

CHAPTER SEVEN

POLITICAL ENGAGEMENT

Achievements

7.1 Since the end of the Cold War, ASEAN has flourished. If the aim in 1967 was to build the independence and the self-confidence of the region, the year of the 30th anniversary, 1997, was marked by an association which was fully and confidently engaged in discussion of the political, economic and strategic issues facing it. As detailed in Chapter Two of this report, ASEAN has established a comprehensive web of meetings and discussions. ASEAN's profile and the weight it carries in international affairs has become significant. Importance is attached to the Leaders' Summits and the Post Ministerial Conferences which bring ASEAN leaders regularly into contact with world leaders,¹ the extra regional interest in the ASEAN Regional Forum and the Asia-Europe Meeting (ASEM) and in the breadth of issues on the ASEAN agenda. Mr Richard Woolcott, former Head of the Department of Foreign Affairs and Trade and Ambassador to four ASEAN countries, put the view that:

[E]very regional initiative Australia has taken in recent years has depended for its success or failure on ASEAN's reaction. When we were developing the Asia Pacific Economic Cooperation forum in 1989, we had to secure the support or, at the minimum, the acquiescence of the ASEAN countries. ASEAN was at the core of APEC, and Japan's positive reaction to the establishment of APEC in 1989 was conditional on ASEAN support.²

7.2 Unlike the European Union, political cohesion in ASEAN is not structural, but it is demonstrated in the consensus, both public and private, which ASEAN has achieved on a range of matters. Given the private nature of much of the ASEAN process, this cohesion may, and no doubt does, mask considerable differences among members; however the public face of ASEAN and the record of solidarity is remarkable. In short, ASEAN has projected a strong sense of South East Asian identity and purpose based on shared interests and shared experiences. ASEAN coherence has been a valuable source of strength in dealing with the conflict in Cambodia, the refugee problems of South East Asia, conflict over the Spratly Islands, multilateral negotiations over trade matters, particularly falling commodity prices, and the export earnings of developing countries.³

7.3 For ASEAN, two major issues have emerged during 1997: the challenges posed by the enlargement of the Association to nine members (and the prospect of ten) and the impact of the economic crisis that hit the region in October. The effect of both is likely to be a restraint on the growth of the region and the possible undermining of the internal political stability of individual ASEAN states, notably Indonesia, and the organisation as a whole. In

1 Professor Camilleri Submission, p. S154.

2 Exhibit No. 2, *ASEAN: Why it Matters*, The Weekend Australian, 23-24 December 1995, p. 20.

3 Professor Camilleri Submission, p. S153.

addition and related to the challenge of expansion, the political problems of Cambodia and Burma continue to destabilise the region. In the medium term future, ASEAN also faces a generational change in leadership which has created uncertainty, particularly where the succession is uncertain.

The Bilateral Relationships

7.4 The Department of Foreign Affairs and Trade notes that the Australian Government 'gives priority to working closely with ASEAN countries at a bilateral level'.⁴ While bilateral relations have always been a significant part of our relations with the region not least because we do not belong to ASEAN itself, the current priority given to bilateral relations represents a shift from an earlier stated concentration on seeking greater multilateral engagement in the region. The Department of Foreign Affairs and Trade told the Committee that Australia's 'bilateral links with each of the ASEAN countries, apart from Burma, are strong and wide ranging'.⁵

7.5 It should be noted that the 1984 report warned, and there continues to be relevance to the warning today, that problems arise from the failure to recognise that our relations with the region cannot be seen simply as a sum of the parts. Then, specific bilateral disputes had threatened to derail our attempts to engage the region as a whole.⁶ This possible contradiction between our multilateral aims and our bilateral relations has arisen in recent times where difficult bilateral relations with Malaysia have effectively excluded Australia from participation in ASEM.

Strengths of the Bilateral Relationships

7.6 The strengths in the bilateral relationships are built particularly on trading links development cooperation and growing defence cooperation. All of these sectors involve links between people although not necessarily in direct ratio to the monetary values of the sectors. Total two way trade with ASEAN in 1996-97 was almost A\$20 billion. Australia's strongest trading partners in ASEAN are Singapore, (A\$6 billion) Indonesia (A\$5.2 billion) and Malaysia (A\$4.2 billion). For the most part investment lags behind trade. There is considerable scope for increase in both trade and investment between Australia and the Philippines and Australia and Thailand. Particular efforts are being made by the Northern Territory Government through interest in the BIMP-EAGA (Brunei, Indonesia, Malaysia, Philippines - East Asian Growth Area) growth area of ASEAN.⁷ However, despite Australia having opened relations with Vietnam relatively early in the 1980s, Australian trade and investment with Vietnam has experienced some difficulties.

7.7 Development cooperation has been an important point of contact. Total aid flows to ASEAN in 1996-97 were A\$258 million. Significant programs are in place in relation to Indonesia (A\$104.2 million), the Philippines (A\$56.5 million) and Vietnam (A\$63.6 million), but aid is declining in Thailand (A\$25.3 million) and virtually non-existent in Malaysia (A\$8.9 million), Brunei (nil) and Singapore (A\$0.03 million). Development cooperation in

4 DFAT Submission, p. S404.

5 *ibid.*

6 Joint Committee on Foreign Affairs and Defence, *Australia and ASEAN: Challenges and Opportunities*, p. 91.

7 See Chapters 4 and 5.

most countries is directed at similar sectors - education and training, health, infrastructure development and agricultural extension - although the specific circumstances and needs of each country dictate different emphases.

7.8 The budget for defence cooperation into the ASEAN region in 1997-98 was A\$25.102 million. Most ASEAN countries have defence cooperation arrangements with Australia involving combined exercises, training, and support for visits and science and technology cooperation. All the programs entail significant contacts between personnel.

7.9 Education services whether aid based or, increasingly, commercially based is an important aspect of most bilateral relations. Educational services create contacts that are both the largest in number and longest in duration of all the people to people links in the region. The most extensive bilateral connections are with Indonesia, Malaysia and Singapore; in 1996 there were over 16,000 Indonesian students in Australia, over 13,000 from Malaysia and over 11,000 from Singapore. Added to this, the growing tourism and ongoing migration⁸ from the region have added to the strength of understanding between Australia and the countries of ASEAN.

7.10 Finally, Australia's relations with Singapore and Malaysia are reinforced by a degree of common heritage in our historical connections with the British, continued through common membership of the Commonwealth. Formal bilateral arrangements have been established with a number of the ASEANS. Australia and Indonesia conduct a regular Ministerial forum every two years, the Australia-Indonesia Ministerial Forum. Australia and Malaysia have established a Joint Trade Committee to oversee bilateral trading arrangements and to discuss trade issues of mutual interest. In 1997, Australia established a formal dialogue, the Philippine-Australia Dialogue (PAD) on all aspects of the relationship and new bilateral Regional Security Talks. The bilateral relationship with Singapore was boosted in January 1996 with the signing by Prime Ministers Keating and Goh of a Joint Declaration, 'A New Partnership'. As with Malaysia and Indonesia, this established a Joint Ministerial Committee to provide for regular discussions at a ministerial level between the two countries. An Australia-Thailand Ministerial Economic Commission has also been established to formalise discussions.

