

IPCS Special Report

November 2011



Inside Southeast Asia

First Annual Conference



Southeast Asia Research Programme (SEARP)

Institute of Peace and Conflict Studies

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Inside Southeast Asia

A Report by SEARP team at the IPCS



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The Institute of Peace and Conflict Studies (IPCS), established in August 1996, is an independent think tank devoted to research on peace and security from a South Asian perspective.

Its aim is to develop a comprehensive and alternative framework for peace and security in the region catering to the changing demands of national, regional and global security.

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The Southeast Asia Research Programme at the Institute of Peace and Conflict Studies (IPCS) in collaboration with SAEA Group, Singapore and Indian International Centre organized its first annual conference titled '**Inside Southeast Asia**' on 25 November 2011. The primary focus of the conference was on the following three themes: '*Internal Political Challenges*', '*Inter-State Disputes*' and '*ASEAN & Regional Security*'.

The idea behind this symposium as elaborated by the Director of the IPCS, Dr. D. Suba Chandran is to generate awareness and understanding on the dynamics of the current issues, development and challenges in Southeast Asia. This is an initiative towards providing a platform for the young researchers and scholars to present their views on varied issues and aspects of the region. The inaugural session was chaired by Prof. PR Chari, the Research Professor of the IPCS.

Ambassador Sudhir Devare, the Director-General of the Indian Council of World Affairs who was the keynote speaker of the conference addressed the gathering and highlighted seven key characteristics of Southeast Asian countries in terms of changes it underwent, impact of globalization, attempts at regional integration. He emphasized towards building a greater understanding on the region among the young scholars and researchers. He also highlighted on the historical and cultural linkages of the region with India.

The discussion focused on internal developments in the Southeast Asian countries. The security issues in this region have stemmed from its internal strife, posing the greatest obstacle to the regional integration and development. The patterns of internal conflict in this region have been in the form of armed insurgencies, ethnically-motivated communal violence, conflict among political forces, political uprising, secessionism and civil conflicts. Also, in recent years, due to the growing challenges posed by religious radicalism and terrorism, the dimensions of internal conflicts have become more complex.

The issues that were discussed also included –the recent developments in Myanmar followed by some dramatic decisions by President Thein Sein which are sending waves of optimism throughout the western world, Myanmar's candidature for the Chair of ASEAN in 2014 which has been accepted by all member countries, the Political and Economic Impact of the flood in Thailand, the violence of the ethnic separatist insurgency in the southern provinces of Thailand (Pattani, Yala and Narathiwat) continues unabated, raising the brutality to the level of international terrorism by targeting foreign tourists. The discussion also focused on the just concluded ASEAN Summit in November 2011 and on the East Asia Summit (EAS) that was held on 19 November 2011 in Bali, Indonesia.

Internal Political Challenges-I 'Transition in Myanmar'

Chair: Amb. Eric Gonsalves, *Former Secretary in the MEA, Government of India*

Resource Persons

Prof. Ganganath Jha, *Centre for Southeast Asian Studies, JNU, New Delhi*

Dr. Udhai Bhanu Singh, *Senior Research Associate, Institute for Defence Studies & Analyses (IDSA), New Delhi*

Discussion Papers

- 'Myanmar's Transition to Democracy: Too Late or Too Early?' by Sampa Kundu
- 'Ethnicity and Identity: Myanmar's Ethnic Conflicts and the Government's attempts at containing them' by Medha Chaturvedi

Internal political challenges have been one of the persistent problems in Southeast Asia; most of these conflicts have taken the form of armed struggles between the ethnic nationalist groups against the government for independence and attainment of autonomy. The questions on the impact of the political transition in Myanmar and the simmering conflict between the ethnic groups and Myanmar's central government was highlighted in this session.

The extracts of the discussion papers:

Medha Chaturvedi: Ethnic conflict in Myanmar is world's longest running conflict. The grave situation calls for inclusion of minorities in the country's affairs.

