocated to the ASEM Dialogue Facility, the Asia-Europe Foundation (ASEF), and the TEIN3 communication network in the ASEM context (European Commission 2007b).<sup>5</sup> Without a shadow of a doubt, ASEM has achieved success in stimulating a more coherent Asian grouping. Now that ASEM has been enlarged to include South Asian countries, an enhanced coordination on the Asian side can facilitate the identification of areas of cooperation and the formulation of common positions on international issues. Greater intra-regional coherence enhances consensus-building and decision-making, and can strengthen peer-pressure in keeping common commitments, ultimately boosting ASEM’s “policy shaping” capacities.

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4 Draft agreement on the establishment of the ASEAN Human Rights Commission.

5 The European Parliament (2007) however opposed these initiatives aiming to enhance “regional integration” as they were not primarily geared toward the eradication of poverty. In particular the EP criticized ASEF’s stated objective to “facilitate dissemination of information and sharing of resources and to enhance public awareness of ASEM/ASEF” as being incompatible with the main objective of the legal instrument for development cooperation with third countries (the Development Cooperation Instrument, DCI).

**Confirming ASEM's "corporate vision" while streamlining its working methods**

A second important result of the Helsinki Summit was the consolidation of ASEM's fundamental philosophy and informal and consensus-building character. According to this "corporate vision" ASEM's added value lies not in decision-making or the negotiation of treaties, but in the policy-shaping effects that the combined weight of the European and Asian groupings can achieve. ASEM provides a forum to establish personal contacts and networks across borders. It allows for the exchange of views, experiences, and expertise on any topical and relevant political issue. The informal policy-shaping discussions at top level ideally contribute to the adoption of a common stance in other relevant fora. The summit-level dialogue furthermore provides the blueprint for focused initiatives at the intergovernmental level. In contrast to many academic voices of criticism and calls for more binding results, the interviews conducted with policymakers involved in the process<sup>6</sup> confirmed the continued relevance of this view. An often repeated remark was that "if ASEM didn't exist, it should be invented". ASEM is unique because political will is its only driving force. It has no centralized operating funds and lacks an institutionalized structure as well as a Secretariat or Secretary-General. All summits, meetings and initiatives are sponsored or co-funded by the countries and institutions that make up the ASEM partnership. After ten years ASEM is still relevant and the political will to continue the process is still strong, even though the global environment has undergone dramatic changes. One of the explanations for ASEM's continued relevance for the partner states lies precisely in ASEM's relatively low level of ambition: to provide a meeting forum which can function as a political catalyst. Informality, multidimensionality, and complementariness allow ASEM to adapt to changing circumstances, but at the same time it is the forum's weakness. Since ASEM's inception many have raised the question of whether it is sufficient to just meet in order to build confidence and trust. Especially on the occasion of ASEM's tenth birthday, the call for "more concrete results" has amplified. The EU and the majority of its member states have always regarded ASEM primarily as a forum for dialogue. It provides the opportunity to meet Asian partners, to develop bilateral contacts and to determine common policy issues in which ASEM's format can facilitate progress, and which can give rise to specific initiatives and projects. Many Asian states on the other hand saw ASEM's high-level summit from the beginning as a sign of legitimization and display of interest on the part of the Europeans which could set in motion a series of ambitious projects such as an eventual Free Trade Area (symbolized by its proclaimed aim to create a "Partnership for Greater Growth"). This is one of the reasons why the results of the economic pillar are disappointing overall, with a few exceptions as described in Chapter 2. This is also why at present ASEM economic activity is in a state of near-dormancy, of which the decreasing interest in the AEBF is symptomatic.

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6 During the research period interviews were conducted in Brussels, Helsinki, and Madrid with EU officials formerly or currently involved in the ASEM process, and with ASEM Desk Officers of EU member states. In addition a questionnaire was distributed in the COASI working group where European ASEM preparations take place.

The Helsinki Summit reasserted this approach while seeking to fine-tune it in a three-fold way. First, it sharpened the agenda by outlining a number of priority fields for cooperation with a view to maximize “ASEM added value”. The adoption of the ASEM Declaration on Climate Change is the best example of how ASEM can achieve this by functioning as a complementary and policy-shaping tool. The discussion among leaders on sustainable development, climate change and energy security was arguably the most substantial and intensive session during the summit. Its outcome, the Declaration on Climate Change shows how a unified ASEM speaking with one voice can streamline and rationalize issue areas, and tackle a crucial question in contemporary global governance (see also Loewen 2007, 28; Camroux 2006, 30). The united stance on Climate Change can help to place additional pressure on the US and Australia to return to the multilateral framework. The Declaration was furthermore a sign of useful action in a field with cross-pillar synergies, where ASEM can perform at its best. Climate change relates to energy security, sustainable development and competitiveness. Global energy markets and the global effects on the environment related to energy use require concerted efforts in the fields of energy investment and trade, infrastructure, diversification of energy sources, R&D to promote energy efficiency, and technology transfer and capacity-building. In addition climate change is related to development, as it needs to be tackled by both developed and developing countries. It is therefore also related to the Millennium Development Goals including poverty reduction and access to energy. The common resolve expressed to jointly tackle the problem was taken up by the Third ASEM Environmental Ministers’ Meeting (Denmark, 24-26 April 2007) and the consensus-building achieved should facilitate progress at the COP13 in Bali (December 2007) which aims for agreement on a timetable for future international action after the end of the Kyoto Protocol’s first commitment period in 2012. Lastly, tackling climate change requires cooperation in economy and trade, such as the trade and transfer of green technologies (see Chapter 2). It is therefore also a policy field which can increase the relevance of ASEM’s economic pillar, as the promotion of economic growth and prosperity can be coupled with cooperation in energy-efficient technology, the environmental sector, investment policies, and corporate responsibility for combating climate change. In view of the joining of the new ASEM members, ASEM embraces the concerns of both industrialized and developing countries in this sphere, and is therefore an ideal instrument to foster the political will to create a common strategy. This area of cooperation can only increase in relevance with a possible joining of Russia in mind. Integrating a major international power such as Russia would inevitably further complicate the process, even if could increase ASEM’s visibility and weight in energy issues.