7.11 Australia has also signed three further agreements with Indonesia. In 1995, Indonesia and Australia signed the *Australian Indonesian Security Agreement* which outlines the common security interests of Australia and Indonesia and agrees to mutual support of those interests.⁹ The *Maritime Delimitation Treaty*, settling the maritime boundaries, has been signed, but not as yet ratified by both countries. At the 1996 Australia-Indonesia Ministerial Forum, Australia and Indonesia agreed to the creation of the Australia-Indonesia Development Area (AIDA). This is intended to be a sub-regional growth area, similar to the growth triangles within ASEAN. It is the first such arrangement made with a country outside ASEAN and will involve Australia specifically in the growth and development of eastern Indonesia.¹⁰

7.12 All the bilateral relationships in the region are strengthened by the range of agencies, organisations and sectors which have begun to form links with their counterparts:

8 Migration is dealt with in a separate section in this Chapter.

9 See Chapter 11.

10 Further details of AIDA will be discussed in Chapter 5.

State Governments, industry associations, the media, professional associations and institutions - lawyers, engineers, accountants, teachers, schools and universities - cultural groups and government agencies eg in a number of countries close relations are building between the Australian Human Rights Commission and the equivalent national institutions on human rights in regional countries.

Migration

7.13 Migration represents one of the most important and enduring means of developing our integration with the region as well as enriching and diversifying Australian culture. Although people from ASEAN represent a relatively small percentage of the total population of Australia, they have brought to Australia cultural diversity, education, enterprise and industry. The debate which erupted in Australia in 1996 in which contrary claims were made is not supported by the statistics or by the overall sentiment of the nation.¹¹

7.14 In the 1984 report of the Committee, migration issues were a significant element of the relationship with the region. In the period prior to that report, the numbers of ASEAN born people in Australia had increased from 45,851 in 1976 to 74, 828 in 1981, 0.34 per cent to 0.51 per cent of the total population respectively.¹² Migration from ASEAN countries into Australia had increased as a proportion of the total intake but the absolute numbers of ASEAN migrants had declined up to 1982-83 when there was a slight increase. At the time of the last report, the large scale sale of educational services to regional students was just beginning, the business migration program was new, and serious refugee problems continued to cause concern.

7.15 In 1996, ASEAN born people in Australia numbered 434,700 or approximately 2.7 per cent of the population. The largest single group from ASEAN is the Vietnamese community, 151,085. In addition, there are 92,933 people born in the Philippines, 76,221 in Malaysia, 44,157 in Indonesia, 29,503 in Singapore and 18,936 in Thailand, 10,123 in Burma, 1,842 in Brunei and 9,900 in Laos.

7.16 In the years from 1992 to 1997, visas for student and visitor entry have risen but permanent migration overall from ASEAN decreased. Between 1992-93 and 1995-96 there was an 86 per cent increase in the grant of visitor visas in ASEAN countries and in the same period the number of students from ASEAN has almost doubled.¹³ It is a measure of the prosperity and stability of the region that the numbers of people seeking permanent residency¹⁴ has fallen and that at the same time visitor and student entry has risen. However, within this lower number of people seeking permanent residency, the intake of business migrants and skilled migrants increased as a proportion of the whole. The numbers of visitors, and particularly the numbers of business migrants, reflect the increased trade and investment between Australia and ASEAN.

Table 7.1: Visitor Visa Grants for ASEAN, 1992-93 to 1995-96¹⁵

11 That debate is canvassed in this report in Chapter 9.

12 In 1984, Vietnam, Laos and Burma were not members of ASEAN.

13 DIMA Submission, p. S617-18.

14 In particular, this reflects a fall in the numbers of refugees seeking resettlement.

15 Includes visas for the purpose of tourism, visiting relatives/friends or medical treatment.

Country	1992-93	1993-94	1994-95	1995-96 ²	1996-97
Singapore	115,492	139,835	162,387	177,273	195,510
Indonesia	42,517	66,376	96,859	111,598	125,681
Malaysia	48,791	64,332	78,087	92,649	105,944
Thailand	35,452	49,566	64,339	71,166	74,020
Philippines	13,109	15,456	18,867	26,838	33,807
Brunei	4,026	5,029	6,791	6,841	6,613
Vietnam	3,409	212	2,593	3,692	4,536
Myanmar	-	-	-	-	269
Laos	-	-	-	-	261
TOTAL	262,796	342,895	429,923	489,994	546,558

² For comparative purposes, includes Sub-Class 456 (Temporary Business Entrant) which replaced Business Visitors from 1 November 1995 and since included in temporary business resident statistics.

Source: DIMA Supplementary Submission, p. S1022.

Table 7.2: Student Visa Grants for ASEAN, 1992-93 to 1995-96

Country	1992-93	1993-94	1994-95	1995-96	1996-97
Indonesia	3,535	4,557	5,999	6,474	8,030
Malaysia	2,825	3,138	3,783	4,804	5,327
Singapore	2,809	3,372	4,430	4,775	4,575
Thailand	1,417	1,985	2,637	3,155	3,413
Vietnam	234	588	870	830	1,212
Philippines	649	654	1,117	687	596
Brunei	226	329	457	617	718
Myanmar	-	-	-	-	115
Laos	-	-	-	-	82
TOTAL	11,695	14,623	19,293	21,342	24,068

Source: DIMA Supplementary Submission, p. S1023.

7.17 The other significant element of the ASEAN intake is in the family reunion category. For the most part, people from ASEAN are recent arrivals in Australia; 37.2 per cent of the Vietnamese born, 35 per cent of Malaysian born and approximately 50 per cent of Thai born people have been in Australia less than five years.¹⁶

Table 7.3: Total Settler Arrivals by Migration Category from ASEAN Countries

	Family	Skilled	Humanitarian	Other	Not	TOTAL
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¹⁶ DIMA Submission, p. S613.

	Migration	Migration			Stated	
1992-93	8,728	1,729	2,403	126	132	13,118
1993-94	8,581	1,167	2,628	164	48	12,588
1994-95	8,825	1,696	1,699	240	13	12,473
1995-96	8,196	2,080	496	193	-	10,965
1996-97	6,234	2,453	1,411	149	-	10,247

Source: DIMA Supplementary Submission, p. S1021.