Ethnic minorities form about thirty five percent of total population. Ethnic minorities have been long neglected and eventually formed a militia. Despite assurances by newly elected government, no concrete actions are taken towards the integration of ethnic minorities. With the release of Suu Kyi, the situation showed some promise of improvement. However, her controlled conditional release has also had no solid impact on the situation. The primary grievance of the ethnic minorities is their disenfranchisement from the political process of the country making them absolutely excluded from the mainstream. This in turn results in their social and economic exclusion. The Panglong Agreement under the leadership of Gen Aung San in 1947 was the pivotal point in the Ethnic history of Myanmar. The agreement brought to the table representatives of the government and the Shan, Kachin and Chin ethnic minorities to reach a consensus on the future course of action for Myanmar. However, before his efforts could bear fruit, he was assassinated in July 1947. The Panglong agreement promised complete autonomy to the frontier regions post independence in return for their support for the formation of the Union of Burma. The ethnic minority signatories also had the option of seceding from the Union, 10 years after independence. The successive governments' failure to implement the Panglong Agreement caused immense dissatisfaction and mistrust in the people of the ethnic areas, forcing them to take up arms to demand for their rights. These ethnic minorities have, from time to time, reiterated that their demand is for regional autonomy and not disintegration of the Union of Myanmar, however, the ruling junta always felt that granting autonomy to them may lead to the collapse of the Union. The demand for political autonomy is primarily aimed at preserving their identity, culture and language. Over the years, with excessive repression and military crack-down on the ethnic armies, the ethnic demands have somewhat further diluted to limited autonomy and special privileges for the indigenous population. Currently there the situation seems hopeful following release of Aung San Suu ki, assurances from President Thein Sein. And regional support for Myanmar's bid for chairmanship





of ASEAN in 2014. US's conditional outlook, Myanmar opening itself to the international community and increased attention are some of the developments that spell hope for ethnic minorities. The Myanmar government needs to be more proactive and find a non-military solution to ethnic conflict.

Sampa Kundu: The November 2010 election was the sixth of the seven points of the transition to democracy as projected by the government of Myanmar. Sampa Kundu's aim in her paper is to study the real show going

on behind the curtain, i.e., to investigate how far or near is Myanmar towards democracy. The paper looks at 2010 elections and its implications for the country.

Elections are not new to Myanmar; voting was introduced in 1892. Kundu takes historical overview of developments towards democracy to arrive at 2010 elections. The 2010 election was based on the new constitution that was accepted in 2008. The democratic and human rights activists have raised questions over the transparency of this election and refused to accept the election blaming it as neither free nor fair. As per the constitution and rules for elections, inter-alia anyone who is imprisoned is not eligible to contest elections. As a result, rebel groups could not participate in elections. The United Election Commission cancelled elections in some constituencies for security reasons.

The election commission did not allow any party to lodge any complain against illegal advance voting and other cons done by the government. The charge for filing complains was as much as US\$ 1000 or one million Kyat which seems to be very high and unaffordable for many political parties. When the result of the election came out, the world saw the USDP winning the election with 883 of the total 1154 parliamentary seats, that is, 76.5 per cent.

The USDP, led by Prime Minister Thein Sein, won 259 out of 325 (79.6 per cent) seats in the House of Representatives; 129 out of 168 seats (76.7 per cent) in the House of Nationalities; and 495 of 661 seats (74.8 per cent) in regional and state parliaments. On the other hand, the NUP won only 63 seats and NDF won only in 16 constituencies. Most of the important ministries like home, defense, external affairs are in hands of the military. But some positive developments took place, in terms of allotment of Ministries. Portfolios like education, health, tourism are headed by individuals who have the experience of working in those areas. Some developments have taken place towards decentralization. The fourteen regions or states have gained their own legislatures with a local government headed by chief ministers.

