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Elevating China-ASEAN Ties: Who is Wooing Whom?

By Yang Razali Kassim

Synopsis

Amidst growing tensions in the Asia Pacific, China is pushing the idea of a new treaty of friendship and cooperation with ASEAN. If realised, could this be the region's Treaty of Amity and Cooperation 2.0? How significant would it be in managing regional peace and stability, especially in the South China Sea?

Commentary

AT THE ASEAN Summit in Brunei this week, Chinese Prime Minister Li Keqiang broached a new treaty of friendship and cooperation with ASEAN. As he had declared in a pre-departure statement in Beijing, the proposed treaty topped his list of seven proposals to forge closer ties in the coming decade, including upgrading the China-ASEAN free trade area.

That, Li said, would take China-ASEAN relations from its "golden decade" to the "diamond decade" ahead - marking an upgrade of their "strategic partnership" which began in 2003. The same message was conveyed by President Xi Jinping to the Indonesian parliament on 3 October during his visit to Jakarta - the first such address by a foreign leader.

Charm offensive or biting ASEAN's bait?

The Chinese push for a new treaty of friendship is significant, coming at a time of great flux in regional politics. If realised, this new treaty could be the icing on the cake of Beijing's desire for a new phase in relations, underpinned by a "new consensus" with ASEAN on elevating this partnership to build what Beijing calls "a closer China-ASEAN community of common destiny".

ASEAN's immediate response was carefully calibrated. "We noted with appreciation China's proposed treaty on good-neighbourliness and friendly cooperation," the summit chairman's statement said. The group, however, also let it be known later that the treaty proposal had to be carefully studied first.

Beijing is clearly serious about entering a new strategic pact with ASEAN that will govern their future relationship. Such a treaty would underscore what China declares as its peaceful intention towards the region. These assurances are timely amid growing apprehension of China's rise and the consequent great power tussle with the United States which is rebalancing in Asia. Caught in between are the ASEAN states - most of whom prefer not to be drawn into taking sides.

China's "charm offensive" kicked off on the 10th anniversary of the strategic partnership on 29 August 2013 that was accompanied by a slew of "sweeteners" for ASEAN in the form of billion-dollar development projects. The implicit message is that China has the deep pocket to back up its "diamond-decade" plan with ASEAN – at a time when the US is not really in the best of political and economic health.

To be sure, the contents of a new treaty of friendship and cooperation remains unclear. But the chairman's statement suggested it to be a response to an earlier trial balloon by Indonesia in May this year for an Indo-Pacific wide treaty of friendship "beyond ASEAN and China".

China's swift response, capitalising on the momentum of the ASEAN and East Asia Summits this week, is clearly aimed at winning over Southeast Asia. Beijing's eagerness to secure its seat at the high table of East Asian summitry is not, however, being matched by a distracted America, the resident power. President Obama himself conceded that his no-show has given China the advantage, amid increasing regional worry about American staying power in this region – with all its ramifications for the changing regional balance.

Marty's Indo-Pacific treaty of friendship

But what did Indonesia say that prodded China? In his speech to a think-tank in Washington, Foreign Minister Marty Natelegawa spoke about the need for an "Indo-Pacific wide treaty of friendship and cooperation" spanning two oceans - the Pacific and Indian oceans. He referred to the region as "an economic power in its own right" - an engine of global economic growth containing some of the world's most strategic searoutes. Future architectures, Marty said, may emphasise the connectedness of these two areas - yet this connectivity was already evident in the EAS and the ASEAN Regional Forum (ARF).

Three challenges, however, confronted the region's future: the lack of trust or 'trust-deficit' as he called it; unresolved territorial claims; and managing the impact of change. A 'pacific' Indo-Pacific required respect for a code of behaviour, such as the code of conduct (COC) in the South China Sea, which calls for a peaceful settlement of disputes.

It also required a new paradigm of "common security" forged through what he called "dynamic equilibrium". Marty defined this as a situation marked by "an absence of preponderant power" brought about by a sense of "common responsibility" to maintain the region's peace and stability.

The proposed treaty, he said, would not be unlike the region's existing non-aggression pact called the Treaty of Amity and Cooperation in Southeast Asia (TAC) of 1976. This had been signed on to by virtually all the major powers including the US, with China the first major power to accede in 2003. The new treaty, Marty said, would provide "flesh and strengthen the commitment already expressed by the East Asia Summit".

Xi's response & TAC 2.0?

It is not difficult to see why Marty's concept of the "absence of preponderant power" would sit well with China. Beijing may see it as de-emphasising the US presence, though Marty did not intend it to mean a US exclusion. Indeed, his dynamic equilibrium strategy would equally apply to China – meaning China may not be the preponderant regional power either.

In his address to the Indonesian parliament, Xi described China-ASEAN relations as being at a "new historical starting point". He said Beijing attached "great importance to Indonesia's status and influence in ASEAN". Xi interestingly also echoed Marty's idea of "common responsibility" to maintain regional peace and stability. Xi even advocated a "new concept of cooperative security" that would begin by tackling together non-traditional security challenges such as disaster relief and prevention, cyber security and transnational crime.

Significantly, China was equally ready to engage in two key security platforms - the China-ASEAN defence ministers meeting mechanism, and regular talks on regional security issues over territorial sovereignty and maritime rights through "a dialogue of equals". These are equally key messages which ASEAN should give serious thought.

Should a new treaty of friendship and cooperation be forged between China and ASEAN, it could well amount to a "TAC 2.0". But will TAC 2.0 replace TAC 1.0, or will the two co-exist? Will TAC 2.0 elevate the code of conduct and thus confirm China's sincere desire for peace with its neighbours? Or will it nullify the COC and set back trust-building?

These are critical questions that remained to be answered by both ASEAN and China as they negotiate their next moves in this game of diplomatic chess. But if framed well, TAC 2.0, despite its current underplay, could

be the most significant instrument to manage the region's potential flashpoints - especially the increasingly sensitive South China Sea.

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