7.18 The Department of Immigration and Multicultural Affairs (DIMA) reported to the Committee that the income and educational levels amongst migrants from ASEAN countries also varied greatly; those from Singapore and Malaysia have higher income levels and educational levels than those from Vietnam, Thailand and Philippines.¹⁷

Issues: Streamlining Entry

7.19 The volume of visitors entering Australia has necessitated the adoption of new systems for the processing of visas. These systems have included a number of schemes for streamlined access for business people and others:

- Temporary Business Entry which allows multiple entry visas for a stay of up to three months over a period of five years (short stay) or grants overseas personnel residence in Australia up to four years (long stay). Within the above group, genuine business persons can be nominated by approved companies or organisations under a system called Nominated Temporary Business Entry (NTBE).
- Processing of entry will be assisted by the Australian Business Access (ABA) Card and/or the APEC Business Travel Card (available to people from APEC participating countries).
- Some travel agencies have been accredited to process visitor visa applications, nine in Malaysia and seven in Indonesia. Secure communication links are established between the travel agency and the Australian Visa Office.
- An Electronic Travel Authority (ETA) will be an extension of the agency arrangements by which global communication networks will link travel agencies with the Department of Immigration for the purpose of processing visa applications which are recorded electronically rather than manually in passports.¹⁸

7.20 Given the newness of these systems, the Committee believes there is value in regular monitoring of their implementation and recommends that:

17 *ibid.*

18 *ibid.*, pp. S620-21.

8. the Government establish a formal, annual process of scrutiny both within the Parliament and the Australian National Audit Office of the streamlined entry system.

Issues: Illegal Entry

7.21 ASEAN countries have very low overstay rates in Australia, at 0.1 per cent or below.¹⁹ Only one ASEAN country, Vietnam, is within the first ten countries in terms of overstays and then at ninth place.

Table 7.4: Overstay Rates for ASEAN Nationals

OVERSTAY RATES FOR ASEAN NATIONALS* (1.10.95-30.6.96 VISAED VISITOR ARRIVALS UNLAWFUL AT 30.6.96)				Estimate of unlawful non citizens as at 30.6.97*
	Arrivals (10.95 - 9.96)	Unlawful at 30.6.97	Overstay Rate	Total
Brunei	1,864	2	0.1%	-
Indonesia	109,666	587	0.5%	2,905
Malaysia	112,650	84	0.1%	1,364
Philippines	22,659	359	1.6%	2,265
Singapore	160,781	58	0%	855
Thailand	67,042	193	0.3%	1,102
Vietnam	1,954	35	1.8%	462
Myanmar	611	4	0.7%	103
Laos	-	-	-	-

*Numbers less than 100 are not included in table.

Source: DIMA Supplementary Submission, p. S1031.

7.22 Nevertheless the irregular movement of people through the ASEAN region has been considered a matter of concern to regional countries.²⁰ In December 1997, the Minister for Immigration stated that the illegal trafficking of people was a 'significant problem and increasing'.²¹ It involved the provision by criminal gangs of false documentation at a cost of up to \$40,000. People were entering Australia by air on tourist visas and then, on advice from people associated with the suppliers of the documents, seeking to use the appeals process of the immigration system to prolong their stay.²²

7.23 A number of cities in the region, Singapore, Manila, Jakarta and Kuala Lumpur are major regional centres for air travel into Australia. Australia has participated in a number of regional conferences, in 1994 in Canberra and in 1996 in Manila, to consider the problem

19 This rate is a percentage of the visitors ie people who arrived in Australia primarily as tourists.

20 *ibid.*, p. S623.

21 Exhibit No. 47, *Sun Herald*, 1 December 1997, p.65.

22 *ibid.*

of the irregular movement of people and a coordinated response to it. The Department of Immigration and Multicultural Affairs has placed compliance officers in Beijing, Hong Kong, Manila and Beirut. Officers are also seconded to Qantas to work in Singapore and Bangkok. The Committee was not in a position to examine this situation in this inquiry.

Migration Issues within ASEAN

7.24 Within ASEAN the movement of people has been relatively stabilised since the Committee's last inquiry. However, a number of matters remain which would benefit from a regional approach: the remaining refugees on the Thai-Burma border; the regulation and conditions applying to migrant labour; the criminal trafficking of people within and out of the region.

Refugees

7.25 In the 1984 report of the Committee, the existence of over half a million refugees in Indochina was a serious burden to regional countries and a destabilising factor in regional relationships. The refugees in the camps along the Thai/Cambodia border were resettled between 1989 and 1996 as a result of the Comprehensive Plan of Action (CPA) put in place by a coalition of 51 countries under the auspices of the United Nations High Commissioner for Refugees (UNHCR). In 1992-93 alone, 350,000 refugees were voluntarily repatriated from this border by UNHCR.

7.26 There were concerns in July 1997 that the situation might be repeated by the outflow of refugees from Cambodia to the Thai border as a result of the coup in Phnom Penh. In July, there were 15,000 displaced persons within Cambodia at O'Smach and over 3,000 had crossed into Thailand. During August 1997 most were returned to Cambodia under UNHCR supervision.²³

7.27 There are still 75,000 to 100,000 refugees on the Thai/Burma border.²⁴ These refugees on the borders of Thailand are a humanitarian issue, a human rights issue and a security issue. In many respects the numbers of people who have moved onto the Thai Burma border have been there so long now that a kind of accommodation has been reached with regard to them. The Burma Border Consortium, made up of five non government agencies has been formed to provide emergency relief for the people confined in specified camps along the border. For all this apparent 'orderliness', the evidence would suggest that the situation is volatile and dangerous for many of the people living on the border and one that is both a burden to Thailand and, at times, a source of tension between Thailand and Burma.

7.28 From January to April 1997, the Burmese army and the allied Democratic Kayin Buddhist Organisation (DKBO) attacked a number of refugee camps along the border burning camps and forcing refugees back across the border. At the same time in January and

23 Exhibit No. 58, UNHCR situation report, 5 August 1997.

24 The figures supplied to the Committee varied. Amnesty International reported in May 1997 that there were 100,000 refugees on this border (AI Submission, p. S715). ACFOA in its submission of March 1997 quoted 75,000 (ACFOA Submission, p. S347). These numbers are always difficult to ascertain as the movement of people in the area is significant and in the first months of 1997, the numbers of people fleeing Burma were large and the refolement of people by both the Thai and Burmese armies considerable.

February 1997, attacks by the Burmese army on the KNU positions in Kayin state caused further outflows of refugees. The Thai army's response was either to refuse entry to the men or to return forcibly those who had crossed the border. Criticism of the forced returns by UNHCR, the United States, Amnesty International and other refugee organisations led the Thai Government in the middle of March to order a stop to the repatriations.

7.29 The Government of Thailand has tolerated this situation for many years. However, it has minimised the involvement of UNHCR in the protection of the people along the border and it has not become a party to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. Both of these instruments seek to protect refugees from *refoulement*, a fundamental principle in international law, which forbids the returning of any person to a country where he or she would be at risk of serious human rights violations.

