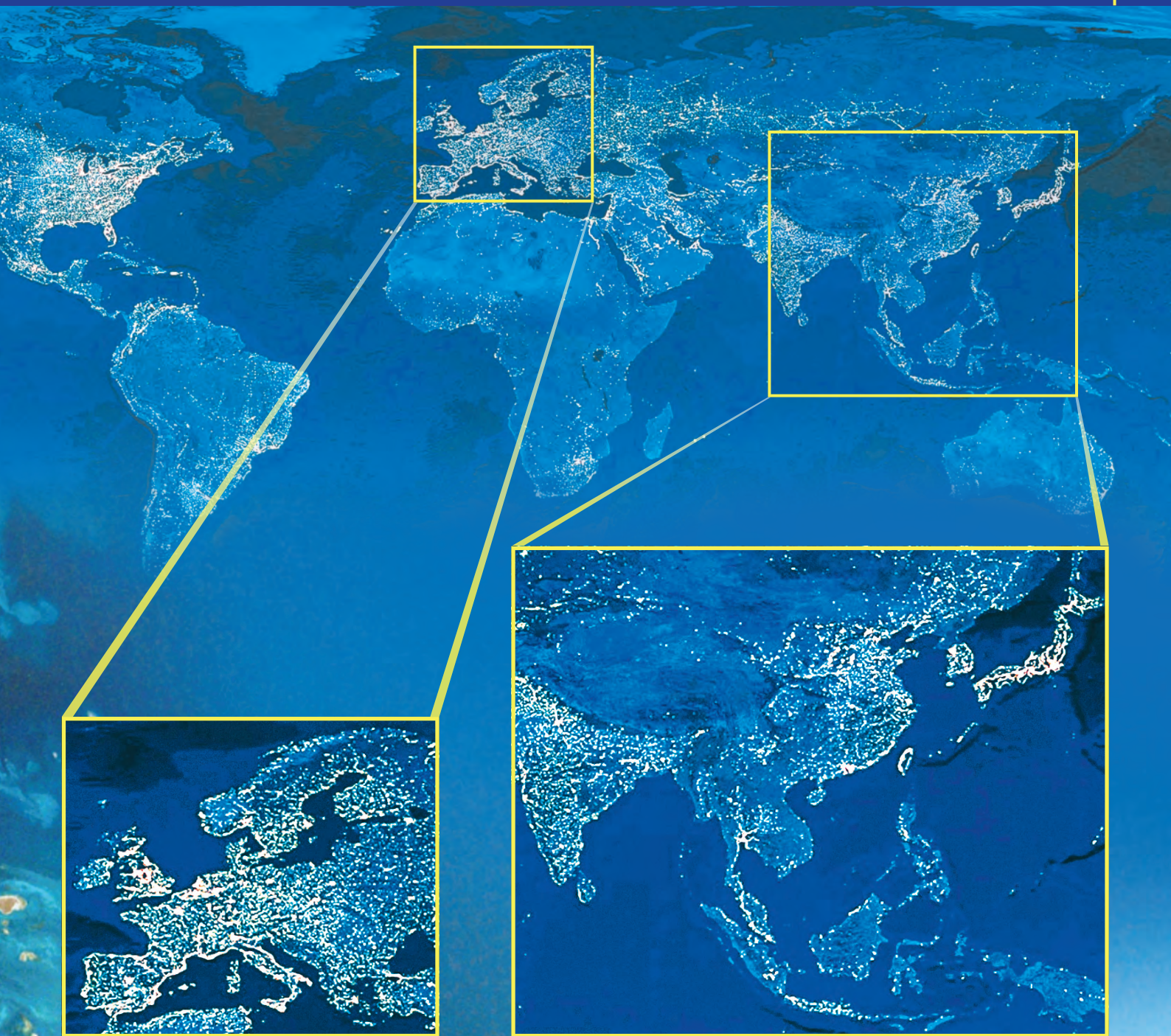


# PROACTIVE PARLIAMENTARY DIPLOMACY

ASEP 11 SPECIAL EDITION  
PHNOM PENH, NOVEMBER 2021



PARLIAMENTARY CENTRE OF ASIA  
Strengthening Parliamentary Capacity











# **PROACTIVE PARLIAMENTARY DIPLOMACY**

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# PREFACE

As the host of the Eleventh Asia-Europe Parliamentary Partnership meeting (ASEP 11), the Parliament of Cambodia has endeavoured to promote open and inclusive multilateralism, rules-based international order, parliamentary diplomacy and partnership for peace and sustainable development under the theme of “Strengthening Parliamentary Partnership for Peace and Sustainable Development in the Era of COVID-19 and Beyond”. There are three topics for panel discussions with a focus on proactive parliaments for peace, security, and shared prosperity, containing the COVID-19 pandemic and promoting post-COVID-19 socio-economic recovery, as well as promoting a green recovery and addressing the water-energy-food security nexus.

The on-going global public health crisis is an indicator and a stark reminder of the complex interdependence between nations and continents. It is also a wakeup call for the international community to work together and strengthen the multilateral system to effectively address a global crisis of such scale and magnitude. We have learned from the pandemic crisis that none of us is safe unless everyone is safe. No country or region is immune from the outbreak. Therefore, we need to continuously strengthen global governance, promote international cooperation and partnership, and forge collective leadership to address global issues and challenges. We must consistently call upon major powers to work together and avoid confrontation, for the sake of world peace and prosperity.