Second, the Helsinki Declaration of the Future of ASEM underlined the importance of intergovernmental initiatives and state-to-state collaborative projects in line with the priorities outlined by the summit. At the same time it aimed at streamlining the management of these projects by introducing issue-based leadership. Third, the Helsinki Declaration on the Future of ASEM therefore aimed to strengthen the organization by providing a supplement to the AECF, ASEM’s core policy document. ASEM’s informal approach and light structure is often at odds with the proliferation of initiatives, the growth of the partnership, and the ensuing need for an enhanced

supporting structure. The Helsinki Summit therefore introduced the ASEM Virtual Secretariat as an overall coordination mechanism. It furthermore assigned a stronger role to the hosts of the following summit and Foreign Ministers' Meeting, thereby highlighting the importance of ASEM's intergovernmental character.

### **ASEM's visibility and "human face"**

ASEM is a forum that aims to bring together the peoples of Asia and Europe, and relations with the general public, the largest group of stakeholders, is therefore of vital importance. Chapter 5 has argued that ASEM's cultural pillar has yielded significant results. Educational and people-to-people exchanges have increased to a large extent both through ASEF and partner initiatives, while projects such as the Interfaith Dialogue or those under the Dialogue among Cultures and Civilizations address "information multipliers" which each in their own specialty and location can increase understanding among the public concerning issues such as intercultural awareness. Nevertheless, it cannot be denied that while the summits attract a fair amount of attention, public awareness of ASEM's *raison d'être*, goals and activities remains low. It is obvious that ASEM's basic approach of confidence-building and confidentiality, its focus on informal, open and frank dialogue, and the absence of negotiations or groundbreaking agreements *a priori* put a limit on the amount of public and media exposure. But visibility and awareness are also rooted in numerous other components. These include an efficient PR strategy, the use of electronic means to increase visibility, close relations with the process's stakeholders while enhancing transparency, institutional endeavors to make ASEM-related activities public, and the appeal to the media. The Annex on ASEM working methods included in the Helsinki Declaration on the Future of ASEM made it clear that visibility and public awareness is an issue that is in dire need of tackling. The text dedicated one section to this lasting challenge and alluded to the different instruments which could help achieve that goal, including external and internal communication, relations with stakeholders, the important role played by ASEF, and the appeal to the media.

#### *External and internal communication*

The Helsinki Declaration first and foremost emphasized the urgent need to develop and implement "a public communication strategy to disseminate results of summits, meetings and initiatives". The European Commission followed up on this recommendation and conducted a "Scoping Study on Enhancing the Visibility of ASEM". A workshop conducted by communication specialists in December 2007 will discuss the guidelines and key findings of the report, and aim to promote a communication strategy and address communication barriers among the ASEM partners.

The Declaration furthermore pointed out the need to increase the attention paid to ASEM on national governments' websites. Online visibility is certainly an important tool to spread ASEM's overall profile. Until 2004 ASEM lacked an official, common website. The European Commission has maintained its own website on ASEM as part

of its portal on the EU's external relations. With a European outlook on ASEM the website has offered a rather extensive archive of ASEM-related information, although it is currently partly out of date. All summit organizers have established their own national websites on the eve of the summits. In addition, the official ASEM website "ASEM InfoBoard" was established by the sixth Foreign Ministers' Meeting in 2004 to provide public information on the process and to enhance ASEM's visibility and transparency. The InfoBoard collects all public ASEM-related documents and reports, provides a calendar of ASEM activities, follows media reports on ASEM, and acts as an "information reception desk". It is a pilot project of ASEF and financed through voluntary contributions from the partners.

In 2006 a third internet site which offers a wide range of information on ASEM, its projects, and related material appeared with the inauguration of the ASEM Virtual Secretariat which also includes a public space. As mentioned in Chapter 7, this information-disseminating function of the AVS partly overlaps with the Infoboard, and at least for the time being fails to reveal any added value in view of the promotion of visibility. While neither website provides a comprehensive database of all ASEM initiatives to date, the publicly accessible space of the AVS is clearly inferior to the Infoboard with regard to the facilitation of public access to ASEM-related data.

The importance of the AVS therefore lies mainly in its function as a system for internal communication. However, coordination takes place in the first place on a regional basis, and the EU already has its own coordination instruments, including an informal email communication network and the more formal *Correspondance Européenne* (COREU) communication network between the Member States and the Commission. The value of the AVS therefore lies primarily in the potential to enhance coordination among the Asian partners. The ASEAN Secretariat, which has now joined the partnership, could apply the Virtual Secretariat as an additional tool to bring together the Asian ASEM countries.

### *Stakeholder involvement*

Secondly, visibility and awareness are closely linked to the level and nature of the involvement of different actors. As pointed out by Higgott (2000, 41), ASEM includes an increasing number of actors with a heterogeneity of interests in a growing complexity of policy fields, who all endeavor to reach some form of policy consensus. However, not all of the stakeholders and actors involved in ASEM are directly linked to the process. Parliaments, trade unions, NGOs and the different civil society actors only have indirect access to the official ASEM process, which may lead to lower visibility and awareness of ASEM in the partner countries. The lack of direct parliamentary involvement for example, may have restricted the awareness of ASEM in the EU member states. As cooperation in ASEM is based on "peer pressure and a sense of legal obligation" (Forster 1999, 754) rather than legal means, the approval for collective agreements by the European Parliament is not needed, thereby effectively sidelining the EP. Parliaments from Asian and European countries have created their own network in the sidelines of the ASEM (the Asia-Europe Parliamentary Partnership, ASEP). Also, some civil society groups have independently, through their own activities and networking, striven to raise awareness

of ASEM and the Asia-Europe dialogue. The Asia-Europe People's Forum, the Asia-Europe Trade Forum, and the Asia-Europe Young Decision-makers Conference are examples. Yet these processes have developed outside the official ASEM and reach only a relatively limited number of people. The Asia-Europe Business Forum, which does constitute an official part of the process, has striven to enhance visibility and mutual awareness among the business communities of the regions, but as noted in Chapter 2, had to cope with waning general interest in its activities in recent years. The involvement of non-state actors and a bottom-up approach are vital elements at the core of ASEM, but only business interests and culture are formally represented as part of the process in the form of the AEBF and ASEF respectively.