On 13 November 2010 Aung San Suu Kyi was released from house arrest. Myanmar is performing in accordance to General Than Shwe's dream of a military dominated step-by-step approach towards democracy. This step-by-step transition towards democracy is considered as best for Myanmar by its government as it would help them to remain in power may be for another 10-20 years. After 1990, Myanmar observed its second election in 2010 and unknown is the next date for election. Perhaps it would allow the military to control the country for some more decades. The Tatmadaw in Myanmar knows it very well that they will have to give way to democracy in one day and so they have started to show their enthusiasm for democracy, but they intend to do it in their own way. Myanmar's immediate neighbours, namely India, China and ASEAN follow a policy of constructive engagement, unlike the West's critical and dismissive approach. Both China and India gave importance to 2010 elections. China hopes smooth transition to democracy from these elections. India hopes release of political prisoners and is concerned about human rights situation in Myanmar. The paper concludes by arguing for deeper changes in the country, that is changes in value system along with regime change.

Internal Political Challenges:II – Ethnic and Religious Dimension

Chair: Ambassador Navrekha Sharma, *Former Indian Ambassador to Indonesia*

Resource Persons

Prof. Baladas Ghoshal, Distinguished Fellow, IPCS, New Delhi

Dr. Vibhanshu Shekar, *Research Fellow, ICWA, New Delhi*

Discussion Papers

- Indonesian Politics: The Growth of Procedural Democracy and It's Challenges by Tri Susdinarjanti
- Thailand Deep Divide: Islamic Element in an Anti-Statist Movement by Abishek Dadhich
- Majority Assertion and Ethnic Tensions in Malaysia by Pranav Kumar



With political and social diversity, internal conflicts continue to afflict the region and pose a serious challenge not only to the sovereignty and territorial integrity of states but also to regional stability. The patterns of internal conflict in this region have been in the form of armed insurgencies, ethnically-motivated communal violence, conflict among political forces, political uprising, secessionism and civil conflicts. Also, in recent years, due to the growing challenges posed by religious radicalism and terrorism, the dimensions of internal conflicts have become more complex.

The extracts of the discussion papers:

Tri Susdinarjanti: The first paper presentation focused more on the dynamics within Indonesia after the 1998 political reform. *First*, on the decentralization process in the country practiced under the Law Number 22/1999 on Local Governance. There were 7 new provinces established from year 1999 until 2004, while 173 Districts and 35 cities until 2011. *Second*, on the free and fair election that marked the growth of liberal democracy in the country. Compare to the previous era, there were only three political parties in the country with GOLKAR as the ruling party. In 1999 election, there were 48 political parties participate on the election. The number turned half of that in 2004 election when 24 political parties contested on the election. While in 2009 election, the number rose into 38 political parties. The country also began the first direct presidential election in 2004. *Third*, on the communal conflicts occurred on the early stage of political reform. The conflicts notably occurred in several area/provinces such as West Kalimantan in 1996 – 1997, and in 1999 and 2001, Central Sulawesi in 1999 – 2001, North Maluku in 1999 – 2000, and Maluku in 1999 – 2002. A structural problem considered as the root cause of conflict with military involvement indicated – particularly in Maluku. *Fourth*, on the religious extremism marked by series of bomb attack in the country from 2000 – 2011.



List of contemporary challenges in the country discussed by the end of presentation. *First*, on the shifting corruption in the line of decentralization and border dispute among districts – as occurred in North Maluku and other area in Indonesia. *Second*, on the growing intolerance among Ummah – to put violence against Ahmadiyah group for example. *Third*, on the shifting pattern from the large group based towards individual based terrorism. And lastly, on the weak performance of political party at the parliament, which let democratization idle in the country. government. Such a split identity became part of their resistance towards the Thai government for several years, marked by frequent clash with police and military particularly in three provinces namely Yala, Pattani, and Narathiwat.

On the recent development, the new government of Thailand shows their gesture in turning the three provinces into special administrative zones – as similarly.

Abishek Dadhich: The second paper presentation highlight on the political identity of Muslim on Southern Thailand, between their Malay ethnicity and tagged as Thai Muslim by the Thai enjoyed by Bangkok, the capital city of Thailand. The paper put on the conclusion the importance of third party intervention to end disputes on Southern Thai – to learn from Aceh peace agreement.



