

Right conduct in the deep seas

The question of whether China will accept the plan of the Association of South East Asian Nations for a code of conduct in the South China Sea has acquired a special significance in talks between China and the member countries of the ASEAN. Kavi Changkittavorn, executive director of *The Nation*, has observed, "After years of being viewed with suspicion over disputed South China claims, Beijing has skillfully managed and contained ASEAN's concerns over the disputed maritime territories. It will surprise no one if eventually China agrees to support the regional code of conduct with some amendments."

Indeed, China now supports ASEAN's plan for a code of conduct in the South China Sea and has been cooperating with the regional grouping in this matter. The changes in China's stance on the critical and thorny issue would lead one to believe that China's endorsement of the plan would soon be followed by actual acceptance of the code itself. The question is when and how soon.

Conflicting claims to Spratly Islands in the South China Sea represent the most salient security issue in relations between China and the ASEAN. Dino Patti Djalal of Indonesia's ministry of foreign affairs who is also a member of the organizing committee of the South China Sea workshops has pointed out, "There are many ways to judge China's regional intentions, but in southeast Asia it is now increasingly measured in terms of its overtures in the South China Sea."

In addition to an apparent Chinese impatience to begin oil exploration in territorial waters also claimed by Vietnam, China's military activities and growing interest in developing naval

capability in the South China Sea have aroused concern throughout the region. In March 1988, Chinese forces overwhelmed Vietnamese units to take possession of several of the Spratly Islands. And in early 1995, the Philippines discovered that China extended its presence in the Spratlys beyond the islets it fights over with Vietnam.

Manila's reaction was strong because the Chinese installations lay only 160 kms from the Palawan Island which belongs to the Philippines. Discussions with Beijing following this incident, backed by a strong ASEAN declaration in support of Manila's appeal to the Chinese to stop the occupation of additional islets, led for the first time to a more conciliatory Chinese stance.

Conflicting claims to the Spratly Islands in the South China Sea are a salient security issue in relations between China and the ASEAN

Southeast Asia's strategy with China has been to bring it into multilateral groupings like the Asian Regional Forum. But on the South China Sea question Beijing had previously adopted a hardline stand claiming indisputable sovereignty over the dis-

puted Spratly Islands. China opposed any attempt to internationalize the issue and opted to deal with the ASEAN countries one-to-one, instead of submitting itself to a multilateral arrangement.

Renewing China's hardline position, a foreign ministry spokesman said in 1995 that ARF had no business to discuss the Spratly Islands. China also refused to sign ASEAN's Manila declaration of 1992 which called for a peaceful solution of the issue.

The Mischief Reef incident of 1995 marked the beginning of a gradual shift in China's policy. The 1997 dialogue between China and the ASEAN at Huangshan in China brought about a significant change in China's attitude. Beijing now agreed for the first time to talk about ASEAN members' claims in the

The recent possibility of China accepting ASEAN's plan for a code of conduct in the South China Sea has won global attention, writes **Rabindra Sen**



Zhu Rongji: friendly overtures

South China Sea. China did not want to give up its sovereign claim, but tried to resolve the issue through diplomacy. China indicated that it wanted to avoid further conflict with southeast Asia over the Spratly Islands dispute.

In 1999, in a further effort to reassure the region, the Chinese prime minister, Zhu Rongji, told ASEAN heads of government that China would not ever seek hegemony in the region. "China will resolve its differences and disputes with ASEAN countries through friendly consultation and peaceful means," he said.

Notwithstanding the changes in its policy, China was opposed to ASEAN's plan for a code of conduct in the South China Sea which was intended to prevent future hostilities over rival claims and encourage hostilities over rival claims and encourage peaceful resolution of the dispute by barring the claimants from further expanding their presence in the area. Hopes that a draft code would be signed at the last ASEAN summit held in late 1999 in Manila were dashed by irreconcilable differences among the main claimants, namely, China, Vietnam and Malaysia.

The Chinese, nevertheless, agreed to freeze any further moves to create a presence on the Spratlys and to discuss the matter in multilateral fora. It was also significant that China now decided to work with the ASEAN toward a code of conduct. With the objective of having friendly relations with the ASEAN countries, China decided to make modifications and adjustments in its policy.

China realized it was necessary to do so to remove the misgivings in the minds of ASEAN leaders about its intentions. The meeting held in Kuala Lumpur in the middle of this year succeeded in identifying "key elements"

toward the process of jointly drafting such a code. And then in August senior ASEAN and Chinese officials met in China's northeastern city of Dalian to finalize a draft code of conduct to sort out differences over the wording of the document in time for the Zhu Rongji's summit meeting with ASEAN leaders.