The Trade Union Summit has sought to ensure the inclusion of labor-related and social issues in the ASEM process. Asian and European trade unions became involved in the Asia-Europe dialogue in 1996 when they presented a statement demanding an official link to the new ASEM process. The Asia-Europe Trade Union Forum (AETUF) has been organized on a regular basis after it convened for the first time in 1997. Several workshops and conferences have been arranged on Euro-Asian labor issues, the first co-organized by ASEF in 1998 in The Hague. ASEM4 acknowledged the social dimensions of globalization and the need for cooperation in the field of human resource development, education, employment and labor. The social consequences of economic growth came to the fore as an issue for discussion already at ASEM4 in Copenhagen. The joint project of Denmark, Ireland, Malaysia and Singapore to create a framework for lifelong learning, presented to ASEM4 in 2002 was followed by the ASEM Workshop on Future of Employment and the Quality of Labor, aimed to strengthen long-term social cohesion. The issue was brought up again at ASEM5, where the ministers of ASEM countries were tasked with developing cooperation in social development, labor and employment, education and training, public health and environment. The first ASEM Labor and Employment Ministers' Conference, held in Potsdam prior to the Helsinki Summit, was the crystallization of this increased emphasis on the social dimension of globalization, and an important first step. As the Asian countries represent an increasingly important market for European investments and trade, the development of the social dimension in Asia is also in the interests of Europe, but more tangible results have been called for.

The lack of democratic transparency of the ASEM dialogue has been seen as undermining its legitimacy (Rüland 2001b, 28). ASEM6 has sought to improve the grassroots-level feedback by providing better opportunities for the different stakeholder groups to channel their ideas and recommendations into the official process. Events bringing together the different groups were organized in parallel with or just prior to the Helsinki Summit. The ASEM@10 Symposium gathered business leaders, scholars, members of parliaments, and representatives of civil society groups and NGOs to debate the future of the ASEM process. In addition the AEPF held its own meeting, to which host country Finland contributed substantial financial resources as argued in Chapter 6. Furthermore, the different groups had the opportunity to convey their recommendations and messages to the summit through more direct channels. Representatives of AEBF and, for the first time, ASEP addressed the summit directly, and the Asia-Europe People's Forum (AEPF) as well

as the Asia-Europe Young Decision-Makers Conference were allowed to address the Finnish host of ASEM6 and convey their opinions to the summit indirectly. As Chapter 6 emphasized, this sets a new benchmark with the next summit in China in mind.

### *ASEF*

As noted in the Helsinki Declaration, the Asia-Europe Foundation is ASEM's institutional tool to promote the process and increase general awareness of Asia-Europe interaction among the wider public by enhancing people-to-people connections and exchanges on different levels. The European Commission (1997b) underlined that ASEF should function as a "highly visible expression of the ASEM achievements". Since its creation ASEF has organized an impressive number of activities and projects, but it has also been the focus of criticism. Initial assessments regarded ASEF-organized activities as lacking in focus, taking an overly elitist approach (Yeo 2003, 56). In more recent years ASEF has aligned closer to ASEM and created wider connections to the different civil society actors with the aim of enhancing its own and ASEM's visibility among different stakeholders. ASEF has also organized different side events to ASEM summits (conferences, journalist meetings, art exhibitions and concerts). For example, in order to raise awareness among Asian and European journalists, ASEF organized an Editors' Roundtable, attended by approximately thirty editors and journalists, in the sidelines of the Helsinki Summit. In addition the Foundation arranged a series of Asia-Europe Journalists' Seminars.

### *ASEM in the media*

Finally, ensuring that ASEM sufficiently appeals to the media is no easy task. ASEM's broad, unfocused agenda, while enabling dialogue on various current issues, does not immediately attract excessive media attention. Discussion at the meetings has often remained superficial and the common statements have remained declaratory. In addition, the initiatives and activities have either a relatively low profile or are not sufficiently advertised or sold to the media and public by the ASEM partners themselves. ASEM is a slow process with biennial top-level summits. Activities between the summits are low-key and procedural and therefore attract only limited interest in the mass media. ASEM's visibility in the media is also closely connected to the ASEM leaders' attitudes toward the process. Personal commitments from the heads of state and government are essential for the visibility of ASEM in the media and among the public.

A cursory survey of some of the leading European newspapers reveals the limited attention that ASEM has received in the media. Table 9.4 shows the number of articles wholly or partly dedicated to ASEM which have appeared throughout 2006. It is clear that even in a summit year, ASEM fails to make headlines in Europe. There are many reasons for the limited attention in the European media. On the one hand, European interest in Asia as a regional entity has remained limited because Asia is only emerging as a regional actor, whereas relations between the EU and individual



Asian countries or ASEAN have achieved a much higher degree of acquaintance. In addition, national bilateral relations to Asian countries may be regarded as more interesting, and easier to cover than issues related to the complex entity of the EU. It goes without saying that the absence of the United States from ASEM is a major reason for lower media interest. Furthermore, as pointed out by Saltmarsh (2004, 1-2), the informal approach of the dialogue rarely produces sensational news or developments, making ASEM-related issues uninteresting or unappealing in the eyes of the media.