As we embrace multilateralism, we need to be aware that the multilateral system has certain constraints and weaknesses. Enforcement is the core issue here. We need to enforce the decisions made within multilateral frameworks. National governments should be held accountable in implementing multilateral agreements or decisions. Here I would like to stress the importance of national ownership in delivering international commitments. For instance, the peace-making and peacebuilding process in Cambodia initiated within a multilateral mechanism would not have been achieved without the indispensable win-win policy spearheaded by Samdech Prime Minister Hun Sen, which led to an economic growth rate that averaged over 7% from 1994 until 2020, a landmark increase in the people’s living standards, and a steady integration into major regional and international institutions and agreements.

The world is at an inflection point. Geopolitical competition is getting more unpredictable and confrontational. Peace and security issues are becoming more complex and volatile. Threats to public health and our natural environment are increasing in frequency and severity. Therefore, parliamentary institutions and every parliamentarian must step forward and be counted. As the people’s representatives, parliaments need to be more proactive in promoting peaceful settlement of disputes based on international law, advancing multilateralism, encouraging respect for the environment to slowdown climate change, and forging an inclusive people-centric world order. By the people and for the people should be words in action, and not just a slogan. It is my hope that the ASEP delegates will come up with a firm, collective commitment to enhance parliamentary partnership for peace, prosperity and sustainable development. Here I would like to propose the principle of M5P2 (mutual respect, mutual learning, mutual understanding, mutual trust, and mutual interest for sustainable peace and prosperity).

This special edition volume published by the Parliamentary Centre of Asia (PCAsia) contributes to the enhancement of that spirit of partnership, solidarity and citizen responsibility. This publication provides diverse perspectives and insights on various international issues affecting Asia and Europe, offered by individual citizens from across both continents. It can serve as background information and analysis to support the discussions at ASEP 11. To build a truly people-centred community, we need to empower the voices of all stakeholders, be more inclusive in our decision-making process, and be bold in putting people's interest at the front and center of our dialogue and cooperation.

In this connection, my sincere regards and appreciation go to the contributors to this volume and the Parliamentary Centre of Asia (PCAsia) for taking this initiative. Your wisdom and thoughts are heard. I would like to encourage ASEP delegates to spend time to slowly consider the ideas and inputs in this volume.

**Kittisangahakbindit KHUON Sudary**  
Vice President of the National Assembly  
and President of the ASEP Group of  
the Cambodian National Assembly

# INTRODUCTION

The Parliamentary Centre of Asia (PCAsia) was established in early 2021 as the successor to the Parliamentary Institute of Cambodia (PIC), founded in 2011. First formed upon request of the Cambodian Parliament to develop the capacity of its staff, the evolution to PCAsia came from a desire among stakeholders to support parliamentary capacity development throughout Southeast Asia, to help strengthen the exchange of good parliamentary practices at the regional level, and to provide a focal point to collect and disseminate parliamentary research and knowledge among parliaments.

The mission of PCAsia, encouraged through resolutions of the General Assembly of the ASEAN Inter-parliamentary Assembly (AIPA), is to contribute to improving the capacity of parliamentary staff throughout the region to perform their roles efficiently and effectively, responding to requests from parliaments to provide training, enable exchange of experience, and promote friendship and mutual understanding. Through these means PCAsia endeavors to help facilitate experience sharing and triangular cooperation with the South and the North.

Fulfillment of PCAsia's mission is of special importance considering an implementation context that includes post-conflict and in-conflict societies. In such cases, a competent and neutral parliamentary administration is essential to help diffuse tensions and contribute to peace and stability through respective democratic mechanisms – a pre-condition for sustainable socio-economic development. To ensure parliamentary ownership of the activities, PCAsia adopts a demand-driven development process focusing on skills-based on-the-job training aligned with respective parliamentary agenda.

Taking this approach, PCAsia has put in place a number of programs including training on parliamentary research, parliamentary diplomacy, budget analysis/PBO, parliamentary committee work, and others. In order to further align its practices with the needs of AIPA Member Parliaments, all PCAsia programs incorporate a shared focus on three main transnational themes of particular interest to the region: Environment and Climate Change, Fiscal and Economic Analysis, and Peace-building and Public Safety through Parliaments, each integrating a human rights- and gender-based approach.

These PCAsia themes, all of which require multilateral efforts combined with ownership at the local or national level, have much in common with those selected as panel discussion topics for ASEP 11 by the Cambodian Parliament. Therefore, PCAsia has organized this Special Edition to support participation in this important event. One chapter is dedicated to each of the panel's discussion themes, designed to provide a variety of individual perspectives from citizens of both Asia and Europe, highlighting some key points of discussion selected in consideration of our experience working in the region.

In chapter one on “Proactive Parliaments for Peace, Security and Shared Prosperity” authors explore strengthening cooperation by utilizing the various European and Asian approaches to multilateralism and on the need for proactive parliaments to be firmly involved in those processes, especially those involving peace, security and emergency management.

Chapter two takes a look at “Promoting Global Economic Recovery in the Era of COVID-19 and Beyond” with a focus on strengthening multilateral trading systems including reform of the WTO, together with approaches towards building resilient and sustainable economies during the post-pandemic recovery.



Articles in the final chapter three on “Addressing the Water-Energy-Food Security Nexus under Climate Change” discuss the need for strengthened action at the national, regional and international levels to limit the rise in global temperatures to help avert environmental catastrophes including those affecting resource security and biodiversity.

While the analysis and opinions expressed within are those of the authors, PCAsia hopes that this volume can be considered as a modest contribution to the ASEP-ASEM process, presenting a sample of citizen views for consideration by their parliamentary representatives during the ASEP 11 meeting on 16 Nov 2021.

In addition to this pre-ASEP 11 edition, PCAsia will print a post-ASEP 11 version integrating texts covering the meeting discussions and debates, as well as the final Declaration. Together, these ASEP 11 Special Editions are being produced in support of the ASEP meeting, offering a channel for interested citizens from both continents to learn about and provide input to the ASEP-ASEM process.