7.30 In the light of the continuing outflows of refugees along the Thai/Burma border, the Committee reiterates its recommendation of 1995²⁵ that:

9. the Australian Government urge the Government of Thailand to:

- (a) **ratify the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol; and**
- (b) **permit the United Nations High Commissioner for Refugees to provide greater assistance to the refugees on the Thai-Burma border.**

7.31 The refugee situation on the Thai/Burma border is the largest refugee problem in ASEAN and it is unlikely to improve without changes to the political situation inside Burma. With the inclusion of Burma in ASEAN, the responsibility for negotiating change in Burma now rests with ASEAN.

7.32 The Committee recommends that:

- 10. the Australian Government continue to press the ASEAN countries to maintain the constructive aspects to their engagement policy by pressing the Government of Burma towards further reform - the end to forced labour, the release of political detainees, dialogue with Aung San Suu Kyi and the liberalisation of the procedures of the Burmese National Convention, established to draw up a new constitution.**

7.33 Many of the Indochinese refugees were resettled in Australia; under the CPA - 19,200 Indo-Chinese including 18,000 Vietnamese. Today applications for refugee status from ASEAN countries represents less than 1.5 per cent of the total approvals for 1995-96.²⁶ Nevertheless, the refugee situation along the Thai-Burma border is a critical one.

7.34 The Committee believes that more needs to be done both within ASEAN and with the assistance of Australia. It recommends that:

11. the Australian Government:

25 JSCFADT, *Human Rights and Progress towards Democracy in Burma*, 1995, p. 56.

26 DIMA Submission, p. S616-17.

- (a) send a senior delegation to the Thai-Burma border to assess the situation and report to the Government and the Parliament with recommendations for possible action on a bilateral or region wide basis; and
- (b) give generous consideration to the requests for entry visas from bona fide students from Burma itself or the Thai-Burma border and those seeking resettlement within the humanitarian category.

Table 7.5: Onshore Refugee Program Caseload: Primary Applications 1996-97

Citizenship	Received	Granted	Granted as % determined	On Hand
Indonesia	1,724	9	0.46	1799
Laos	10	9	47.37	1
Malaysia	45	1	2.13	12
Myanmar	196	42	38.18	254
Philippines	1,691	3	0.13	158
Singapore	4	0	0	1
Thailand	244	1	0.30	14
Vietnam	88	4	3.96	24

Source: DIMA Supplementary Submission, p. S1031.

7.35 Whereas economic prosperity and stability have brought larger and larger numbers of visitors from the region to Australia and lessened the numbers of people from the region seeking entry or overstaying visas, the rising levels of unemployment in the region as a result of the economic problems may change these dynamics.

Migrant Labour

7.36 Migrant labour has been extensive in the fast growing economies of South East Asia.²⁷ ACFOA estimated that there were about half a million illegal migrants in Thailand alone in early 1997.²⁸ Of these 350,000 were believed to be from Burma. In Malaysia there are some 2 million foreign workers, half of whom are working illegally. Malaysia estimates that there are 600,000 labour migrants from Indonesia.²⁹ These people were particularly vulnerable. The unregulated labour market, the curbs on trade unions and the supply of a constant stream of labour from the less prosperous parts of Asia has led to exploitation, low wages and poor conditions, the use of child labour and the mistreatment and abuse of some

27 This may be lessened by the economic problems. Many foreign workers have been repatriated as a result of the crisis.

28 ACFOA Transcript, p. 516.

29 JSCFADT, seminar on the Asian Currency Crisis, 19 March 1998, Alan Dupont, *The Asian Economic Crisis: Prospects for Governments and Internal Security*, p. 4.

workers, especially those in domestic service or females in the sex industry.³⁰ ACFOA believes that labour issues need to be discussed both in ASEAN and APEC. The Committee endorses this view.

7.37 The Committee recommends that:

12. the Australian Government urge ASEAN to:

- (a) include on its agenda discussion on bilateral agreements for the implementation of internationally agreed minimum standards for the treatment of migrant workers; and**
- (b) place labour issues on the agendas of both ASEAN and APEC.**

7.38 The Committee further recommends that:

- 13. the Australian Government encourage transnational businesses to adopt codes of conduct for their operations in regional countries such that health and safety standards for workers in multinational companies are consistent between the developing countries and the country of origin of the enterprise.³¹**

Trafficking in Women and Children

7.39 Trafficking in women and children in the region is an issue that the Committee also looked at briefly in its 1995 inquiry into Burma.³² It was addressed by witnesses to this inquiry as a problem that has not been resolved. It is the result of extreme poverty and affects women and children from poor families in rural areas of Burma, Thailand, Cambodia, China and Vietnam.³³ It has an impact on Australia, which is the recipient of numbers of the women who are brought into the country for the purpose of prostitution. Apart from the misery inflicted on the victims who are often bound to their procurers by contrived debt, the trafficking in people is associated with the criminal networks of the region, with the spread of HIV/AIDS, with money laundering and with the corruption of border guards and police, and therefore ultimately with the integrity of borders and the orderliness of regional relations.³⁴ Illegal migration rackets are a further form of regional criminal activity. The Committee made recommendations on this matter in its 1995 report on Burma. It draws attention to these recommendations as still relevant to the continuing problems associated with the trafficking of people in this region.

7.40 In the 1995 report the Committee recommended that the Australian Government urge the Government of Thailand to:

- (a) ratify the international human rights conventions relevant to the issue of trafficking in women, particularly the ICCPR;

30 The trafficking of women and children has been addressed in this report in Chapter 10, paragraph 10.69.

31 The Joint Committee made recommendations on this matter in its report on Burma in 1995. See JSCFADT, *Human Rights and Progress towards Democracy in Burma*, p. xxiii.

32 Joint Standing Committee on Foreign Affairs, Defence and Trade, *Human Rights and Progress Towards Democracy in Burma*, October 1995.

33 ACFOA Submission, p. S356.

34 *ibid.*, p. S357.

- (b) implement the provisions of its existing anti-prostitution legislation by instituting prosecutions against those who traffic in women and girls for the purposes of prostitution and any police or army officers assisting in the trade;
- (c) ensure that the victims of trafficking, women, girls and young men, are protected and rehabilitated and that support for Thailand in this endeavour should become a focus of the Australian aid program to Thailand.

7.41 The Committee further recommended that the Attorney-General's Department, in coordination with other relevant State and Federal agencies,

- (a) review all legislation relating to prostitution in Australia;
- (b) consider the need to enact legislation which would target traffickers in women and children.

7.42 Finally, the Committee recommended that the Australian Government:

- (a) consider accession, perhaps with a reservation on Article 6, to the 1949 Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others;
- (b) encourage Australian Embassies to maintain tight visa and passport processes and procedures with a view to limiting fraud;
- (c) offer assistance to regional countries to improve the security of their passports;
- (d) put in place programs which would recognise Australia's responsibilities for the protection and rehabilitation of the victims of trafficking; and,

in cases where the women are the victims of the crime of trafficking,

- (e) consider this as a factor in any application which is made for a humanitarian visa.