**Table 9.4 Number of articles dedicated to ASEM in leading European newspapers (2006)**

Svenska Dagbladet (Sweden)	6
Der Standard (Austria)	5
Le Monde (France)	4
Die Welt (Germany)	4
Financial Times (UK)	3
The Irish Times (Ireland)	2
The Times (UK)	1
Trouw (the Netherlands)	1
De Standaard (Belgium)	0

Needless to say, media attention in the host country is much greater due to the increased visibility, and the direct impact on the host city. Finland's leading newspaper, the *Helsingin Sanomat* published no fewer than 75 articles directly related to the summit between 28 August and 13 September 2006. Table 9.5 shows the headlines of the articles which appeared on the organization, content and outcomes of ASEM6 in the run-up to and throughout the summit.<sup>7</sup> The most eye-catching observation is that the security measures in the run-up to the summit and the clash between the police and a relatively small number of anti-ASEM protesters attracted most attention. The cordon imposed by the police, preventing the Smash ASEM! demonstration was a particularly hot topic and led to an extensive discussion on the use of force by the police. The Smash ASEM! gathering managed to attract 300 protesters on 9 September, supposedly taking their cue from the "news about peasants and sweatshop workers rioting all around China almost on a daily basis" and promising "music and

<sup>7</sup> Articles related to practical effects such as traffic conditions were not taken into consideration. Headlines in Finnish have been translated by the author. A selected number of articles also appeared in the newspaper's online International Edition, in which case the English headline of that article was used.

action”<sup>8</sup>. The summit was also partly overshadowed by the discussion on Human Rights, not only with respect to Burma/Myanmar but also to China, whose support for continued use of the death penalty and the restriction of freedom of speech were heavily criticized. ASEM furthermore provided fodder for stories on *faits divers* in the so-called “human interest” sphere, ranging from the culinary to the personal.

Actual content-related articles which appeared in the *Helsingin Sanomat* before and during the summit were proportionally not that numerous. The outcomes of the summit were considered minor achievements (*Helsingin Sanomat* 12 September 2006) and only mentioned in passing. Only the agreement to cooperate on climate issues and the ASEM Declaration on Climate Change received attention. The fairly high number of articles on the side events and bilateral meetings such as the EU-South Korea and EU-China gatherings, also underscores the keener interest that other long-standing EU-Asia relations tend to generate (see Saltmarsh 2004, 2). In addition the interest of the business world is obvious in the articles dedicated to the Tenth AEBF meeting. The media focus on the Climate Change Declaration for example, seems to confirm the opinion of an EU official who said that the ASEM process is not an end in itself, but rather that ASEM needs to identify topics of genuine international interest and concern. A focused and relevant ASEM agenda can therefore go a long way toward generating more interest among the media and the general public. A focus on relevant topics within clearly demarcated policy areas, for example climate change and energy security, make ASEM more visible and “sellable” to the media.

The Finnish Council presidency went to great lengths to ensure sufficient media contact and transparency, including the creation of an ASEM6 internet site, the organization of advance press conferences and photo opportunities, the distribution of press maps, the publication of an article on ASEM authored by the four Coordinators and published in over thirty national newspapers, and the appointment of a media contact person in the ASEM6-secretariat. In spite of these efforts the presidency was still criticized for its “extremely tightlipped approach” (*Helsingin Sanomat* 9 September 2006), after Prime Minister Vanhanen refused to comment on possible new ASEM members after several of his Asian and European colleagues had already floated the names of India, Pakistan and Mongolia.

ASEM’s potential to whip up enormous interest in media and the public will obviously remain limited, because of the very nature of the forum. In addition, the overabundance of international, interregional or multilateral structures and the different messages they aim to spread puts a limit on the amount of information that general audiences can realistically absorb. Nevertheless, after ten years it remains a vital task to better clarify ASEM’s *raison d’être*, and translate this into concrete actions and initiatives within policy areas which affect people in Europe and Asia and in which ASEM can achieve tangible progress (the so-called policy areas with “ASEM added-value”). As pointed out above, the Helsinki Summit steered the process more in this direction.

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8 Smash ASEM! pamphlet. 130 demonstrators were taken into custody, of which 86 will face trial over their participation in the riots.

**Table 9.5 ASEM-related articles in *Helsingin Sanomat*  
(28 August–13 September 2006)**

Category / Headline of article	Date published
GENERAL What on earth is ASEM?	28/8
SECURITY MEASURES 1. The gathering of the gorillas. Next weekend's ASEM6 Summit will be bringing leading political figures to Helsinki, accompanied by their heavily-armed security details 2. Stringent security measures to be put in place for ASEM summit 3. Most expensive security measures 4. Dispatch from Ivalo to Helsinki because of interest and diversion 5. Ninety dark blue Volvos available for ASEM participants. Some heads-of-state have armored vehicles at their disposal 6. A peculiar commotion 7. Police fill streets of Helsinki for ASEM 8. Finland institutes Schengen internal border checks as ASEM security measure. Dozens turned away; thousands undergo security background checks	3/9 5/9 5/9 5/9 7/9 7/9 8/9 9/9
ATTENDANCE 1. Heads of State to gather in Helsinki 2. President Halonen to host ASEM working dinner 3. Tarja Halonen happy with role at ASEM summit 4. Korean leader Roh Moo-Hyun starts flood of VIP visitors 5. Prestigious line-up of guests participating in ASEM6 Summit 6. Five women in ASEM family picture	5/9 5/9 6/9 8/9 8/9 11/9
ASIA 1. Asian countries bring their old grudges to ASEM in Helsinki 2. Japan's Koizumi blames neighbors for cool relations 3. China sticks to death penalty	7/9 9/9 9/9
FINNISH PRESIDENCY OF THE EU COUNCIL 1. Everything in moderation 2. Largest meeting during Finnish EU Presidency 3. European Union demands resumption of WTO talks. Heinäluoma: Finland has much to lose or gain	9/9 9/9 10/9
OUTCOMES & RESULTS 1. Vanhanen believes in the strength of ASEM dialogue 2. ASEM meeting needs more visible results 3. Finnish-Japanese study claims ASEM process fails in its goals 4. Greenpeace hopes for concrete commitments in climate change declaration 5. ASEM countries agree on climate cooperation 6. Helsinki Summit leaves EU and China quarrelling. Joint climate change declaration most significant outcome, says Vanhanen 7. Achievements of the summit 8. A very nice summit 9. Results of Helsinki Summit are small steps	7/9 8/9 8/9 10/9 11/9 12/9 12/9 12/9 12/9