PCAsia would like to take this opportunity to thank all the authors who have shared their individual perspectives. We also call upon readers to act as future contributors, whose insights can help PCAsia to provide information that is always current and relevant on these subjects of shared interest.



**HE Mr OUM Sarith**

Founding Member &  
Chair of PCAsia BoD



**Mr Dararith KIM YEAT**

Founding Member &  
Executive Director

# ANALYTICAL SUMMARY

## INTRODUCTION

This ASEP 11 Special Edition of Proactive Parliamentary Diplomacy is a collection of opinions and insights from experts and citizens, individuals from both Europe and Asia. The aim is to share these individual perspectives with Members of Parliament, so that they might reflect upon them when considering legislation and working to influence their respective governments on how best to address today's most pressing issues. At events where MPs come together, such as the eleventh Asia-Europe Parliamentary Partnership meeting (ASEP 11), these diverse citizen perspectives can help to facilitate conversations between nations and continents. As their representatives, Members of Parliament have a responsibility to take the people's voices into consideration. It would serve governments well to recognize these various points of view, as articulated through Parliaments, especially when those Parliaments join together, form a consensus and speak with a single voice. As an introduction, this opening text shares insights from a selection of contributions in an attempt to give a summary and a preview of the diverse perspectives presented in this Atlas.

## PROACTIVE PARLIAMENTS FOR PEACE, SECURITY AND SHARED PROSPERITY

In the 21st Century, many opportunities and challenges transcend national borders and require international cooperation. Today, more than ever before, this reality is being so clearly demonstrated by the global nature of the COVID-19 pandemic, and our need to work together as nations to address this unprecedented challenge. Multilateral organizations have proliferated since the end of the Second World War to help foster regional stability, manage conflicts and health crises, achieve shared goals and address other global challenges in a rules-based environment. The trouble is that most multilateral decisions are made outside the control of representative institutions, a weakness that can result in a lack of support from the average citizen. Parliamentary diplomacy, in particular multilateral parliamentary diplomacy, integrates the voice of the people into global affairs debates and negotiations and provides a vehicle to share their perspectives during times of crisis, as spoken through their respective Parliaments. This adds legitimacy, political weight and resilience to decisions, and helps make intergovernmental organizations more accountable and transparent while also promoting understanding between people and countries.

The global spread of the COVID-19 virus has been an unprecedented challenge for the world's governments, people and Parliaments. In Asia, Europe and beyond, people have seen not only their health threatened, but also their livelihoods and day-to-day liberties. Here, many Parliaments, using updated tools and procedures, have played a significant role in working with governments to help limit the damage done to both health and economic security. In France, a series of laws, including the State of Health Emergency declaration, were passed by both chambers of Parliament, where the priority has been to reach a national political consensus, aware that the efforts of government to limit citizen rights for the common interest should sometimes be constrained after due consideration. In Indonesia, on 21 April, 2020, the House of Representatives hosted a meeting by teleconference examining "The Role of Parliament for International

Cooperation to Defeat COVID-19”, providing an opportunity for participants to compare the work done in various countries and to discuss ways to increase collaboration to respond to the pandemic with increased effectiveness.

In contrast to the important work done by some Parliaments, numerous opportunities for international cooperation, including exchanging information and collaborating on treatment and research options, were completely missed due to a lack of political will. Here, the work of Parliaments, working both singularly and collectively to provide their essential functions, has shown us a way forward, demonstrating the benefits of having Parliaments that are empowered at not only the national level, but also within regional and international groupings.

This is not to say there is a one-size-fits-all method to increasing cooperation. Unlike the European approach to multilateralism that emphasizes overarching and inclusive institutions with binding commitments, the “ASEAN Way” prefers informal procedures, regionalism involving the evolution of multiple grouping and forums, and non-binding decisions based on consensus. The biggest challenge for the ASEAN region, and perhaps the world, is conflicts between the major powers, and an inability to constrain their behaviors. The US and Chinese preference for bilateralism is putting a strain on multilateralism in general, and ASEAN centrality, its cohesion and its significance more specifically.

This challenge to multilateralism calls on Parliaments to be more proactive and to strengthen both their traditional and their emergent roles, including that of Parliamentary Diplomacy. Parliamentarians may communicate messages and promote more subtly the national interest of their respective States, while at the same time encouraging their respective executive branches to sometimes forgo their more immediate national concerns in favor of a collaborative approach to sustainably address longer-term global challenges. This work can include supporting multilateral efforts to combat climate change, economic and monetary measures to cope with and recover from crises such as COVID-19, and social and health initiatives to better prepare our world for future emergencies. Of course all such efforts must include a strong representative and leadership role of women, especially vital in processes of conflict resolution and peacebuilding.

As part of these efforts, Asia and ASEAN should endeavor to build a stronger partnership with the EU, who can together work to shape a new order of multilateralism that aims to address shared challenges and to avert the danger of conflicts and collisions among powerful states.

## **PROMOTING GLOBAL ECONOMIC RECOVERY IN THE ERA OF COVID-19 AND BEYOND**

A central institution of multilateralism, the WTO, has made notable progress in achieving a near-free global trade regime, significantly reducing tariffs between nations, while emphasizing principles such as equality, cooperation and negotiation, which contributes to peace. This rules-based multilateral trading system has materially benefitted developed and developing countries alike. It has enabled Asia to integrate into the vast global market, leading to a surge in exports, the creation of millions of jobs, and a steady climb up the development ladder. Consumers in Europe have benefitted from goods and services from Asia at much lower prices. But significant problems exist. The US, chief architect of the post 1945 international order, is turning towards bilateral

negotiations and even tariff wars with trading partners. The WTO dispute settlement system is severely threatened, as the US blocks appointments to the Appellate Body due to concerns about its activist approach and how it diminishes national sovereignty.