7.43 The Government response to the 1995 report agreed in part to these recommendations. The Attorney-General's Department was preparing a paper to assess the feasibility of a legislative response to questions related to trafficking and they proposed a review of Commonwealth, State and Territory legislation. The Committee understands that the Government still has these recommendations under active consideration. As in 1995, the Committee continues to endorse them.

Points of Tension in the Bilateral Relationships

7.44 While the strength of the bilateral relations is growing, some points of tension remain. The most serious political disputes on a bilateral level have involved Australia's relationship with Malaysia: conflict over Prime Minister Hawke's comments on the execution of two Australians tried for drug smuggling; Malaysian objections to an ABC serial, *Embassy*; and Prime Minister Keating's criticism of the Prime Minister of Malaysia for not attending the Vancouver APEC summit. The conflicts have been personal and cultural, but ultimately they have affected Australia's relations with ASEAN as a whole. It is Malaysia's objections which have prevented Australia's inclusion so far in the Asia Europe meetings (ASEM).

7.45 On occasions, there have been differences of viewpoint between Australia and Singapore over political style: in particular, Mr Lee Kuan Yew has criticised Australian work practices and Australians have questioned the Singaporean Government's use of legal pressure on opposition parties, the degree of freedom of the press or the use of the death penalty.

7.46 The Vietnamese population in Australia numbers 151,000 and many expatriate Vietnamese have sought to reestablish connections with Vietnam since the *doi moi* reforms have been implemented; however, many Vietnamese in Australia remain opposed to the government in Vietnam and complaints of human rights abuses, particularly in relation to Buddhist religious, leaders continue.

7.47 Australia expressed some concern at the violence in Bangkok in 1992 which caused postponement of Ministerial visits and a delay in the first meeting of the Ministerial Commission. Since 1992, there has been progress towards greater democratisation. The political influence of the army has been diminished, particularly with the retraction of the army's formal powers to act against civil unrest and, in September 1997, the passing by the parliament of a new charter or constitution. The new constitution strengthens the protection against corruption: single seat constituencies predominate (400 of 500 seats), voting is compulsory, politicians must declare their assets and the constitution provides for a number of regulatory agencies - a National Counter Corruption Commission, an Ombudsman, Administrative and Constitutional Courts. In respect to Thailand, and the same may apply to the Philippines a positive in the relationship may well have become a negative: that, because the relationship had been so free of conflict, it had not always had the attention it deserved.

7.48 In Australia's relations with Indonesia concerns remain over the status of East Timor. As a factor in the bilateral relations it is marked by a series of events which have raised the issue within the political consciousness of the Australian public and which continue to place it in a prominent place: a strong interest by numbers of Australian ex-servicemen who served in East Timor during the Second World War; confusion over the policy of Australian Governments to the military takeover of East Timor in 1975, occurring as it did at a time of dramatic political change within Australia; the unresolved question of the deaths of Australian journalists during the Indonesian invasion; the flight by and the settlement of a number of East Timorese within Australia over the last 20 years; and the graphic coverage of the events in Dili in November 1991. Finally, East Timor has had the effect of creating opposition to other matters in the bilateral relationship: the signing of the *Timor Gap Treaty* in 1989, refugee decisions in relation to East Timorese claimants and the training of Indonesian Kopassus troops in Australia are examples of what were perceived to be policies partisan to the Government of Indonesia at the expense of East Timorese people.

7.49 Of particular interest and concern to Australia is the question of the succession to President Suharto. For a long time there was no clear provision for a successor; President Suharto completed his sixth five year term in March 1998 and was reelected for a seventh term. The issue of the succession, a matter of concern for some years, became more pressing as the strains of the economic crisis, the drought, the forest fires and concerns about the President's health have combined to increase the political tension. Discontent with the gaps in wealth in Indonesia and corruption in the distribution of power and wealth have been

exacerbated by the economic crisis and by the painful adjustments that economic restructuring brings.³⁵

7.50 Burma has moved from a long period of self imposed isolation to isolation imposed by the international community in response to the suppression with widespread loss of life during the student protests in 1988 and the failure of the military to recognise the results of the 1990 election, won by the National League for Democracy.

7.51 Since 1988, Australia has had a very limited official relationship with Burma. Australia remains concerned about continuing political repression in Burma. The Committee reported on the matter of *Human Rights and Progress towards Democracy in Burma* in 1995. That report detailed political repression and gross human rights abuses in respect of which there has been no improvement since that inquiry. Indeed, in some areas, the repression has worsened: there has been no outcome from the constitutional convention; Daw Aung San Suu Kyi, the leader of the National League for Democracy, is continually restricted in her movements and activities; NLD members continue to be arrested for normal political activities; and forced labour and attacks upon the minority peoples along the borders with Thailand have not abated. Australia is particularly concerned about the high proportion of narcotics that enter Australia from Burma.

7.52 Australian policy towards Burma is in line with the stance taken towards Burma in the General Assembly of the United Nations over a number of years. It is, however, a policy at odds with the ASEAN policy towards Burma which is one of 'constructive engagement'. Now that Burma is a member of ASEAN, Australian policy, insofar as it deals with the ASEAN countries as a group, must include Burma. This is a complication to both the multilateral and the bilateral relationships. Nevertheless, on a bilateral level, Australian policy towards Burma specifically includes the following fundamental aspects:

- No resumption of bilateral development assistance without substantial progress in the political and human rights field. However the limited program of humanitarian assistance delivered through NGOs will continue.
- A ban on defence exports to Burma and a suspension of defence visits from Australia.
- A commercial policy of neither encouraging or discouraging trade and investment but the maintenance of a locally staffed Austrade office in Rangoon to respond to inquiries.
- The provision of humanitarian assistance to displaced persons from Burma in Bangladesh and Thailand as needs dictate.
- The use of our best endeavours to restrict to grass roots activities the assistance programs of UN organisations in Burma.
- Support for strong UN consensus resolutions calling for political and human rights reform in Burma.

35 Details of the succession are discussed in Chapter 8 and impact of the economic crisis will be outlined in Chapter 6.

- Urging influential, mainly regional, countries to use their influence with the regime to promote positive change.

7.53 These points of tension have some continuity with the bilateral conflicts which the Committee examined in 1984, particularly where they relate to differences in values and political style.³⁶ Witnesses to this and to other regional inquiries that the Committee has conducted, propounded quite differing perceptions as to whether Australia is too confrontational or too tentative in pursuit of some of these more sensitive issues in our relationships in the region. As far as ASEAN is concerned, there is a clear policy of avoidance of what are defined as internal matters; for Australia, given the strong domestic constituency for the promotion of democratic and human rights and the answerable nature of the polity, the issue has led to considerable debate.

