FORWARD

Towards ASEAN Community - Centrality - Connectivity

OPINION

Championing people of ASEAN

People centered and people oriented have been the main motto of ASEAN over past decade. ASEAN also has been continuously promoting agenda aimed to be directly benefiting its people. For example, ASEAN Connectivity – which goal is to create better link of people from ASEAN member states through physical, institutional and people-to-people frameworks – and Mutual Recognition Agreements (MRAs) under ASEAN Economic Community that allow easier flow of people from eight different fields to work across the region.

However, those frameworks will not push any further impact to the people of ASEAN as long as member states do not find ways to implement them in a more practical level. The people will only see banners and posters of ASEAN, also its events will merely be celebratory where people join in festivity but not realizing any impact to their life. In this regard, ASEAN frameworks must be accessible and impactful. Frameworks such as MRAs must not only be agreed within the top layers of the government, but also be operationalized by related ministries and institutions. They must prepare ways so that such positive program can be joined and enjoyed by the people of ASEAN. Indeed, the success of this delivery is on member states' commitment, as ASEAN does not have authority to force technical implementation in national level. (KK)

NEWS UPDATE

Mainstreaming STI-based economic development in ASEAN

TABLE OF CONTENT

The Philippines ended its 2017 Chairmanship with the 31st ASEAN Summit and related meetings. Consistently bringing the theme of "partnering for change, engaging the world" as heralded in the previous summit, President Duterte highlighted the Philippines' six priorities that are "a people-oriented and people-centered ASEAN; peace and stability in the region; maritime security and cooperation; inclusive, innovation-led growth; ASEAN's resiliency; and ASEAN: a model of regionalism, a global player." These six priorities are aligned with challenges and dynamics in the region.

In his chairman statement, President Duterte reported the adoption of eleven documents dealing with many issues. One of them specifically declares the importance of Science, Technology and Innovation (STI) in building the region. It is worth noting that STI has been transferred from issues under socio-cultural to economic pillar in 2016. With this adoption, ASEAN shows more commitment to include STI into its economic vision. Knowing the scarcity of extractive resources in the region, prioritizing STI-based economic development is important for ASEAN member states. Moreover, mainstreaming STI will also highlights the need of doing transfer of technology in order to narrow development gap among ASEAN member states. (KK)

ARTICLE

Religion and Social Conflict in ASEAN: Learning from Rohingya's Case

In 2017, exodus of hundred thousands of Rohingya people from Myanmar to Bangladesh became a big issue, attracting responses from both regional and international entities. Some people raise this issue as an ethno-religious conflict between Muslim Rohingya and Buddhist Burma. However, there are more in this case than merely just a religious matter. This reflects a big challenge for ASEAN to deal with human security and people-centered community.

There are three levels that need to be holistically comprehended. At the surface level, the Rakhine's conflict in 2017 was triggered by the attack towards some Myanmar's border posts near Bangladesh executed by Arakan Rohingya Salvation Army (ARSA), leaving at least 12 people dead. This led to the retaliation act by military and local Burmese people by burning Rohingya's villages and forcing them to flee toward Bangladesh's border. On the medium level, there was a competition between Burmese and Rohingya people over the land tenure and business affairs (Waluyo, 2013). The jealousy among people who identify themselves as "local indigenous people" were raised, which sharpen the identification of Rohingya people as immigrants originated from Bangladesh. On the deep and root cause of 2017 conflict, series of discriminatory policies of the Myanmar Government towards Rohingya people since 1962 have gradually generated negative stereotypes toward the Rohingya.

All those factors have been misused by securitizing actors such as politicians and hard-line monks to mobilize vulnerable groups to engage in violence in the name of religion. Religion is only used as a tool for the actors to get their respective interests on the dominancy of political power, land ownership, and business opportunities. If the conflict is well managed and does not involve religious identity issue, it can be prevented through law enforcement of criminal acts that trigger the clash.

Several things can be done to resolve the conflict in Rakhine. **First**, ASEAN could support Myanmar Government to reduce the intensity of violence through detracting radical Buddhist monks' voices and increasing moderate monks' roles who promote interreligious dialogue. **Second**, ASEAN could encourage Myanmar to repeal all rules and policies that discriminate minority groups. **Third**, since the low level of the economy can increase the potential of vulnerable group's mobilization in conflict, ASEAN could help Myanmar in dealing with economic development issue by optimizing sub-regional and regional cooperation initiatives such as Greater Mekong Subregion and ASEAN Economic Community. **Fourth**, ASEAN could promote people to people connectivity program, which can be used as a reconciliation process and bring the conflicting parties closer to the ASEAN community. These steps, of course, will take longer time, but the prospects for peace will be more sustainable. (SNIR)

Challenges on Digitalization in ASEAN

Singapore's 2018 Chairmanship of ASEAN will highlight the importance of technology with its two themes "resilience" and "innovation". Within those themes, cyber security and development of digital economy is expected to go hand in hand in bolstering the region's capacity and capability as a whole. Indeed, developing digital economy and building cyber resilience cannot be separated, as the region cannot build its "production house" without a proper "fence". However, the question is whether all of ASEAN member states ready to get on board with this plan? There are two significant aspects to be considered.