In response, Asia is proceeding with cross regional initiatives like the CPTPP and RCEP-16, the latter of which would be the world's largest trade agreement by population and income covered. The EU is seeking WTO reform by strengthening enforcement, empowering committees to change rules incrementally, and trying to alleviate US concerns about the Appellate Body.

But more work is needed to address a fundamental tension within globalization – states want to be sovereign and citizens demand a voice in decisions that affect them, while global trade requires a rules-based multilateral system. The fact that this system often seems bureaucratic, distant and removed from the people can be seen in the failure of the US-EU TTIP negotiations. Thus, to build a stronger and more effective multilateral system to govern global trade and regulations, the voice of the people and their representative institutions should play a larger role.

This is of special importance as the world plans a sustainable recovery from COVID-19. ASEAN and its Member States are employing an approach that focuses on enhancing supply chains and diversifying supply networks, trade and investment facilitation and liberalization, including building a competitive ASEAN single market. To enhance the competitiveness of the region, Member States have begun to invest in technology and digitalization, skills development and social protection. Reflecting its priorities, the European recovery plan decided at the European Council in July 2020 includes €750 billion in loans and grants for Member countries to achieve the objectives of creating jobs, supporting growth, increasing economic and social resilience, and promoting digital and green transitions. To qualify, national recovery plans must also present initiatives in clean and renewable energies, building renovation, access to the recharging networks, connectivity, digitalization of the public sector (including health and justice), industrial data storage and digital education.

## **ADDRESSING THE WATER-ENERGY-FOOD SECURITY NEXUS UNDER CLIMATE CHANGE**

For insights into the nexus between resource security and climate change, this Atlas offers a view on energy security from Europe, and one on food security from Asia, along with a diversity of views on the various causes and impact of climate change, and some methods being taken to address them.

While a steady supply of food and energy are essential to any modern population, the effects on the environment and biodiversity must also be considered. As part of this balancing act, the EU has fostered the growth of alternative energy sources in Europe. While positive in terms of climate, another result has been a reduction in the overall production of energy, as production levels for non-renewable sources have fallen. Today, more than half of the EU energy needs are supplied by countries outside of the EU, creating a complex and precarious geopolitical situation.

A major resource issue for Asia is the supply of food, as it is already the region with the greatest food needs and its population is growing fast. Alarmingly, studies suggest that rising temperatures could cause crop yields to fall significantly in the decades



ahead. Singapore's Parliament has taken one important step to address this issue when it established the Singapore Food Agency. It is working on ways for cities, home to half the world's population, to contribute to global food production with sustainable urban farming methods while also shortening the food supply chain, which will help prevent food from wasting and also reduce food's carbon footprint.

But food security is not Asia's only major concern. Source of half of the world's greenhouse gas emissions, it is also the region most exposed to climate change. Making matters worse, the metropolises of Southeast Asia are located on soft ground in alluvial zones and deltas, where rapid urbanization and the associated pumping of ground water is causing the sinking of the ground's surface – subsidence, leading to increased flooding. A related challenge for Asia is deforestation, largely caused by land clearing for agriculture and timber. This has been fueled by the soaring global demand for agricultural products and increased international investment, along with the difficulty in enacting effective laws and the sometimes weak enforcement of existing rules. This adds to the amount of CO<sub>2</sub> in the atmosphere, which in turn contributes to global warming and rising seas. There are some encouraging signs however, most notable of which is China's new Carbon Market, which represents an important step in Asia's commitment to climate-sustainable development.

At the same time, the European Union is facing its own challenges as it attempts to become a global leader in the fight against climate change and threats to biodiversity. After successes including the Paris agreement and the UN Climate Change Conference in 2017, the EU has managed to decrease greenhouse gas emissions while still maintaining a healthy rate of economic growth, but current national climate targets still fall well short of Paris commitments. The European Green Deal was a major next step towards the goal of achieving carbon neutrality in Europe, setting the stage for the EU Fit-for-55 program which enhances that commitment while seeking to lead the way in a global rethinking of policies related to both resources and the environment.

To these issues at the national level, Parliaments can help by bringing forward thoughtful legislation, raising public awareness and helping to integrate the voices from civil society organizations, as well as monitoring and overseeing the effective implementation of laws by government, specialized multilateral agencies and institutions. This can also contribute to multilateral activities by bringing democratic legitimacy and accountability into adaptation and mitigation efforts. Inter-parliamentary meetings (such as ASEP, IPU, AIPA, etc.) are also crucial moments for exchange that can be used to advance inter-regional agreement and shared commitments.

## CONCLUSION

Together with Parliamentary representatives from Asia and Europe, the Parliamentary Centre of Asia (PCAsia) shares a commitment to building our understanding of the issues that affect us all, from health security and crisis management, to economics and trade, to climate change and resource security. Just as Parliaments are proactively increasing their role in peacebuilding, this volume seeks also to play a role by giving voice to a variety of actors, integral to the process of dialogue and conflict resolution necessary to build a more peaceful and stable world. PCAsia hopes that the expert and citizen contributions in this volume can offer fresh perspectives for Parliamentarians as they work toward these ends, helping to build a peaceful, safe, clean, prosperous and resilient future for us all.