Beijing is expected to ask ASEAN to put aside differences and find avenues of cooperation in various areas, including environmental protection, scientific research, search-and-rescue operations, and combating transnational crimes such as piracy and drug-trafficking. Both China and ASEAN now seem determined to bury the hatchet and forge ahead towards the goal of a further strengthening of ties based on mutual understanding and trust.

China can take solace from the fact that acceptance of the code of conduct does not mean that it is relinquishing its claims over the area

Thus, in spite of being hypersensitive to matters pertaining to sovereignty, China seems willing to soften its stance to the extent of accepting ASEAN's initiative for a code of conduct for the South China Sea. Sacrificing the right to be assertive in exercising control over the disputed area may appear too heavy a price to pay. But China seems prepared to make the sacrifice for the long term objective of maintaining close ties with ASEAN countries. By accepting the code of conduct, China will undoubtedly strike a good bargain. Such a decision will further enhance and buttress China's credibility in the eyes of countries in and out of the region.

It will thus serve as a catalyst to broaden China's influence in the region. Moreover, even as China retreats from its rigid position, it can take solace from the fact that acceptance of the code of conduct does not mean that it is relinquishing its claims over the area.

China, Vietnam to keep up dialogue on Spratlys

By Amit Baruah

SINGAPORE, DEC. 26. Vietnam and China, while signing an agreement on demarcating the disputed waters of the Gulf of Tonkin on Monday in Beijing, expressed the hope that it would pave the way for an understanding on the contentious Spratly Islands.

The agreement on Tonkin was signed by the Foreign Ministers of the two countries during the visit by the Vietnamese President, Mr. Tran Duc Luong, to China.

The detailed agreement, signed after many years of negotiation, has been termed "The Agreement on the Demarcation of Waters, Exclusive Economic Zones in the Gulf of Tonkin". A separate accord on fishing was also signed.

Without referring by name to the disputed Spratly Islands, a joint statement issued on the occasion said: "The two sides agreed to maintain the existing negotiation mechanisms on marine issues and to persist in seeking a fundamental and everlasting solution acceptable to both sides through peaceful negotiations.

"Pending that solution, the two sides will, in the spirit of tackling easier issues before difficult ones, actively explore possibilities and measures for cooperation in environmental protection, meteorology, hydrology, disaster prevention and mitigation.

"At the same time, they (China and Vietnam) will not take actions to complicate or aggravate disputes, nor will they resort to force or threat of force. They will consult each other in a timely manner in case of disputes and adopt a cool and constructive attitude to handle them properly in order not to allow disputes to impede the normal development of bilateral ties," the statement added.

While China on Tuesday reiterated its sovereignty over the Spratlys, it is clear that both countries are keen on resolving the ticklish dispute peacefully and through negotiations.

The joint statement also said the two countries had decided to hold high-level meetings regularly and "further promote friendly contacts" between the two countries. "They (the two sides) will also continue to strengthen the annual consultation between senior officials of the two Foreign Ministries to exchange views on bilateral relations and regional and international issues of common interest".

China and Vietnam also agreed to carry out "multi-level military exchanges in various fields to enhance mutual understanding and trust, build closer relations between national defence offices and armed forces of the two countries, and expand exchange and cooperation on security.

THE HINDU

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A time of reckoning

NOT MANY world leaders would like to be in the shoes of the Indonesian President, Mr. Abdurrahman Wahid. He presides over a crisis-ridden nation, unsure of his power and authority at a time when Gen. Suharto's cronies and multiple separatist elements are challenging the state from within.

The September 13 bomb blast that ripped through the Jakarta Stock Exchange building, a day before the former dictator, Gen. Suharto, was to appear in court, came as a severe blow to Mr. Wahid's prestige and authority. The blast demonstrated that he was not in control of the country; that rogue elements were demonstrating their power with telling effect — undermining both state and society.

It also revealed that the "new democracy" which replaced the "new order" of Gen. Suharto was still stumbling along; more involved in the power play between factions and parties than a serious effort to strengthen civil society and rid it off the old authoritarian baggage.

Mr. Wahid did act. He first "ordered" the arrest of Mr. Tommy (or Mr. Hutamo Mandala Putra) Suharto; an order which was ignored by police bosses in the country and which caused severe embarrassment for the President. Soon, he sacked the national police chief, Gen. Rusdiharjo, and followed up that action by "honourably" discharging the deputy Army commander, Gen. Fachrul Razi. Though the official reason for the discharge was given as an effort to "streamline" the command, the message was clear.