First, ASEAN must consider the different level of cyber technology the ten states have. According to *Digital in 2017: Southeast Asia* published by We Are Social and Hootsuite, the gap of internet penetration for the ten countries is quite stark. It is ranging from above 80 percent in Brunei and Singapore to below 30 percent in Laos and Myanmar. Such significant gap can be caused by several factors such as vast geographical condition that makes states like Indonesia have more difficult task to digitally connect all of its regions and less developed infrastructure that still become the problem in Laos and Myanmar.

Second, with such different level of growth in digitalization, these states have different priorities when it comes to cyber security. States like Singapore and Malaysia currently have cyber security strategy, which coordinate ministries and institutions related to digital environment to ensure the safe and secure connectivity. However, such agenda is still being developed in other states. For example in Indonesia, the establishment of National Cyber and Chiper Agency in the middle of 2017 still needs to be coordinated further with other stakeholders.

Despite the technological gap and uneven awareness on building cyber security, the digitalization progress in Southeast Asia is unavoidable. Moreover, with the growth of cyber crime, ASEAN member states, regardless their level of digitalization must be ready to face the challenge. Regional commitment on this issue launched in the 31st summit as the member states agreed on ASEAN Declaration to Prevent and Combat Cyber Crime. This declaration is a significant symbol that acknowledges the need to develop secure digital environment in the region. (KK)

ASEAN RESEARCH GROUP (ARG) TEAM MEMBERS

Dr. Adriana Elisabeth
(International political economy)

Dr. Tri Nuke Pudjiastuti
(International migration)

Dr. M. Riefqi Muna
(International security)

Dra. Awani Irewati, MA
(Border studies)

Drs. Agus R. Rahman, MM., ME
(International economy)

C.P.F. Luhulima
(Regional political economy)

Ratna Shofi Inayati, MBA
(Regional studies)

Indriana Kartini, S.IP., MA
(International Politics)

Lidya Christin Sinaga, S.IP., MA
(International Politics and Disaster study)

Sandy Nur Ikfal Raharjo, M.Si (Han)
(Border studies)

Khanisa, MA
(ASEAN and Diplomacy)

Hayati Nufus, S.Hum
(Junior researcher, Chinese studies)

Faudzan Farhana, SH
(Junior researcher, International law)

Pandu Prayoga, S.IP
*(Junior researcher,
International political economy)*

CORRECTION for Forward Vol.3 No.1 (2017) page 1, supposed to be written "ASEAN Declaration on the Role of Civil Service as a Catalyst for Achieving the ASEAN Community Vision 2025"

ARTICLE

Indonesia's Ratification of ACTIPs and Its Legal Implication

On 17 October 2017, Indonesian People's Representative Council has passed a bill to ratify ASEAN Convention Against Trafficking in Persons, especially Women and Children (ACTIPs) into their national law through a plenary session. In this occasion, Indonesia's Foreign Minister, Retno L.P Marsudi read President Joko Widodo's final statement, which notes that the convention will not only strengthen the existing national legislation but also enhance regional effort to combat trafficking in persons (TIPs).

In regard to combat TIPs in ASEAN, there are three main problems. First, different concepts of trafficking in persons among ASEAN member states. This has caused a lot of difficulties in judicial proceedings. Since in formal law, judges should give a decision based on the formal substance of the concept. Second, diverse legal systems among ASEAN member states. As a result of different interpretation of laws, cooperation to combat TIPs were used to experiencing hindrances, such as bureaucratic complexity within the state's institutions. This caused ineffective and inefficient cooperation between those countries, not only among government officials but also law enforcement officers. The third problem is different status of ASEAN member states in TIPs' network: source, transit, and destination countries. Each category faces different challenges. Thus, each should be treated in different approaches.

In order to overcome these problems, the convention was carefully drafted and finally signed by ASEAN leaders on 21 November 2015. It then came into force thirty days after the sixth state deposited their instrument of ratification to the Secretary-General of ASEAN. After its enactment, the convention provides a legal basis for better coordination between law enforcement officers among ASEAN member states in data and information exchange, assets tracking, and implementation of extradition policies. Further, it allows better mapping of traffickers' network, starting from the location of recruitments, shelters, to the exploitation sites. It also fulfills the victim's right to obtain restitution from the confiscation of offender assets abroad and the victim's right to the material value not yet provided by the perpetrators from other countries. Specifically for Indonesia, the enforcement of this convention does not impose a significant burden on state's budget because Indonesia already has a special task force, which deals with eradication of TIPs. Indonesia will even benefit from the return of assets or fines and the proceeds of seizure or confiscation of offenders abroad.