<p>SIDE EVENTS / BILATERAL MEETINGS</p> <ol style="list-style-type: none"> <li>1. City turns Korean 7/9</li> <li>2. South Korean President believes in the power of the internet 7/9</li> <li>3. Trade Union: ASEM concentrates too much on business life 8/9</li> <li>4. Halonen promotes three-partite cooperation at business forum 10/9</li> <li>5. EU and South Korea plan free trade agreement 10/9</li> <li>6. Wen meets Vanhanen, defends China's use of death penalty. "No country can claim to have eliminated human rights problems" 10/9</li> <li>7. Asian and European businessmen call for free trade 11/9</li> <li>8. Poland talks about Poland at ASEM 11/9</li> <li>9. Sultan of Brunei meets Tarja Halonen 12/9</li> <li>10. Business forum calls for cheap energy and free trade 12/9</li> </ol>	
<p>HUMAN RIGHTS</p> <ol style="list-style-type: none"> <li>1. Organizations urge Finland not to forget human rights during ASEM. Amnesty: Human Rights shouldn't be left to bilateral negotiations 2/9</li> <li>2. ASEM, AEPF and AEBF coming to Helsinki 2/9</li> <li>3. Civil society organizations: shift focus from economy to humanity 9/9</li> <li>4. ASEM reveals sharp differences on human rights issues 10/9</li> <li>5. Human rights infringements overshadow ASEM opening. EU criticizes especially violations by Myanmar and China 11/9</li> <li>6. Sharp differences on human rights issues. Tuomioja to address freedom of expression in today's China talks 11/9</li> <li>7. Eternal bad boy Myanmar often reprimanded. Burma official: Difficult circumstances leave their mark 11/9</li> <li>8. ASEM can humanize trade 11/9</li> <li>9. EU criticizes China for restricting freedom of expression as ASEM summit ends. Tuomioja dissatisfied with foreign minister's explanation 12/9</li> </ol>	
<p>ANTI-ASEM DEMONSTRATIONS</p> <ol style="list-style-type: none"> <li>1. ASEM demonstrations start today 8/9</li> <li>2. Falun Gong most active protester during ASEM 9/9</li> <li>3. Strong police force blocks demonstrations. Protesters throw bottles, stones and benches 10/9</li> <li>4. Anarchist demonstration corralled by huge police presence, over 100 held overnight. Downtown Helsinki cordoned off for several hours on Saturday evening 10/9</li> <li>5. Rajamäki: police acted professionally 10/9</li> <li>6. Police defend actions Saturday at demonstrations. Over 130 people held in center of Helsinki 11/9</li> <li>7. Kiasma square blockade surprised anarchists 11/9</li> <li>8. Read stories by our readers on the demonstrations 10-11/9</li> <li>9. Police actions during Smash ASEM to be investigated by other authorities 12/9</li> <li>10. Anarchists' cordon should be investigated 12/9</li> <li>11. Complaints filed on police action during Smash ASEM protest. Chancellor of Justice and Parliamentary Ombudsman to investigate charges 12/9</li> <li>12. Minister of the Interior Rajamäki defends police actions at Smash ASEM 13/9</li> </ol>	
<p>HUMAN INTEREST</p> <ol style="list-style-type: none"> <li>1. In the water tube 8/9</li> <li>2. French newspaper: Chirac thinks Tuomioja is a "zero" 8/9</li> <li>3. Umbrellas and wine 9/9</li> <li>4. Chirac: Vanhanen Finland's sexiest man 10/9</li> <li>5. Vanhanen treats ASEM guests to Carelian pies 10/9</li> <li>6. Pena to the best party? 11/9</li> <li>7. Prodi likes Finnish food 11/9</li> <li>8. Field day for plane spotters 11/9</li> <li>9. President Chirac denies denigrating remarks towards minister Tuomioja 12/9</li> <li>10. Fish oil capsules in Korean souvenir bags 12/9</li> </ol>	

\*Titles of articles translated into English for publication on the newspaper's English-language website have been retained. Titles of articles published in Finnish only have been translated by the author.

**Concluding remarks**

This chapter has argued that the most recent Helsinki Summit placed the ASEM process back on track after the impasse caused by Burma/Myanmar's joining in 2004. Three major accomplishments stand out. First, the summit's decision to include six new partners attests to ASEM's relevance and increases the weight and potential of the partnership. At the same time, the decision confirmed ASEM's character as a region-to-region intergovernmental forum, with both interregional elements and state-to-state or bilateral interaction. The expansion of the partnership to include South Asia certainly does not increase the regional cohesion and adds to the importance of bilateral relations. In this respect ASEM offers the chance to interact on a bilateral basis and foster intergovernmental contacts. The joining of the ASEAN Secretariat on the other hand confirms the central role of Southeast Asia in the integration process of the larger region. From this viewpoint ASEM provides opportunities to promote a more coherent and coordinated regional Asian stance on global issues and to encourage regional community-building. Second, the Helsinki Summit has confirmed ASEM's fundamental approach of summit-level informal dialogue, while aiming to sharpen the agenda according to "ASEM added-value" and strengthen its organization. This continued dual character retains ASEM's position within the EU "as a structure in between the Union's common policies and a purely intergovernmental system with the member states as key actors", as argued in Chapter 8. Thirdly, the chapter argued that the Helsinki Summit has enhanced ASEM's "human face" and contributed to narrowing the "demographic deficit". Nevertheless, visibility and public awareness remain a challenge, due to the forum's comprehensive and consensus-building approach, and the weak parliamentary participation resulting from the informal nature of the dialogue.