# TABLE OF CONTENTS

PREFACE	P.2
INTRODUCTION	P.4
ANALYTICAL SUMMARY	P.6

## CHAPTER

# 01

P.13 - P.79

## PROACTIVE PARLIAMENTS FOR PEACE, SECURITY AND SHARED PROSPERITY

P.14	1.1	Europe and Asia: Building a New Multilateralism	P.47	1.9	Proactive Parliaments for Peace, Security and Shared Prosperity: An Asian Perspective
P.17	[FR]	Europe et Asie: Bâtir un nouveau multilatéralisme	P.50	1.10	Security Challenges in Asia: A Perspective from Europe
P.20	1.2	Strengthening Parliamentary Partnership for Sustainable Development	P.54	1.11	Parliamentary Oversight over the Use of Force and Armed Forces
P.23	1.3	The Role of Parliaments in Facing Transnational Challenges: A European Perspective	P.57	1.12	Role of Women in Conflict Resolution and Peacebuilding in ASEAN
P.27	1.4	Indonesia's Early Responses to the COVID-19 Crisis	P.65	[FR]	Le rôle des femmes dans la résolution des conflits et la construction de la paix au sein de l'ANASE
P.30	1.5	ASEAN Policy Responses to the Economic Impacts of COVID-19			
P.34	1.6	Parliaments in Europe Facing the COVID-19 Crisis			
P.38	1.7	How Virtual Can Parliament Be?			
P.43	1.8	The ASEAN Way towards Multilateralism for Peace, Security and Prosperity			

## CHAPTER

# 02

P.81 - P.109

## PROMOTING GLOBAL ECONOMIC RECOVERY IN THE ERA OF COVID-19 AND BEYOND

- P.82**     **2.1**     Multilateral Trade Agreements Face Challenges
- P.85**     **2.2**     Multilateral Trading Systems: An Asian Perspective
- P.89**     **2.3**     Multilateral Trading Systems: A European Perspective
- P.94**     **2.4**     Reform of the WTO: A European Perspective
- P.98**     **2.5**     ASEAN Preparing for a Post-Pandemic Resilient Recovery
- P.103**    **2.6**     European Union Recovery Plan (Next Generation Europe)
- P.105**    **[FR]**    Plan de relance de l'Union européenne

### LIST OF MAPS:

- P.88**     **Map 1:**    EU-Asian Trade

## CHAPTER

# 03

P.111 - P.162

## ADDRESSING THE WATER-ENERGY-FOOD SECURITY NEXUS UNDER CLIMATE CHANGE

- P.112**    **3.1**     Food Security and Climate Change: A View from Singapore
- P.116**    **3.2**     Cities of ASEAN Facing Environmental Risks and Climate Change
- P.122**    **[FR]**    Les villes d'Asie du Sud-Est face aux risques d'environnement et du changement climatique
- P.127**    **3.3**     Climate Change and the Protection of Forest Areas: A Review from Southeast Asia
- P.132**    **3.4**     From Climate Change to Efficient Laws
- P.139**    **3.5**     European Energy Security: Challenges in Diversifying and Decarbonizing the Energy Fuel Mix
- P.144**    **3.6**     The European Union and the Challenges of Climate Change: A Regulatory Superpower
- P.147**    **3.7**     Climate Legislation from Asia and Europe: EU Fit-for-55 and the China Carbon Market
- P.154**    **3.8**     On Biodiversity: Updates on the UN Biodiversity Conference (COP15)

### LIST OF MAPS:

- P.117**    **Map 2:**    Metropolises and Megacities in Southeast Asia
- P.136**    **Map 3:**    Fossil Fuel and CO<sub>2</sub> Emissions by Country
- P.138**    **Map 4:**    Climate Change Risk Levels





Bridge crossing the Kama River near Perm, Russia, now part of the New Silk Road that links seaports on the Pacific with those in Europe.  
Sergei Prokudin-Gorskii



## CHAPTER

# 01

# PROACTIVE PARLIAMENTS FOR PEACE, SECURITY AND SHARED PROSPERITY

P.14	1.1	Europe and Asia: Building a New Multilateralism <i>By Prof. Michel FOUCHER</i>
P.17	[FR]	Europe et Asie: Bâtir un nouveau multilatéralisme <i>By Prof. Michel FOUCHER</i>
P.20	1.2	Strengthening Parliamentary Partnership for Sustainable Development <i>By Dr. Vannarith CHHEANG</i>
P.23	1.3	The Role of Parliaments in Facing Transnational Challenges: A European Perspective <i>By Xavier NUTTIN</i>
P.27	1.4	Indonesia's Early Responses to the COVID-19 Crisis <i>By Dewi Amelia TRESNA WIJAYANTI and Heriyono ADI ANGGORO.</i>
P.30	1.5	ASEAN Policy Responses to the Economic Impacts of COVID-19 <i>By Dr. Sryneath CHHUOR</i>
P.34	1.6	Parliaments in Europe Facing the COVID-19 Crisis <i>By Prof. Michel FOUCHER</i>
P.38	1.7	How Virtual Can Parliament Be? <i>By Dr. Moritz VON WYSS</i>
P.43	1.8	The ASEAN Way towards Multilateralism for Peace, Security and Prosperity <i>By Amb. Sothirak POU</i>
P.47	1.9	Proactive Parliaments for Peace, Security and Shared Prosperity: An Asian Perspective <i>By Sonya HENG</i>
P.50	1.10	Security Challenges in Asia: A Perspective from Europe <i>By Frédéric GRARE</i>
P.54	1.11	Parliamentary Oversight over the Use of Force and Armed Forces <i>By Dr. Marcus MOHLIN</i>
P.57	1.12	Role of Women in Conflict Resolution and Peacebuilding in ASEAN <i>By Dr. Lison GUIGNARD and Thyda KEM</i>
P.65	[FR]	Le rôle des femmes dans la résolution des conflits et la construction de la paix au sein de l'ANASE (FR)