The President has been pushed to the wall by the rogue elements within the security establishment — either he acts or turns into a bystander. The old approach of gradually reforming the military and simultaneously taking on the remnants of the "new order" does not seem to be working. It is not as if the Jakarta blast was the first of its kind. The murder of three United Nations staffers in Atambua, West Timor, on September 6 and a small blast before Gen. Suharto's trial date on August 30, and two other explosions, definitely form a pattern.

The problem for Indonesia is that while many people speak of the pattern and the involvement of rogue elements from within the military, there has been little evidence advanced so far. One of the reasons for the lack of evidence could be that the police (which has only recently been separated from the military command) are scared to investigate.

In fact, responsible Indonesian officials have referred to the fact that the trail in the Jakarta blast investigation did lead to some rogue elements. However, little progress has been made in the investigation so far.

Here, it needs to be recalled, that Gen. Suharto, his immediate family and numerous other cronies continue to enjoy the benefit of their massive wealth. Analysts point out that the family-crony alliance is in a position to pump in funds and still influence the course of events in the country.

The choice is stark for Indonesia's President, Mr. Abdurrahman Wahid. Either he moves to assert his authority in a real manner or he allows renegade forces to determine his agenda, writes AMIT BARUAH.

The blast at the stock exchange and the lynching of the three U.N. staffers has also led to a downturn in Jakarta's relations with the international community, leading to open demands that Indonesia end the militia menace in West Timor once and for all.



Indonesia's President, Mr. Abdurrahman Wahid, and his deputy, Ms. Megawati Sukarnoputri... democracy under siege.

In an editorial, *The Jakarta Post* points out that the U.S.-led Western world is gravely concerned about Mr. Wahid's control over the military.

"To them, Atambua and the (Jakarta) bomb blast challenge the virtue of democracy and betray the principle of non-violence."

"Concerned over values, the West may overlook the urgency of other priorities. Atambua and exerting authority are critical to Abdurrahman (Wahid). However, he has also to deal with the problem of Aceh, where more than 60 people have been killed in the fighting in the past fortnight alone, and in the islands of Maluku, where there have been no meaningful steps toward reaching a permanent end to the 21-month conflict. It is hard to gauge

which is the most serious crisis facing President Abdurrahman," the newspaper argued.

"Indonesia cannot go back to its autocratic past; neither can it ensure stability under the current system... the passing months have shown that the legislature has failed to become an effective working body..." the editorial said. "To Abdurrahman, the trial of Suharto could well be a final apocalyptic struggle between the forces of good and evil. It is not just about the trial of graft, but whether Indonesia is willing to come to terms with its history," it added.

The choice is stark. Either the President moves to assert his authority in a real manner (rather than taking symbolic gestures), or he allows renegade forces in Indonesian society to determine his agenda. With the legislature constantly

sniping at Mr. Wahid, and now setting up Parliamentary panels to investigate charges of corruption against him, the reform agenda seems to be getting lost.

As many countries round the world have learnt, democracy is not about merely holding elections and giving legislators the power to abuse the executive. It is about developing a democratic culture, which allows for differences without sabotaging a larger national trajectory.

For Indonesia, democracy is still a young system. The current distortions are perhaps inevitable for a country which is still trying to come to terms with democracy. It is, however, apparent that anti-democratic forces are taking advantage of the drift in governance to ram home their agenda with telling effect.

Thai move for 'truce' in Myanmar

By Amit Baruah

SINGAPORE, SEPT. 26. In the first call to operationalise the formal ASEAN "troika" agreed to in July, Thailand has suggested the formation of a group of three to bridge differences between the Myanmar junta and the National League for Democracy (NLD) leader, Ms. Aung San Suu Kyi.

A Thai Foreign Ministry statement said in Bangkok: "Thailand has long supported reconciliation among the opposing parties in Myanmar and activating the troika would be in line with Myanmar's policy."

The "troika", which comprises the past, present and future Chairmen of the ASEAN Standing Committee, in the present instance are Thailand, Vietnam and Brunei. Thailand had actively backed the "troika" proposal, which was first made by its Prime Minister, Mr. Chuan Leekpai, on November 28, 1999 in the informal summit of ASEAN heads of Government/States.

It does not come as a surprise that the first proposal to activate the "troika" has come from Thailand, which often articulates Western-American concerns within ASEAN.

According to the Thai statement, the setting of the troika will also improve ASEAN's image.

There was considerable debate at the ASEAN Ministerial Meeting (AMM) in Bangkok in July on the "troika" issue, with many countries loath to permit any intervention in "internal affairs" of individual nations.

By Western standards, several ASEAN countries have problems in human rights and democracy. In acute focus, of course, is Myanmar, where the Western world regularly issues statements denouncing the State Peace and Development Council (SPDC) as the military junta is known.