Pranav Kumar: The third paper presentation highlight on tension within Malaysia in the line of Muslim assertion and repression towards the minority. Malaysia, through their slogan ‘Truly Asia’ claimed to have full representation of the Asian as the country consist of three ethnic groups of Malay, Indian, and the Chinese. Each having their distinct association to put the Malay as Muslim, most of the Indian as Hindus, and most of the Chinese as Buddhist. The State, through their policy put the Malay, 60% of the population as the main beneficiary of their program, particularly on ‘Malay first’ policy of NEP. Recent protest from the Indian Hindu signaling the tensions within the country, and led people worry on the possible disharmony among the three ethnic that built up Malaysia.

The Resource persons and other conference participants had put several inputs on the papers presented. The discussions broadly focused on *First*, Indonesia 13 years after the 1998 political reform in the country. Indonesians now become the most decentralized country – referring to the establishment of new provinces, districts and cities post 1998. However, the decentralization process lack of institutionalization that led a shifting corruption from central government to local government. *Second*, there is a substantially decreased condition in education sector in Indonesia compare to the previous era – on the New Order Regime. *Third*, reform on Judiciary as one of the most challenging – due to the weak performance and highly corrupted judiciary bodies. *Fourth*, on the growing religious extremism – the Wahabis in Southeast Asia especially in Indonesia, Malaysia, and Thailand. In particular, discussion on Muslim Thai should consider on the local grievances in Southern Thai and also put into consideration on Thai politics. It will explain why the tension rose within the last 13 years in the country. While freedom on the religious practice underlined on the tension and ‘repression’ towards minority group in Malaysia. Discussions also highlighted on the mismanagement of the State to underline Ahmadiyah case. The three paper presentation also displayed the dynamics of state and society relation. Considering the growth of religious extremism, the Indonesian Police appreciated for the excellent work of Task Force on Terrorism (Densus 88). The fact that Indonesia not a source of fundamentalism also indicated on the decreased and un-popular PKS as an Islamic political party for the time being. The floor also defended the current situation in Malaysia within the frame of Mahathir’s policy of Integration.

‘Inter-State Disputes’ and ‘ASEAN & Regional Security’

Chair: Amb. Leela Ponappa, *Former Indian Ambassador to Thailand*

Resource Persons

Prof. Shankari Sundaraman, *Centre for Southeast Asian Studies, JNU, New Delhi*

Dr. Vijay Sakhuja, *Director Research, ICWA, New Delhi*

Mr. R Ravindran, *SAEA Group, Singapore*

Discussion Papers

- South China Sea dispute: Everlasting Antagonisms? by Harnit Kaur Kang
- The South China Sea: New Emerging Security Structure by Teshu Singh
- The Preah Vihear Dispute: Political and Military Considerations by Panchali Saikia

ASEAN has been tasked to ensure security along with promotion of democracy and human rights in the region, while simultaneously reinventing itself as a model of Asian regionalism.

The extracts of the discussion papers:

Harnit Kaur Kang: The presentation briefly explained the geopolitical constraints and motivations of the claimants in the South China Sea dispute and that of the crucial external stakeholder, USA. It also highlighted the role of ASEAN and the utility of international maritime law in the mitigation of the dispute, offering a prognosis cognizant of recent developments in the region.