# 1.1 EUROPE AND ASIA: BUILDING A NEW MULTILATERALISM

## ABOUT MULTILATERALISM

**“Multilateralism is an institutional form which coordinates relations among three or more states on the basis of generalized principles of conduct - that is, principles which specify appropriate conduct for a class of actions, without regard to the particularistic interests of the parties or the strategic exigencies that may exist in any specific occurrence. [1, p. 571]”**

Multilateralism implies a capacity to sacrifice short-term for longer-term interests for the sake of common and shared values. In that respect, the European Union has been inspired by this form from its inception since it is a multilateral organization where national interests are counterbalanced by the collective objectives of cooperation and regional integration. At the global level, European Union Member States have always supported a strong United Nations system for conflict resolution, peace keeping, and robust international bodies, from the ICAO (International Civil Aviation Organization, 1944) to the WTO (1995), UNESCO, the International Court of Justice, the World Food Program, the World Health Organization, UNDP or UNEP and the World Bank Group. To this end, EU members provide 40 percent of the current UN budget.

## THE PRESENT CRISIS OF MULTILATERALISM

This cooperative behaviour is now under serious threat, and what constitutes the common good seems more difficult to identify. The present US administration is destroying much of the institutional underpinnings of globalization and has destroyed the confidence that international businesses used to enjoy from the predictable operations of a rules-based system.

The WTO mechanism of arbitration has been blocked since 10 December 2019 by the refusal of the American delegation to nominate new judges to the Appellate Body. In 2020, acting in similar fashion, the United States will remain outside the Paris Agreement on climate change. The current White House has supported Brexit and other efforts that weaken the cohesion of the European Union. For the first time since 1950, an American administration is not fully engaged in the process of the integration of its European allies.

Trade and tariff disputes between the United States and China, Canada, Mexico, Brazil, France, Germany, Japan and South Korea are disturbing, especially for strategic allies. The systematic dismantling of the post-1945 international order is underway, by its chief architect. As a result, “A mercantilist cat has been let out of the bag. The risk is that the world fragments into regional trading blocs, the most obvious ones being the US, the EU and China” [2].

Other factors are at play, causing a reduction in cooperation and leading to a more balance-of-power policy, notably in Asia where, in contrast to the situation in

Europe, there is no security matrix [1, p. 562] [B].

So, if multilateralism is not yet “*brain-dead*”, there is an urgency to establish new formats, spaces and horizons of international cooperation, which experts call “*pluri-lateralism*” [3]. The threats and challenges are pressing and a number of international issues cannot be fixed on a simple bilateral basis: environmental issues; rules-based new free trade agreements; the functioning of the international financial system; cyber-security; and terrorism.

On each of these matters, “pluri-lateralist” dialogues present a possible way forward. For example, the EU and China can work on issues related to the WTO, since China needs the stability offered by rules-based trade, provided that any agreement on the protection of foreign direct investment is engineered by China. The EU can also engage in dialogue with China on sustainable development, promoting a greener economy compatible with trade. The awareness of the risks inherent to the failure of established peaceful economic coexistence has led France and Germany to launch, on 26 September 2019 at the United Nations in New York, a new Alliance for Multilateralism, which now includes more than 60 countries worldwide, among them Canada, Mexico, Chile, Singapore and Ghana.

## THE ALLIANCE FOR MULTILATERALISM

The “Alliance for Multilateralism” launched by the French and German Foreign Ministers is an informal network of countries united in their conviction that a rules-based multilateral order is the only way to reliably ensure international peace and stability, and that our common challenges can be overcome only through cooperation.

At a time when key principles of the rules-based international order and essential instruments of international cooperation

are being challenged, the Alliance for Multilateralism aims to bring together those who believe in strong and effective multilateral cooperation. Those who join hands to act towards this end believe that the purposes and principles of international law, justice and the Charter of the United Nations are indispensable foundations to secure peace, stability and prosperity.

The Alliance aims to renew the global commitment to a rules-based international order, to uphold its principles and adapt it, where necessary. Its objectives are:

- to protect and preserve international norms, agreements and institutions that are under pressure or in peril;
- to pursue a more proactive agenda in policy areas that lack effective governance and to confront new challenges that require collective action; and
- to advance reforms, without compromising on key principles and values, in order to make multilateral institutions and the global political and economic order more inclusive and effective in delivering tangible results to citizens around the world.

The Alliance will advance a multilateral agenda that fully respects the vital role of the United Nations, and in accordance with the purposes and principles of the UN Charter and international law. Partners in the Alliance are committed to acting as driving forces to protect, develop and adapt an international order based on the rule of law.

In the field of foreign policy, multilateralism means that states cooperate with each other in order to promote common objectives, and balance and regulate competing interests. They do this because they know that, ultimately, all States reap the greatest gains if they work together and agree on rules. Such cooperation relies on certain

principles and values being shared by all parties. In the age of globalization, almost all countries on earth are interconnected. Conflicts raging in one region may have a direct impact on people's lives thousands of miles away. Phenomena such as climate change cause problems that do not stop at borders, which is why multilateral cooperation is more important today than ever.

Among the initiatives already agreed upon by the Alliance for Multilateralism is a call for action to strengthen respect for international humanitarian law and principled humanitarian action with regard to: trust and security in cyberspace; an international partnership for information and democracy; a joint position on climate change and security; future technologies, disarmament and arms control; global public goods and strengthening international institutions; and gender equality.