# Summary and Conclusions

Bart Gaens

This book aimed to reassess ASEM's first decade of interregional dialogue by taking a European perspective. It examined ASEM's "output performance" in the three domains of interaction, looked at the democratic dimension of the process and the role of identity-formation, and surveyed the ramifications of the institutional choices and working methods. ASEM was conceived as an important tool for the EU to deepen engagement in the Asian region. It was the outcome of the vision expressed in the Asia Strategy of 1994, aiming to serve as an instrument to fully utilize the opportunities offered by "the rise of Asia" and tackle its challenges. The creation of ASEM in 1996 signified the start of a new era in Asian-European contacts, but was at the same time marked by widely diverging expectations. For many Asian countries but also for leading EU member states the forum symbolized the political will to strengthen relations between the two regions as the third leg of the global power triangle. For others in the EU, ASEM could contribute to transforming EU-Asia relations into the "third pillar of the EU's foreign policy", or could at least establish a dialogue on political and security issues. Certainly for many Asian countries, ASEM was primarily a forum to promote economy and trade, aiming at the creation of a "partnership for greater growth" as expressed by the Bangkok ASEM1 Chairman's Statement. However, ASEM's basic principle and point of departure was a much less ambitious intention to serve as a forum for informal dialogue among equal partners. Consequently, from the outset too much emphasis may have been placed on concrete results and grand projects.

## **ASEM's performance in the three pillars**

ASEM's intrinsic limitations as primarily a dialogue forum are most obvious in the economic pillar. Even though the EU has strengthened its economic presence in the region, as envisaged by the Asia Strategy, ASEM did not have a direct impact on two-way trade and investment, and only had minimal influence on multilateral negotiations. The aspiration to create a "partnership for greater growth" was a priori significantly abated by the informal and multidimensional approach, and the fading interest of the business community is symptomatic of the present malaise of the economic pillar. Nevertheless, the biennial summits have given rise to a wide variety of intergovernmental collaborative initiatives in the form of meetings, seminars, and projects, with varied results. As argued in Chapter 2, in the economic area valuable groundwork has been laid in delineating trade and investment facilitating measures, and ASEM customs cooperation for example has shown its utility for joint operations on the ground in other frameworks. In addition, the significance of economic and financial cooperation in the ASEM framework may increase in view of the renewed

focus on bilateral and interregional approaches to free trade promotion, justified as complementing multilateral negotiations, and India's joining of the partnership.

Political dialogue was included in the ASEM process on the EU's insistence, and it has offered the EU an instrument to foster the commitment of regional players to effective multilateral solutions. The fact that European and Asian countries can discuss any globally relevant issue in the political sphere should be seen as an achievement in itself. ASEM dialogue and cooperation on security-related issues may not have contributed directly to enhancing the EU's political role in the region or to promoting security in the region. Yet, as argued in Chapter 3 by Timo Kivimäki, it holds a threefold potential. First, as a result of the US's power-political dominance in the Asian region, ASEM in the first place tackles non-military and non-traditional security threats such as transnational crime or contagious diseases. Second, Asian-European cooperation raises possibilities to utilize soft-security instruments to address traditional security issues or tackle the conditions conducive to terrorism. Cooperation under the UN Security Council umbrella is a third substantial opportunity for Asia-Europe cooperation. Based on a statistical analysis the author furthermore hints at the European comparative advantage in promoting human security and as a possible model to prevent the violation by a state of the fundamental rights of its own citizens. Detecting a continued colonial mindset, Kivimäki argues that the EU could learn from Asian expertise in conflict management and experiences in multiculturalism. Furthermore he contends that the successful approach taken in Asian-European collaboration in settling the Aceh conflict could well be used in addressing European separatist conflicts. For the EU the further development of ASEM's track-two mechanisms is of vital importance in order to exert a greater influence on Asian human rights issues. ASEM as a whole will achieve a more effective global role, if it can translate principles and positions into operational practice in multilateral fora such as the UN Security Council. Peacekeeping is one area related to global security where ASEM multilateralism can most usefully be applied.

ASEM's cultural pillar is arguably the most successful dimension of interaction, which also illustrates a shift in focus in the entire process from the economic to the social-cultural sphere. This area of cooperation provides the ideal arena for achieving "ASEM added-value" and "subsidiarity" as it entails the least duplication with other (bilateral) fora. Though much more can be done, ASEM has shown its relevance as a tool to increase intercultural awareness between the two regions, through educational exchanges, ASEM-sponsored projects such as the Dialogue among Cultures and Civilizations, and successful initiatives in the "soft security" sphere such as the Interfaith Dialogue. Furthermore, the consensus-building process within ASEM on the protection and promotion of cultural diversity is said to have had a positive impact on negotiations in the UNESCO framework.

## **Identity**

ASEM is also a forum which allows the EU to promote values that it deems important, including human rights. Silja Keva's chapter on the role of human rights and in

particular the position of Burma/Myanmar in the ASEM process illustrated the gap between Asian and European diplomatic approaches in political dialogue, but also showed that the process of constructive engagement and mutual compromising may have achieved a moderate degree of success in increasing Asian regional pressure on the country. While the issue is not yet entirely resolved, the *modus vivendi* reached at the Helsinki Summit at least ensures the continuation of the partnership. However, Keva notes that all in all the EU has made only minimal progress in promoting Asian commitment to international human rights tools, and adds that the focus on Burma/Myanmar eclipses human rights violations in other ASEM member countries. The next summit in China in particular will present the EU with the challenge of addressing issues related to democracy and human rights. The analysis therefore seems to confirm the observation by Hazel Smith (2002, 270), who argued that the EU's support for human rights, democracy and rule of law has certainly not been merely rhetorical, but neither has it been allowed to stand in the way of economic and security interests. ASEM allows for a "constructive engagement" on human rights, but it remains to be seen to what extent the EU is willing to pursue the defense of human rights consistently in its relations with all major Asian ASEM partners.