The South China Sea (SCS) has acquired that distinction particularly in the past 3 decades with the 1982 convention on the United Nations Law of the Sea (UNCLOS) which introduced clear demarcations on what constitutes as the territorial sea, exclusive economic zone (EEZ), continental shelf, contiguous zone and alas the free for all high seas. Consequently, the dispute has involved Philippines, Malaysia and Brunei Darussalam who all seek to possess their newly realized pounds of flesh. China and Vietnam have apart from economic motivations, the pride of a lost heritage driving their claims. Finally, all the claimants are in varying degrees, smitten with the lure of the rumored large reserves of crude oil and natural gas under the seabed of the SCS. Aside from contested and overlapping oceanic jurisdictions, much of the island groups of the Spratlys&Paracel in particular constitute as disputed 'land' territory, delineating the SCS dispute as both a maritime jurisdictional as well as a sovereignty dispute. This paper explores the geopolitical constraints and motivations of the claimants and that of the crucial external stakeholder, USA. It seeks to analyze also the role of ASEAN and the utility of international maritime law in the mitigation of the dispute, offering a prognosis cognizant of recent developments in the region. The presentation concluded stating that the future prospects in the mitigation of the SCS dispute indicate an increase in bilateral negotiations with a focus on exploration of non-living natural resources. The multilateral forum of ASEAN shall play a pivotal stabilizing role through its campaign for and insistence on peaceful means.

Teshu Singh: "The second presentation on the South China Sea (SCS) dispute highlighted on the new emerging architecture and the recent developments in the SCS dispute. In her paper she broadly describes the significance of the region and analyzes the position of the claimant in the Sea. It further discusses how a new security architecture is developing in the SCS to secure the resources in once own favour.

In the post cold war era the SCS dispute has become a flash point in Southeast Asia. The paper tends to highlight the geo-strategic importance of the SCS and makes an attempt to understand the basis of the clashes happening today. The dispute can be studied from two perspectives; first from the strategic location of these islands and second from the vast mineral resources that lie under the Spratlys. It is important to understand the genesis of the dispute. The region has become important because of the convergence of two main factors. The first is the added importance of maritime resources and Exclusive Economic Zone as a result of the Third United Nations' Convention on the Law of the Sea (UNCLOS).



Second, maritime security issues have gained in importance as the role of maritime forces has moved beyond from protecting domestic regime to protecting the state from external threats and non-traditional threats such as piracy, drugs, illegal migration, and terrorism.

The political situation in the South China Sea is complicated. The situation in the SCS region is characterized by a multinational dispute over the territorial delimitation of SCS and it contains potential for conflict.

Another paper in this session focused on a completely different dispute which has creating a major concern in the region. Equally important one, which has not generated much research or attention is the Preah-Vihear dispute.

Panchali Saikia: The presentation highlighted the major stakes involved in the territorial dispute between Thailand and Cambodia over an ancient temple. It highlighted how distorted maps and unsettled agreements have paved the way to a major rift along the border. The presentation focused on how the domestic politics within the two countries has aggravated the conflict towards uncertainties. It also analyzes the surge that this military confrontation will have on the bilateral relationship of the disputed countries and their internal politics.

A territorial dispute driven by elements of an ambiguous boundary, nationalism, domestic politics and military confrontation have every possibility to lead to an inter-state war. The prerequisites of this dispute dates back to the period of the French protectorate, and the boundary treaties signed in 1904 and 1907. The presentation highlighted the importance of understanding the legal dispute before reaching upto any conclusion. It also elaborated on how the domestic politics and nationalistic sentiments have aggravated the conflict towards a military confrontation. The presentation also focused on the role of International Court of Justice and ASEAN towards resolving the dispute and its implications.

During the discussion the importance of the UNCLOS and China's legal position in the SCS was brought in. The arguments also raised on the commercial potential of the region, on the prospects for crude oil, natural gas and rich fishing grounds that renders the SCS much more than a mere maritime territorial dispute. It was also debated that the history is to be read, in which it is evident that it is not the economic benefits but the sovereignty issues which is driving the conflict. On the Preah Vihear dispute the Chairperson and the Resource persons pointed out the importance of the legal issues binding the confrontation. The session concluded stating that both SCS and Preah Vihear dispute is a conflict, driven by sovereignty issues. However, arguments were made which stated that with similarities these disputes have a contrasting elements.

The Conference concluded with great appreciation from the audience. Mr. R. Ravindran the Chairman of the SAEA Group, Singapore complimented the Institute for this initiative. Dr. Mallika Joseph, one of the two Directors at the IPCS gave the concluding remarks, thanking the participants and the collaborators.