## EU-ASEAN PARTNERSHIP

An alliance of a more specific nature, but one of vital importance to the future of

cooperation between Asia and Europe was addressed in a Joint Communication to the European Parliament and the Council from 16 September 2021, outlining the EU strategy for cooperation in the Indo-Pacific.

The EU and ASEAN have developed a dynamic, multifaceted partnership over more than 40 years. This strategic partnership covers political, security, economic, environmental, 7 climate and socio-cultural issues as well as connectivity.

The EU appreciates ASEAN's commitment to effective multilateralism and supports the principle of ASEAN centrality, its efforts to build a rules-based regional architecture, and the multilateral anchor that it provides. The EU also supports the ASEAN-led process towards an effective, substantive and legally binding Code of Conduct in the South China Sea, which should not prejudice the interests of third parties. EU-ASEAN cooperation also covers a wide range of security issues, including through the ASEAN Regional Forum (ARF).

“

**M. Sovann Ke during a plenary meeting on multilateralism [4].**

*For Mr. Sovann Ke (Permanent Representative of Cambodia to the UN), the United Nations is the representative body most capable of defending the virtues of multilateralism, and one of the most suitable means of meeting the challenges of the 21st century. It is by working together that the international community can achieve crucial results. The representative offered as proof the Paris Agreement and the 2030 Agenda, which highlight the “transcendental” power of diplomacy. At the same time, he spoke out against unilateralism which harms the prosperity of the whole community. He pointed to the example of Cambodia, which has enjoyed peace and stability and rapid development for the past 20 years, with high economic growth rate of 7 percent per year. This has been made possible through trade, diplomacy and cooperation. Indeed, without multilateralism or cooperation, economies will only decline, people will become poorer and the 2030 Agenda objectives will remain out of grasp. Such a scenario will certainly fuel dangerous ideologies and conflicts, he warned.*

”



# EUROPE ET ASIE: BÂTIR UN NOUVEAU MULTILATÉRALISME

“ *Le multilatéralisme est une forme institutionnelle qui coordonne les relations entre trois Etats ou plus sur la base de principes généraux de conduite, sans considération pour les intérêts particuliers des parties ou pour les exigences stratégiques qui peuvent exister. 1* ”

Le multilatéralisme implique une capacité à sacrifier les intérêts de court-terme pour ceux de long-terme au nom des valeurs communes et partagées. De ce point de vue, l'Union européenne s'est inspirée dès l'origine dès lors qu'elle est une organisation multilatérale où les intérêts nationaux sont contrebalancés par les objectifs collectifs de coopération et d'intégration régionale. Au niveau global, les Etats membres de l'Union européenne ont toujours soutenu un système des Nations Unies fort pour la résolution des conflits, le maintien de la paix et des agences internationales robustes, de l'OACI (1944) à l'OMC (1995) l'UNESCO, la Cour internationale de justice, la FAO, l'OMS, le PNUD et le PNUE et le groupe de la Banque Mondiale. Dans ce but, les Etats membres de l'Union européenne assurent 40% du budget de l'ONU.

## LA CRISE ACTUELLE DU MULTILATÉRALISME

L'approche coopérative est désormais menacée. Ce qui constitue les biens communs semble plus difficile à identifier. L'actuelle administration américaine est en train de mettre à bas les fondements

institutionnels de la globalisation et la confiance que les milieux d'affaires avaient dans des opérations fondées sur un système de droit et de règles. Le mécanisme d'arbitrage de l'OMC est bloqué depuis le 10 décembre 2019 par refus de la délégation américaine de nommer de nouveaux juges dans la Cour d'appel. De même, en 2018, les Etats-Unis se sont retirés de l'accord de Paris sur le climat, avec effet à partir de 2020. Le Brexit anglais a reçu l'appui de la Maison Blanche qui ne cesse de porter atteinte à la cohésion de l'Union européenne. Pour la première fois depuis 1950 une administration américaine n'est plus engagée dans le processus d'intégration de ses alliés européens.

Les disputes sur le commerce et les tarifs entre les Etats-Unis d'une part, la Chine, le Canada, le Mexique, le Brésil, la France, l'Allemagne, le Japon et la Corée du Sud d'autre part, affectent des pays alliés. Le démontage systématique de l'ordre libéral international post-1945 est en cours, sous l'action de son principal architecte. Il en résulte que « le mauvais génie du mercantilisme est sorti de sa boîte. Le risque est une fragmentation du monde en blocs commerciaux régionaux, autour des Etats-Unis, de la Chine et de l'Union européenne ».

D'autres facteurs sont à l'œuvre, qui réduisent la coopération et mènent à une politique d'équilibre des forces, notamment en Asie où, à la différence de l'Europe, il n'y a pas de structure de sécurité collective.

De sorte que si le multilatéralisme n'est pas encore atteint de « mort cérébrale », il est urgent d'établir des formats, des horizons et des espaces nouveaux de coopération internationale, que les experts nomment

le « pluri-latéralisme ». Les menaces et les défis sont pressants et bien des questions internationales ne peuvent être traitées sur une simple base bilatérale : environnement, accords commerciaux régulés, système financier international, cyber-sécurité et terrorisme.

Sur chacun de ces sujets, les dialogues « pluri-latéralistes » offrent de possibles voies pour avancer. Par exemple, l'Union européenne et la Chine peuvent travailler ensemble sur les questions relatives à l'OMC - car la Chine a besoin de ses règles commerciales - dès lors que la Chine s'engage sur la voie de la protection des investissements étrangers. L'UE peut également dialoguer avec la Chine sur le développement durable et la promotion d'une économie plus verte compatible avec le commerce. La conscience des risques inhérents à l'échec d'une coexistence économique pacifique a conduit la France et l'Allemagne à lancer, le 26 septembre 2019 au siège de l'ONU à New York une nouvelle Alliance pour le multilatéralisme qui a associé déjà plus de 60 Etats, du Canada, du Mexique et du Chili au Ghana et à Singapour.