Furthermore, Chapter 5 argued that cultural interaction in ASEM takes the existence of distinct "Asian" and "European" identities as a starting point. Representations of "Asia" within the EU furthermore serve to strengthen the idea of the EU as Europe, and of the EU's identity as a global player. Within the EU "Asia" has been regarded as an important "Other", described alternately as a cultural entity with a distinct Asian way of doing things and as a massively diverse and heterogeneous region. Both views have been seen as complicating the definition of a coherent and focused foreign and security policy to benefit from the opportunities offered by Asia's economic opportunities but also address the threats of a region that has been regarded as a "a powder keg from a security point of view, a baby elephant economically speaking and mainly a source of concern from the point of view of human rights".<sup>1</sup>

### **ASEM's democratic dimension**

Also from the perspective of democratic involvement in the ASEM process, progress is visible to a certain degree in a gradual strengthening of the process's bottom-up dimension. As Chapter 6 by Silja Keva has shown, a vibrant and wide-ranging dialogue between a growing number of stakeholder groups now takes place alongside the summit, even if not all stakeholder groups have acquired a formal channel to provide input and voice concerns. The Helsinki Summit and the efforts of the Finnish Presidency of the EU Council to facilitate civil society input stand as an example of a successful impact by a European host nation on the ASEM agenda, increasing the expectations for ASEM7 to further enhance ASEM's legitimacy. Conversely, the different stakeholder groups should be aware of ASEM's strengths and weakness,

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<sup>1</sup> Debate in the European Parliament on "Europe and Asia", Wednesday 4 September 2002.



and foster a sufficient degree of realism. The progress achieved by the Helsinki Summit in promoting ASEM's democratic dimension should be benchmarked by including a reference in an updated AECF2000 to all of the stakeholder groups in the process, including ASEP, AEPF, and AETUS.

Even though the Helsinki Summit has enhanced ASEM's "human face" and narrowed the forum's "demographic deficit", visibility and public awareness remain a challenge in need of tackling. As noted in Chapter 9, external and internal communication, relations with stakeholders, the Asia-Europe Foundation (ASEF), and the appeal to the media are important yet often underexploited tools. A first step toward enhanced visibility and awareness can be taken by rationalizing the electronic means to disseminate ASEM-related information. The function of the ASEM Infoboard should be enhanced in order to provide a comprehensive database listing all initiatives to date and containing all relevant documents. The ASEM Virtual Secretariat should limit its function to an internal coordination mechanism, operated by the ASEAN Secretariat and geared toward the Asian ASEM partners. The EU website already provides extensive ASEM-related information in the context of EU-Asia relations, and the EU has its own mechanisms for internal coordination and information-sharing.

### **The ramifications of ASEM's approach and institutional framework**

ASEM's performance is rooted in its philosophy, working methods and institutional infrastructure. ASEM's dual approach of informal consensus-building while also seeking to enhance substantive cooperation, generates tensions between those emphasizing dialogue versus those with high expectations toward more concrete results. However, ASEM's balancing act between an interregional and an intergovernmental forum determines the forum's results. ASEM was initially conceived as a framework for dialogue between EU states and Asian states, and also within different EU member states strong support exists for an intergovernmental approach. In the words of one ASEM officer of a leading EU member state, the EU should speak with a coordinated voice but not with one voice, and possible future collective representation should not eclipse the vital role played by the member states. Nevertheless, the region-to-region aspect's importance should not be underestimated. The EU's disposition has impacted on the degree of coordination in East Asia and the construction of a regional identity. Within the EU a "norm of consultation" has developed and a habit of formulating national foreign and security policies in interaction with European partners (Sjursen 2003, 38-40). Constructivists have pointed out that changes occur in the external arenas caused by appearance of the EU as actor (Knodt and Princen 2003, 11), resulting in stronger regional coordination within East Asia. The ASEAN+3 initiative for example arose after a regional grouping of East Asian states started interacting with the EU in ASEM. ASEM thus can be seen as a means to promote a regional approach to problem-solving, and even to put forward a European way of "regionalizing" issues of common interest. Many in Europe are skeptic about the relevance of the EU as

a model for other regions,<sup>2</sup> but as Chapter 9 has argued, it cannot be denied that for groupings such as ASEAN the EU serves, if not as a model, then at least as an exemplar or reference point.<sup>3</sup> Furthermore the European Commission aims to actively support regional integration as part of regional cooperation programs in the context of poverty eradication. As noted in Chapter 9, ASEM is thereby explicitly seen as one channel including budgetary implications to enhance region-building in Asia.

ASEM's dual character as a region-to-region as well as an intergovernmental forum has ramifications for its place within the EU's political and institutional system. In Chapter 8 Teija Tiilikainen explored ASEM's position in the light of the EU's continuous process of EU integration. Within the EU, ASEM's informal top-level dialogue positions itself between a pure state-to-state structure and the common external policies. While at least partly an interregional dialogue, the ASEM process does not include collective representation on the part of the EU, but instead takes a state-to-state approach. Tiilikainen shows how ASEM as one instrument in the overall EU-Asia relations assumes an increasingly rare position in comparison to other structures of interregional cooperation. This ambiguous character is evident in the fact that the EU is represented by the sum of the member states, not by the European Community as such (normally representing the union in formal external relations). Furthermore, the role of the European Commission is different, as it participates as an independent actor and representative of the European perspective, rather than in its capacity of representative of so-called Pillar I matters relating to trade and development. The exclusion of the direct control of the European Parliament is another element which further highlights ASEM's particular position within the EU's External Relations. ASEM's achievement of concrete results is directly linked to the involvement of the EU as a collective actor, and the constant deepening of common external policies increasingly contradict ASEM's informal and state-to-state approach.

The Helsinki Summit however, while aiming to sharpen the agenda according to "ASEM added-value" and strengthen its organization, has confirmed ASEM's dual character as a region-to-region and intergovernmental forum. The decision to expand the partnership by including South Asia certainly does not increase the cohesion of the Asian region as a grouping, and likely increases the importance of bilateral and intergovernmental relations. The joining of the ASEAN Secretariat on the other hand confirms the ambitions of Southeast Asia in steering the cooperation process and community-building efforts of the larger region. For the EU ASEM will likely continue to be seen "as a structure in between the Union's common policies and a purely intergovernmental system with the member states as key actors".