"It is not intended to represent ASEAN beyond the issues assigned by the ASEAN Foreign Ministers. In carrying out its tasks, the ASEAN troika shall refrain from addressing issues that constitute the internal affairs of ASEAN member countries," the joint statement said.

"Should an issue or situation arise which is likely to disturb regional peace and harmony and which has the potential to affect ASEAN in political or security terms and requires collective action by ASEAN, the ASEAN Foreign Ministers, upon the request of the ASC (ASEAN Standing Committee) Chairman or any other ASEAN Foreign Minister, could, on the basis of consensus, establish an ASEAN Troika and determine its mandate."

While Thailand is well within its rights to call for the formation of a "troika" on Myanmar, there is little doubt that the Yangon regime will be far from keen in agreeing to such a proposal.

Interestingly, the Vietnamese response to the Thai suggestion, as the new Chairman of the ASEAN Standing Committee, will be all-crucial. While "consensus" is a separate issue, it is for the first time that Vietnam is heading ASEAN and its response to the Thai suggestion could well set the tone for the regional grouping for the next one year.

Picking up the suggestion emanating from Bangkok further, the Thai Deputy Foreign Minister, Mr. Sukhumbhand Paribatra, was quoted as saying in Washington that problems in Myanmar had a way of affecting neighbouring countries, especially Thailand.

Admitting that his country had little influence over the military Government, the junior Foreign Minister said Thailand was in favour of encouraging an unconditional dialogue. "We only have our own sweet words to fall back upon. In relations with neighbours one should not use any stick and in the case of Myanmar we don't have any stick to use...what we rely on is diplomacy, sweet words and hope for the best."

THE HINDU

27 SEP 2000

Suu Kyi in new roadside standoff

FROM AUNG HLA TUN

Yangon, Aug. 25 (Reuters): Myanmar opposition leader Aung San Suu Kyi was locked in a roadside standoff with police today, running short of food and water and preparing to spend a second night in her car after being stopped while leaving Yangon.

It was the first time the 55-year-old Nobel laureate had tried to leave the capital since another standoff two years ago, which ended after 13 days when an increasingly dehydrated Suu Kyi gave up her protest and returned home.

Her party, the National League for Democracy (NLD), which won elections in 1990 by a landslide but has never been allowed to govern, said Suu Kyi and other NLD offi-

cials had been travelling in two vehicles when they were stopped by police yesterday. "They are running short of water and food today," the NLD's central executive committee said in a statement.

Witnesses said the group's cars were parked a short distance off the road south of Yangon where they were stopped. Nearby were an ambulance and a truckload of police. The NLD called on local villagers to provide Suu Kyi and her party with water and food.

In London, British foreign secretary Robin Cook said he deplored the treatment of Suu Kyi. "We urge the authorities to lift these unnecessary and unlawful restrictions immediately, and call on the regime to open an immediate dialogue with...Aung San Suu

Kyi and the NLD," Cook said in a statement.

Government protection

The government confirmed it had stopped Suu Kyi but said this was for her own protection because her journey did not have "proper security arrangements".

"Security officials requested them not to proceed but stay in Dala town or return to Yangon. Due to threats of violence by armed insurgent separatist forces, travel by prominent persons to some parts of the country is at present inadvisable," it said.

"The government will take all necessary action in protecting her from these threats, while also safeguarding her human rights, as much as possible including the right to freedom of movement," it

said. Suu Kyi was under house arrest for six years until 1995 and her movements remain severely restricted.

In 1998 she twice spent several days in her car after being blocked by police when trying to leave Yangon. In July 1998, a five-day standoff was forcibly ended by the military, and a month later she stayed in her car for 13 days on a road west of Yangon after being stopped by police and refusing government demands to return to the capital.

Suu Kyi said the military was trying to prevent her meeting supporters outside Yangon and was violating her freedom of movement. She ended the protest on August 24, exactly two years before she set out from Yangon yesterday.

THE TELEGRAPH

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Spratlys draft code by this month

BANGKOK, Aug 19. — Senior Asean and Chinese officials will meet in China's north-eastern port city of Dalian later this month to finalise a draft "Code of Conduct" for the disputed Spratly islands in the South China Sea, a diplomat said yesterday.

China hopes the Dalian meeting will resolve differences over the wording of the document in time for Mr Zhu Rongji's summit meeting with Asean leaders in November in Singapore, he said.

Beijing is expected to ask Asean to put aside the differences and look for ways to cooperate in various areas, including environmental protection, scientific research, search-and-rescue operations, and combating such transnational crimes as piracy and drug trafficking.