However, all these benefits will be a mere possibility without the equal and strong political will among member countries. As Foreign Minister Retno Marsudi also conveyed that the goal of the convention is the realization of a comprehensive approach to the issue of human trafficking. It can be achieved through cooperation in 4Ps (Protection, Prevention, Prosecution and Partnership) concept. Therefore, it is essential for all ASEAN member countries to cooperate in their best efforts to use this convention in combating TIPs for the sake of security and welfare of their people in the future. (FF)

ACTIVITIES

Coloring the 2nd semester of 2017, ASEAN Research Group (ARG) has conducted final seminar on 7 November to disseminate its two studies, namely *"ASEAN in Dealing with Transnational Crime at Sea: A Study Case in Indonesia-Malaysia"* and *"ASEAN Connectivity Development through BIMP-EAGA Sub-regional Cooperation"*. The first study was reviewed by Rear Admiral Dr. Amarulla Octavian from Indonesian Defense University and the later by Sri Yanto, M.Si from National Border Management Authority.

Extracted from its research, members of ARG have published a policy brief entitled *"Enhancing BIMP-EAGA Economic Corridors to Support ASEAN Connectivity: Evaluation and Recommendation"* which has been delivered to BIMP-EAGA national secretariats, BIMP-Facilitation Center, and BIMP-EAGA Business Council. Moreover, two policy papers on *"Strategy for Improving Border Trade Agreement (BTA) between Indonesia and the Philippines"* and *"Strategy for Enhancing Border Crossing Agreement (BCA) between Indonesia and Malaysia"* have also been socialized to certain stakeholders, raising discourse on the need of reviewing outdated BTA and BCA documents between Indonesia and its neighboring countries.

In addition to regular research activities, ARG under Center for Political Studies was also organized *"Symposium on the 50th Anniversary of ASEAN: Contributions of Japan-Indonesia Relations towards further Development of ASEAN"* in Grand Ballroom Kempinski Hotel, 27 October 2017, jointly cooperated with Mission of Japan to ASEAN and Japan Embassy in Indonesia. Represented by Indriana Kartini, ARG also became member of Indonesian delegation in the 21st BIMP-EAGA Ministerial Meeting in Tarakan, 30 November-3 December 2017. ARG was also involved in the ASEAN Maritime Forum (AMF) and Expanded AMF on 6-7 December 2017 by sending Awani Irewati and Khanisa as observers. For the next, ARG hopes to consistently give positive contributions to the development of ASEAN. (SNIR)

Indriana Kartini from ARG forwarded Policy Brief to BEBC Chairman at 21st BIMP-EAGA Ministerial Meeting

BOOK REVIEW

Ehnancing Small Island Community's Resilience through Cross-Border Cooperation

Original Title:
Peningkatan Efektivitas Perdagangan Lintas Batas Indonesia-Filipina: Upaya Mendukung Ketahanan Sosial Masyarakat Pulau-Pulau Kecil Terluar (Policy Paper)
Authors: Sandy Nur Ikfal Raharjo et al.
Year of Publication: 2017
Publisher: Center for Political Studies, Indonesian Institute of Sciences
Pages: iv + 19 pages

As an archipelagic state, Indonesia concerns on building social resilience of small islands' communities, especially the outermost ones. Internally, the communities have to deal with limited natural, physical, human, and financial capitals due to their isolated and marginal position. While externally, they have to face potential threats from foreign parties such as illegal fishing and armed conflict due to border disputes. This policy paper raises strong social capital among border communities as an alternative solution to address the above vulnerabilities, which is facilitated in the form of cross-border cooperation.

In case of the Indonesia-Philippines' border community, both governments have signed the 1956 Border Crossing Agreement (BCA) and the 1974 Border Trade Agreement (BTA). Border residents could travel to neighboring country's territory by using Border Crossing Pass (a simpler "passport") and could bring trade goods until US$150/vessel, which was revised uniterally by Indonesian government to US$250/person/month. Based on research, BCA and BTA play positive roles in improving social resilience's capitals, namely human, finance, social, and politic. However, the implementation is still hampered by the unequal political will of the two governments, the institutional weakness on Border Crossing Station/Post, and the outdated articles of the treaty. Therefore, this policy paper recommends that BCA and BTA need to be reviewed, especially on the issue of purposes of cross-border activities, covered areas, custom's threshold value, and type of trade commodities. Both governments could use this policy paper as a starting point to renegotiate the agreements for the sake of border community's interests. (SNIR)