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2 A column in the *Financial Times* (29 March 2007) referred to Europe's irrelevance in Asia, except as a market and a producer of luxury goods: "Those in Europe who envisage Asia basing its future development on the European 'model' delude themselves. The only European models that Asia would like to embrace are to be found on catwalks."

3 Current WTO Director General Pascal Lamy remarked that "while skepticism gathers momentum in Europe, how odd it is that the EU is still the main reference point for other countries looking to integrate regionally." *European Voice* 4 April 2007.

Nevertheless, the ratification and implementation of a Constitution for Europe (re-labeled the Reform Treaty) will have widespread ramifications for the ASEM process in terms of the functions of the Commission and the Council presidency. The Treaty will introduce a President of the European Council who will represent the Union in external affairs at the level of Heads of State and Government. Furthermore, a “High Representative of the Union for Foreign Affairs and Security Policy”, who will also function as Vice-President of the European Commission, is expected to give the EU a more coherent profile in foreign affairs. His or her strengthened position, supported by a new European External Action Service, is expected to greatly enhance the possibility to voice a European perspective. Since the Asian region still lacks in-depth integration, developing ASEM toward a full-scale group-to-group dialogue is premature. Seeing it only as an intergovernmental encounter on the other hand denies the specific nature of the EU and the effects of interregionalism on the Asian regional grouping. However, it is unlikely that ASEM will evolve toward becoming an international organization with a secretariat, due to the continuing integration process of the EU and the increasingly collective nature of representation in external affairs.

### **ASEM-interregionalism and the EU**

The importance of Asia is widely acknowledged in the regional strategy papers of the EU and its member states. “Asia” is seen as “a crucial partner for the EU, whether economically, politically or culturally” (European Commission External Relations 2003). Asia’s demographic size, economic rise, political and security environment, and delicate regional power balance present opportunities and interests, but also contain risks and threats for Europe. Economically the region offers enormous opportunities, as it comprises some of the world’s strongest growing economies including the two awakening giants China and India. In order to secure economic interests, it is vital to address threats to regional security. These include the developments on the Korean Peninsula and the DPRK’s nuclear program, the dispute between China and Taiwan, the unstable relations between China and Japan, and the tensions between India and Pakistan. The EU has a direct stake in security in the Asian region, and therefore aims to promote peace, a rule-based international system, democracy, human rights, and regional integration.

At present however, the general perception in Europe seems to be that the EU is not as engaged in the region as it should be, and that it has insufficiently implemented “a forward-looking policy of engagement with Asia, both in the region and globally” (European Commission External Relations 2003), despite economic and security-related interdependence. Relations with Asia during the past decade have resulted in an improved mutual awareness, but, as pointed out in the most recent Belgian policy note for Asia (Federal Public Service Foreign Affairs of Belgium 2006b), the general feeling is that the EU has not succeeded in taking full advantage of the potential of relations with Asia. According to internal stakeholders the EU lacks an

integrated common strategy for Asia “with policies and mechanisms that will affect developments”.<sup>4</sup>

It is clear that, because of its present structure and approach, ASEM has had a limited impact in implementing the EU’s Asia strategy. While ASEM has great potential in contributing to multilateralism and promoting soft-security approaches, it does not directly enhance the EU’s political presence in the region. Nor does ASEM dispose of the legally binding instruments to directly strengthen the EU’s economic presence in Asia. ASEM is not a forum for development cooperation that could address the root causes of poverty. Other multilateral and bilateral structures are much better placed to achieve clear results in these fields. ASEM should therefore aim to maximize the outcomes of its unique structure. There is no reason for ASEM not to function effectively as both a region-to-region and an intergovernmental forum. Bilateral talks conducted by individual member states with Asian countries on the fringes of ASEM gatherings can continue to form a vital element in building trust and forging the foundations for further cooperation. The principle of issue-based leadership, highlighted by the Helsinki summit, can focus and steer the initiatives led by groups of countries based on interest and expertise, in line with ASEM’s overall key priority areas of cooperation. These key issues to be tackled in ASEM are mostly of a cross-dimensional nature, which reduces the value of the three-pillar division. At the same time the EU’s enhanced possibilities to “speak with one voice” after ratification of the Reform Treaty, and the presence of the ASEAN Secretariat as a regional binding agent, will increase the potential to achieve results in the interregional framework. A stronger collective representation will also decrease the problem of insufficient attendance by European member states.

For policymakers, however, ASEM’s value as an interregional forum is uncontested. ASEM confers a central role to individual member states that can promote national priorities through intergovernmental or track-two initiatives. At the same time it allows the EU to profile itself as a global player and a normative power by emphasizing a constructive dialogue on human rights for example. Interregional relations with the EU have promoted region-building in Asia, and ASEM has allowed the EU to present itself as a possible example of integration to emulate, in the first place by bestowing a key role to the ASEAN grouping as regional integrator and stabilizer. Within the EU ASEM coordination processes have arguably also contributed to strengthening the EU’s “norm of consultation”. ASEM may not have had a huge impact on alliance-building in result-oriented fora such as the UN, the EU-ASEAN framework or the ARF. Nevertheless, the bureaucratic process of coordinating with Asian partners ahead of meetings and summits has at least allowed both parties to identify and discuss a possible common stance on relevant political issues, allowing governments and ministries to “learn” (see also Maull and Okfen 2006, 232).

The Helsinki Summit strengthened the intergovernmental character of the forum, and may have exacerbated its “peculiar” position in the EU. But at the same time it steered the process in the direction of a possible future region-to-region dialogue.

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4 See the debate in the European Parliament on the ASEM Summit in Helsinki, Thursday 28 September 2006.

Until that happens, however, ASEM will continue to fulfill an arguably modest but nevertheless no less significant ancillary function in international diplomacy.

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