— The Nation/ANN

THE STATESMAN

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The five who matter

IN THE cliché-oriented realm of military-related strategic thinking in the Asia-Pacific region, the relatively-unsung Five Power Defence Arrangements (FPDA) may not have figured much in the debate on a possible new security architecture. The FPDA is the only significant outfit without the strategic signature of the United States on its founding documents. This does explain, to a large extent, its relative inconspicuousness compared to the U.S.-Japanese military nexus. However, the FPDA, symbolising an arrangement in plurality, is of direct relevance to the countries so linked — Singapore, Malaysia, Australia, New Zealand and the United Kingdom. And, as they see it, the FPDA is a factor for peace and stability in Southeast Asia.

Founded in 1971, the FPDA has had its vicissitudes. The most recent turbulence it encountered was that caused by Malaysia, which chose to rock the boat without either threatening to leave it or trying to sink it in 1998. Some military exercises were postponed as a result, even as Kuala Lumpur cited its then economic downturn in justification. But the defence establishment in Australia, prime player on the FPDA scene, was of the view that there was more to Malaysia's action than met the eye. The tensions of that period between Malaysia and Singapore were seen as the obvious cause. However, Malaysia renewed its activism on the FPDA front as its economy improved, and the organisation did not really veer off course.

The latest meeting of the FPDA Defence Ministers in Singapore on July 4 and the related military exercise, coded 'Flying Fish', have demonstrated that the Arrangements are kept fine-tuned. The ministerial meeting, taking place every three years since 1991, was important on two counts. First, the FPDA reaffirmed a principle of back-to-the-basics, as it were, by acknowledging that the external defence of both Malaysia and Singapore "is indivisible". Second, the FPDA's operational efficacy was sought to be enhanced through a nuanced shift, from a strategy propelled by the primacy of air defence, to a more balanced accent on all forms of military preparedness.



Defence Ministers of the member-states of the Five Power Defence Arrangements during their recent meeting in Singapore... a bonding renewed?

The relatively-unsung Five Power Defence Arrangement may not have figured much in the debate on a new security architecture.

But, says P. S. SURYANARAYANA, it is a factor for peace and stability in Southeast Asia.

Neither of these new elements are really all that novel, either. The FPDA's founding principle was the "indivisibility" of the external defence of Singapore and Malaysia in a context of uncertain strategic realities in the Southeast Asia of the early 1970s — the circumstances in which Singapore and Malaysia parted ways, the fallout of the then recent British imperial withdrawal from the region as seen by the West and a rising tide of communism.

In one sense, the FPDA was devised as a confidence-building mechanism involving Malaysia and Singapore in a context in which Indonesia was perceived to be a potential regional hegemon with or without some form of a

communist identity. The FPDA was, *ab initio*, considered a consultative partnership and not a formal military alliance *per se*. Yet, the active promotion of the FPDA by three largely Anglo-Saxon states did not conceal its potential as a vibrant military entity.

The conspicuous absence of the U.S. at the FPDA table was both a historical accident and a matter of studied aloofness at a time of Washington's military engagement in Vietnam. It was not really germane to the issue whether the so-called Vietnam syndrome had actually hit the Americans where it hurt when the FPDA was launched. What really mattered then was that the FPDA was conceivable without the U.S.'s participation.

At the dawn of the 21st century now, the West's original Manichaeian view of China and communism in the East Asian region has undergone a refractive "correction". The current U.S. policy of engagement with China, in particular, as also the recent redefinition of the Japan-U.S. defence equation, besides Australia's latest burst of strategic activism in regard to East Timor present the FPDA with new reality checks.

It is against this background that the Australian Defence Minister, Mr. John Moor's

comment on the "positive" outcome of the latest FPDA meeting needs to be assessed. The "proven flexibility" of the FPDA is, in Canberra's view, an aspect of its continuing "evolution".

While the sustainability of the FPDA has, of course, been demonstrated, the question being raised now by independent observers is whether this "multilateral security framework" can take a "democratising" Indonesia itself within its fold. However, Indonesia itself is not still in a position to spread its strategic wings as it continues to face immense internal problems.

At another level, a new poser is whether the FPDA can serve as a model for potential security frameworks without a direct U.S. involvement. The Filipino leader, Mr. Joseph Estrada's notion of an East Asia Security Forum has not taken off, precisely because there is no definitive indication about an American role in it. While U.S. officials have indicated to this correspondent that Washington's leadership role in the Asia Pacific strategic affairs has not really come under challenge, the sky may be the limit for the idea of "security pluralism" as advocated now by some American planners.