The Multilateral Relationship

The Formal Political Linkages between ASEAN and Australia

7.54 Australia's relations with ASEAN are longstanding; we held our first meeting with the Association in 1974; became a Dialogue Partner in 1976 and have attended every Post Ministerial Conference since they began in 1979. Then the focus was on economic cooperation and the provision of aid and training.³⁷ Australia continues to be a Dialogue Partner, it initiated the APEC process and, in 1989, was instrumental in suggesting the need for a regional security dialogue, a suggestion that culminated in 1994 in the establishment of the ASEAN Regional Forum. The ASEAN Regional Forum held its first, second-track meeting in Australia in November 1994. The ARF has begun to give Australia opportunities to participate in discussions that include issues traditionally considered to be broadly political in nature.³⁸

7.55 The Department of Foreign Affairs and Trade stated in its submission to the inquiry that:

Relations with Asia are given the highest priority in the Australian Government's foreign and trade policy. Australia is an integral part of the political, strategic and economic fabric of the region.³⁹

7.56 It is a matter of debate whether Australia's political, social or cultural integration, or even our acceptance, is as complete as the Department has claimed. For Australia, the political relationship with ASEAN has been complicated by an intense debate about the place of Australia in the region. In the last five years in Australia, this debate has focused on the so called Asianisation of Australia and, from ASEAN's point of view, the place and nature of

36 The 1984 report considered the role of Australian media and its often adverse impact on regional relationships and the significance of human rights as a divisive matter.

37 DFAT Submission, p. S406.

38 The ASEAN Regional Forum is broader than ASEAN in membership. There are a number of issues usually placed under the heading of political or social matters, namely, the environment and resource management, human rights, refugees and international crime - drug smuggling and money laundering, which within ASEAN have been categorised as security issues in the context of preventive diplomacy and have been placed on the agenda of the ASEAN Regional Forum. Therefore, this report will deal with them in part in this chapter but also in Chapter 11.

39 DFAT Submission, p. S404.

Asian values as a stimulus and key to the growth of the region and as a defining characteristic for inclusion in regional forums.

Australia's Engagement with Asia

7.57 The debate in Australia in the last five years about our place in and relationship to the region has been intense. In some quarters, our credentials in Asia have been questioned. Australia is not a member of ASEAN nor has it sought to join the Association. This is a matter for regret according to Mr Richard Woolcott in the evidence he gave to the inquiry.

[I]t would have been advantageous to our long term interest to consider seriously adherence to the Treaty of Amity and Cooperation which brings you at least into an associate membership role with ASEAN.⁴⁰

Such a step would have acknowledged, in a practical and symbolic way, the reality of our location and our commitment to extending our links with South East Asia beyond Indonesia. With persuasive diplomacy, we may have been able to explore successfully accession to the Bali Treaty five years ago. But it would have been more difficult now.⁴¹

7.58 Mr Carrillo Gantner, Chairman of the Asialink Centre, did not believe that it was too late for Australia to seek closer integration with the region through membership of ASEAN. He told the Committee that:

For Australia there are clear geographic, economic, strategic and cultural imperatives in linking more closely with ASEAN. As I said at the start, if it were within my power I would be lobbying for Australia's integration with ASEAN, for Australia to be the 11th member. We would all benefit if Australia signed the Treaty of Amity and Cooperation. We would all benefit if Australia were more closely involved in economic cooperation with the region.⁴²

7.59 The opposing view on Australian membership of ASEAN was also forcefully put to the Committee. Associate Professor Thayer believed that membership of ASEAN would be detrimental to Australia's political culture:

Joining ASEAN in the next 10 to 15 years, and even further down the track, would constrain a liberal, democratic country with a freewheeling, open, democratic system. ... Is that the club we would want to join and be quiet on certain issues, like human rights and environmental degradation? ... Our public would not be as quiescent as some of those in the ASEAN nations. Joining [ASEAN] would be at a huge cost to our political culture.⁴³

40 Mr Woolcott Transcript, p. 127.

41 Exhibit No 2., op.cit.

42 Asia Link Centre Transcript, p. 442.

43 Professor Thayer Transcript, p. 552.

7.60 Professor Thayer pinpointed the political divide as the source of apprehension and tentativeness in Australia's relations with the region.

7.61 Multilateral engagement in Asia, which has been successful in the economic (APEC) and strategic (ARF)⁴⁴ spheres, is demonstrably weaker in the political sphere, insofar as Australia is not a member of ASEAN itself and has failed to be included in ASEM. It is a regional policy that might be characterised as a two legged stool. Professor Stephen FitzGerald put the view in his book, *Is Australia an Asian Country?*, that Australia has failed to take due note of or appreciate the process of 'cultural decolonisation' that has accompanied the growth of prosperity in Asia. He argued that we have too readily dismissed, ignored or trivialised the Asian values debate and certainly not seen the importance of it to Asian elites in shaping the political developments in the region on their own terms. In this, he noted, coincidentally, that we have also failed to recognise the common ground we share with Asia given the debates about Australian identity that have occupied Australians since the 60s.⁴⁵ Most importantly, he commented on our failure to understand the importance of the political debate in the region, the failure of political engagement, as the 'cause' of our exclusion from regional political forums.

ASEM was a defining moment in the Asianisation of Australia. In many ways Australia had better credentials than most of the East Asians at ASEM - in terms of its general contribution to other countries in the region and its openness and tolerance. ... But by our own stupidity, we were not there. ... There are three broad imperatives, on which Australia missed out. ... The first is that participants must really want to belong. ... In Asia, Australia at first did not want to belong and then made a commitment which is highly qualified, in part by its hankering after the old relationship with the United States. The second is that each participating country must see its fundamental interests as being realised, even if over differing time scales, primarily in and through that community. Australia did not see its fundamental interests in this way. A third is that the originating participants must have some broad sense of which countries will constitute the core of the participation. ... [B]ecause of our attitude on the first two counts, we were not there and had no say.⁴⁶

Asian Engagement - The Perspectives from Australia

7.62 The question of Asian engagement, its nature and its possibility, occupied much of the political commentary in submissions during the inquiry as it did much of the media and academic discussion. In the eighth volume of the *Australia in World Affairs* series, published by the Australian Institute of International Affairs, Professor Anthony Milner summarises the progress of the debate on and the achievements of Australia's political engagement with Asia. He argues that Australian foreign and trade policy was 'sharply focused on Asia' by Prime Minister Hawke and Foreign Minister Gareth Evans in the 1980s.

44 In 1990, Gareth Evans had proposed an Asian equivalent of the European Conference for Security and Cooperation in Europe, but was rebuffed by the United States. Exhibit No.12, James Cotton and John Ravenhill (eds), *Seeking Asian Engagement: Australia in World Affairs*, Oxford University Press Australia and the Australian Institute of International Affairs, May 1997, p.2.

45 Exhibit No. 44, FitzGerald, Stephen, *Is Australia an Asian Country?*, pp. 42-46.

46 *ibid.*, p. 53-54.

7.63 The popular rhetoric of Asian engagement, however, did not emerge until the early 1990s when Milner describes something akin to a media frenzy on the issue that was as confusing, distorting and disconcerting as it was a clarification of Australia's direction in the region. By way of illustration, a number of headlines are quoted: 'What Do Indonesians Think of Us?'; 'Keating's Republic Push Gets the Nod in China'; 'Mahathir Cites our European Thinking'; 'Why We Don't Rate in Asia'; etc.⁴⁷

7.64 What might have been understood as a sensible policy that took account of the growing power, significance and complementarity of regional countries and which pressed Australia to develop greater Asian literacy and cultural sensitivity became instead a debate about the Asianisation of Australia, expressing, rather, an old anxiety about Australian identity and Australian isolation and vulnerability. It gave, according to Milner, 'the disturbing impression that the old cringe toward Europe and the United States was steadily being replaced by a new national cringe towards Asia'.⁴⁸

7.65 While not disagreeing that Australia has avoided or downplayed political integration, other commentators have been less critical of Australia's performance, even though political and cultural differences might be an inevitable and inescapable dividing factor for Australia in the region. The regional political divide is greater than in Europe and there the union, much older and more homogeneous than that of ASEAN, is still fraught. 'The tensions experienced in the EU, most recently in the Maastricht Treaty's efforts at establishing a closer union, are a reminder of the fragility of even the most solidly prepared diplomatic and economic regional arrangements'.⁴⁹

7.66 The 'debate' developed its counterpoise, both in Australia and in the region. In Australia, there has been a reassertion of the centrality of European political and cultural underpinnings, particularly on questions of democracy, human rights and social organisation. These are significant issues of political difference which have caused sharp divisions between Australia and some ASEAN leaders. Within Australia the policy has also been difficult to sell because public opinion has variously seen government policy as too weak or too radical. Human rights, in particular, have tested Australian Government policy and diplomacy. At a more simplistic level, a resentment developed at what appeared to be a denial of some essential, but unspecified, Australianness.

7.67 What it was to be 'Asian' has also been hotly debated. Should geography and commitment be the defining characteristic for regional association? Should it be culture or ethnicity or shared historical experience? As far as Australia is concerned, the criteria for inclusion has been a shifting ground and the debate on our place in the region is as yet an unfinished one. However, the Committee believes it is an increasingly complex and subtle debate that, pursued calmly, should improve understanding.⁵⁰ Moreover, it the Committee believes that it is important that Australia seek greater Asian literacy through the education system and that this is not at odds with either our national interest or our national identity.

Asian Engagement - The Perspectives from the Region

47 *ibid.*, p. 34.

48 *ibid.*, p. 34.

49 Exhibit No. 12, *op. cit.*, p. 15.

50 In this Committee it is to be addressed more thoroughly in the current inquiry into the regional dialogue on human rights.

7.68 Concomitant with the heightened discussion in Australia about Asianisation there has been a growing interest in the region in asserting Asian values. Often the discussion takes the form of a renewal of nationalism; at its most worrying it is a strident form of anti-Western rhetoric. Much of the debate revolves around the nature of government and the relationship of the individual to society. The Asian way has been held up as the key to the Asian miracle of development in South East Asia. It has been a debate most often heard from the leadership of China, Singapore and Malaysia and has belied the diversity and complexity of the region's cultural and philosophical underpinnings.

7.69 The Prime Minister of Malaysia, Dr Mahathir, expressed the most commonly heard view in a speech in 1993. He reveals a defensive position harking back to a colonial period:

[I]t is a great mistake Western people always make measuring everything according to their own set of values. We have our own values. We are still very much attached to religion, to family values, to our emphasis on groups rather than individuals, to our belief that human rights are not absolute ...⁵¹

7.70 Professor Camilleri in a detailed analysis of the Western Values vs Asian Values debate listed the elements of the argument from Asia as: the relativity of rights depending on the historical experience and the economic, political and cultural circumstances of particular states; the importance of the family as vital to economic success and cultural cohesion; the place of duties and obligations in social and political relations, especially respect for leaders and authorities; the primacy of economic development; the subordination of individual rights to the need for political stability and cohesion; the right and role of the state in the interpretation and application of accepted universal rights; and the rejection of the current role of the West in the setting of the agenda and in controlling the mechanisms for monitoring and enforcing human rights.⁵²

7.71 However, this interpretation does not encapsulate the complexity of political views within the region. It was put to the Committee that Asian political organisation and business relied on personal contacts and family relationships because of an absence of legal and administrative structures; that the Asian way as expounded by Asian leaders was in part, according to Professor Camilleri, motivated by the desire of governing elites to protect entrenched privilege; it does not reflect the diversity of opinion both within states and across states in Asia.⁵³ Not only was the region made up of varied peoples and varied religions it had developed through very different historical experiences.

Filipino Catholicism is just as much an Asian reality as Japanese animism, Korean democracy as authentic as Chinese authoritarianism, South East Asian indolence as palpable as North East Asian industriousness.⁵⁴

51 Exhibit No. 12, James Cotton and John Ravenhill, op. cit. p. 39.

52 Professor Camilleri Submission, Inquiry into the Effectiveness of Australia's Regional Dialogue on Human Rights, p. 297-98.

53 ibid., p. 299.

54 Exhibit No. 47, Peter Hartcher, *The Financial Review*, 28 February 1998, p. 11.

7.72 Many commentators on the debate have noted the differences in political values expressed by the NGO communities in Asia particularly through the NGO Declaration on Human Rights issued in March 1993 and that of the regional governments, formally expressed most recently in the Bangkok Declaration, 1993.⁵⁵ In his submission to the inquiry on regional human rights dialogue, Professor Camilleri asked whether community was not 'codeword for the state itself, in which case attachment to community becomes merely a justification for acceptance of the authority of the state'.⁵⁶

7.73 Dr Tow and Professor Trood from Griffith University also argued that the Asianisation debate should be seen within the context of the growing power of the region as a whole and that many of the arguments about the Asian way were related to specific agendas among regional elites. These agendas included the desire for greater international recognition, the maintenance of elite control of the political processes within ASEAN and the exclusion of outsiders from intervening in such processes.

[T]here is considerable subjectivity about the cultural markers used to denote inclusiveness, and an eclecticism in adopting norms and taking policy positions that has much more in common with the dictates of realpolitik than the prescriptions of an immutable corpus of Asian values and practices. The Asian [or ASEAN] Way rubric has thus become an integral feature of a new strategy for regime legitimation and the projection of national influence and power.⁵⁷

7.74 It is arguable that there is greater similarity in the moral and ethical principles that are the basis of Eastern and Western political and social thought than there are differences and that the more simplistic arguments put forward tend to distort both Asian and European (Western) values and the circumstances that exist within particular states. For example, Professor Camilleri argues that all major Asian religions promote the 'dignity of human life, a commitment to human fulfilment, ... and a notion of humane and legitimate governance'. Moreover, he says that 'the alleged contrast between Asian communitarianism and Western individualism ... overlooks the considerable importance which Western liberalism, not to

55 These differences were outlined in the 1994 JSCFADT report on *A Review of Australia's Efforts to Promote and Protect Human Rights*: 'The [Bangkok] Declaration affirms the commitment to the Universal Declaration on Human Rights, encourages further ratification of the human rights instruments and reiterates the indivisibility of rights. It strives to redress the balance in the consideration of rights in favour of Economic, Social and Cultural Rights, the right to development and a fair and just economic order, areas in which there is arguably just cause for complaint. However, the document also clearly, though not explicitly, denies the indivisibility of rights. It denigrates and attempts to limit the application of civil and political rights, denying them as matters of legitimate international concern or immediate relevance to developing countries struggling to advance and compete'. By contrast the NGO Declaration 'showed a marked divergence from that produced by the governments. ... [It] stressed the transcendence of human rights over state sovereignty, the importance of fostering democracy in all countries, the need to demilitarise, the importance of democratically organised, sustainable development and the right to self determination for all peoples...'. pp. 6-7.

56 Professor Camilleri Submission, Inquiry into the Effectiveness of Australia's Regional Dialogue on Human Rights, p. 300.

57 Professor Trood Submission, p. S130.

mention social democracy and socialism, attach to community-centred values and notions of public interest'.⁵⁸

7.75 Significant leaders and commentators from Asia have acknowledged the essential convergence of values between East and West: Kim Dae Jung, Aung San Suu Kyi, Anwar Ibrahim, Sam Rainsy to name some of the most prominent. Anwar Ibrahim, Deputy Prime Minister of Malaysia, has strongly and persuasively put this case on the essential similarity of values:

If we in Asia wish to speak credibly of Asian values, we too must be prepared to champion those ideals which are universal and belong to humanity as a whole. It is altogether shameful, if ingenious, to cite Asian values as an excuse for autocratic practices and denial of basic rights and civil liberties. To say that freedom is Western or unAsian is to offend our own traditions as well as our forefathers who gave their lives in the struggle against tyranny and injustices. But it is certainly wrong to regard society as a kind of false god upon whose altar the individual must constantly be sacrificed.⁵⁹

7.76 A Japanese scholar from Kobe University, Akio Kawamura, concurred. He put the view to the Committee that to equate the rights of the individual citizen and the rights of the state is to fail to recognise the important function of human rights to protect the individual from the abuse of power.⁶⁰

The Future

7.77 How then can Australia move forward? Dr Tow and Professor Trood reported comments from a recent regional conference where some delegates viewed the debate within Australia over whether Australia is part of Asia as essentially 'sterile and fruitless' and exhorted Australia to concentrate on policy actions in relation to immigration, investment in the region and the expansion of formal and informal linkages throughout the region.⁶¹

7.78 The Vice Chancellor of the University of Hong Kong did not see Australia's European heritage as an impediment to engagement with the region but as an advantage through which Australia could make a contribution to the region. 'Paradoxically', he observed, 'it is the things that Australians value about their culture: the law, the respect for human rights, the parliamentary system - the things that are not features of Asian societies - these are the elements that tend to attract Asians'.⁶²

7.79 It should be noted, however, that if Australian hesitancy in political engagement with the region is the product of a consciousness of political and cultural difference between

58 Professor Camilleri Submission, Inquiry into the Effectiveness of Australia's Regional Dialogue on Human Rights, p. 300.

59 Diplomacy Training Program Submission, Inquiry into the Effectiveness of Australia's Regional Dialogue on Human Rights, pp. 240-241.

60 Asia-Pacific Human Rights Information Centre Submission, Inquiry into the Effectiveness of Australia's Regional Dialogue on Human Rights, p. 408.

61 Dr Tow & Professor Trood Submission, p. S130.

62 Exhibit No. 12, op. cit., p. 45.

ourselves and other countries of the region, then we share that hesitancy with many of our neighbours, at least in the formal forums such as ASEAN.⁶³

7.80 Tentativeness in approaching political debate is not confined to Australia vis a vis the region. For most of its history, ASEAN itself has shied away from the political arena, particularly in this more philosophical area. Its governments represent diverse political systems and, insofar as these political systems represent sensitive matters of power and power sharing, ASEAN has chosen to stay away from the subject, seeing it as an internal matter and therefore a matter for non-interference. The lack of forthrightness in the political debate has, however, glossed over a number of regional weaknesses which may have benefited from a more vigorous debate. This has become an issue this year as the lack of transparency in political systems has distorted decision making in the economies of South East Asia to the extent of undermining their continuing growth.⁶⁴

7.81 In 1995, Professor Muntabhorn from the University of Chulalongkorn in Thailand, lamented that the narrow focus of ASEAN precluded the consideration of social issues of broad concern to the region and the broader political questions beyond its 1970s anti-communist collaboration. He warned that:

[T]he best test for regionalism is to measure how it responds to the needs and development of its peoples and communities in an interdisciplinary context. It cannot be by politics⁶⁵ or economics alone but must include the social, cultural and environmental perspectives, enhancing respect for human aspirations and rights in their totality. It must equally foster democratisation, equity, good governance⁶⁶ and popular participation, especially the role of the various catalysts in the civil society, both non-governmental and governmental, both individual and community.⁶⁷

7.82 The need to broaden the ASEAN agenda to encompass cross regional political and social issues is even more urgent in 1998 in the light of the region's severe economic problems. The solutions to these problems must place strains on the political fabric of all regional countries. Regional countries, as they review their economic and financial systems and the institutional frameworks that underpin their societies, have an opportunity to broaden that review to include political structures. The sectors are interconnected and transparency and accountability cannot be confined to only the financial sector of a society.

63 Or, it has been argued, that the clamorous and somewhat groping nature of the Asian values debate both in Asia and in Australia has similar origins in the search for identity in a post colonial era. Both Australia and Asia share that experience.

64 This point is further discussed in Chapters 6, 8 and 11.

65 Professor Muntabhorn's usage of politics here is in the sense of the strategic concerns of ASEAN to preserve the region from communism during the 60s and 70s.

66 Good governance is a widely used term today. It was defined during the inquiry thus: 'Good governance is about much more than economic policies and efficient public administration... It is also about democratisation and participatory development, respect for human rights and the rule of law'. JSCFADT, *Sharpening the Focus: Report on a Seminar on the Simons Committee Report*, October 1997, p. 91.

67 Conference papers, *The United Nations: Between Sovereignty and Global Governance*, Melbourne, 2-6 July 1995, Professor Vitit Muntabhorn, *ASEANs Path towards Regionalism: Implications for the United Nations*, p. 11.