## L'ALLIANCE POUR LE MULTILATÉRALISME

Cette Alliance lancée par les deux ministres français et allemand des affaires étrangères est un réseau informel de pays unis dans leur conviction qu'un système international fondé sur des règles est la seule façon d'assurer la paix et la stabilité internationale et que les défis communs ne peuvent être dépassés qu'en coopération.

Dans une période où les principes centraux du système international et les instruments de la coopération internationale sont mis au défi, l'Alliance pour le multilatéralisme vise à rassembler ceux qui croient à la force d'une coopération solide et efficace. Ceux qui s'accordent

pour travailler ensemble sont convaincus que les objectifs et les principes du droit international, de la justice et de la Charte des Nations Unies restent les fondements indispensables de la paix, de la sécurité et de la prospérité.

L'Alliance entend renouveler l'engagement global pour un ordre international régulé, des principes réaffirmés et adaptés si nécessaire. Ses objectifs sont :

- Protéger et préserver les normes, accords et institutions aujourd'hui en péril ou sous pression ;
- Suivre un agenda proactif dans les domaines où la gouvernance fait défaut afin d'affronter les nouveaux défis qui exigent une action collective ;
- Avancer dans les réformes, sans compromis sur les principes et les valeurs, afin de rendre les institutions multilatérales et l'ordre politique et économique global plus inclusifs et efficaces, pour obtenir des résultats tangibles pour les citoyens dans le monde.

L'Alliance proposera un calendrier multilatéral respectant le rôle vital de l'ONU, conforme aux objectifs et principes de la Charte de l'ONU et du droit international. Ses partenaires sont déterminés à agir comme vecteurs d'un ordre international régulé et fondé sur le droit.

Dans le domaine de la politique étrangère, le multilatéralisme signifie que les Etats coopèrent afin de promouvoir des objectifs communs et d'équilibrer les intérêts concurrents. Car le respect des règles et la coopération sont bénéfiques pour tous dès lors qu'ils partagent les mêmes valeurs et principes. A l'ère de la globalisation, presque tous les pays sont interconnectés. Les conflits dans une région peuvent avoir des effets directs sur des populations éloignées. Le changement climatique provoque

des problèmes qui ne se limitent pas aux frontières. C'est pourquoi la coopération internationale est plus importante que jamais.

Parmi les initiatives déjà agréées par l'Alliance, citons l'appel à respecter le droit international dans divers domaines : sécurité et confiance dans le

cyberespace ; partenariat international sur l'information et la démocratie ; position commune sur le changement climatique et la sécurité ; technologies du futur, désarmement et contrôle des armes ; biens publics mondiaux et renforcement des institutions internationales ; égalité entre femmes et hommes.

“

**M. Sovann Ke lors d'une réunion plénière sur le multilatéralisme [4].**

*Pour M. Sovann Ke, représentant permanent du Cambodge aux Nations Unies, les Nations Unies sont l'organe le plus représentatif à même de défendre les vertus du multilatéralisme, l'un des moyens les plus adéquats de relever les défis du XXI<sup>e</sup> siècle. C'est en travaillant ensemble que la communauté internationale pourra atteindre des résultats cruciaux. Le représentant en a voulu pour preuve l'Accord de Paris ou encore le Programme 2030 qui mettent en valeur le pouvoir « transcendantal » de la diplomatie. Il s'est, dans le même temps, élevé contre l'unilatéralisme qui nuit à la prospérité de l'ensemble de la communauté. Le Cambodge jouit, depuis ces 20 dernières années, de la paix et de la stabilité et d'un développement rapide avec une croissance économique élevée de 7% par an. Cette situation a été rendue possible grâce au commerce, à la diplomatie et à la coopération. En effet, sans multilatéralisme, ni coopération, les économies ne pourront que décliner, les peuples s'appauvrir et le Programme 2030 patiner. Un tel scénario alimentera assurément les idéologies dangereuses et les conflits, a-t-il mis en garde.*

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CHAPTER

01

PROACTIVE PARLIAMENTS FOR PEACE, SECURITY AND SHARED PROSPERITY  
EUROPE ET ASIE: BÂTIR UN NOUVEAU MULTILATÉRALISME

## 1.2 STRENGTHENING PARLIAMENTARY PARTNERSHIP FOR SUSTAINABLE DEVELOPMENT

### INTRODUCTION

The international system is getting more complex and is rapidly evolving in a direction towards a multiplex world - a world of complex interconnectedness, interdependence, and inter-operability. Nation states are becoming more interdependent. Global issues are getting more complex and interconnected. It is now clear that no single country can address global issues such as climate change, terrorism, violent extremism, natural disasters and pandemic diseases. Multi-stakeholder collaboration has been recognized as the fundamental approach to provide holistic and effective solutions to these shared challenges. This text aims to explore the roles of Parliament in addressing global issues, with a focus on the realization of the sustainable development goals (SDGs), and how the Asia-Europe Parliamentary Partnership can be used as a mechanism to achieve these ends.

### ROLES OF PARLIAMENTS IN ADDRESSING GLOBAL ISSUES

Global issues such as climate change and violent extremism have become more complex, with impacts that cross national boundaries. Parliaments have started to adapt their modus operandi in order to position themselves to effectively address these global issues, realizing that the only effective way to address them is through international cooperation and partnership.

Some of the international roles of Parliaments are to contribute to intergovernmental negotiations and the institutional building processes, to carry out

parliamentary oversight over international negotiating processes, to ratify and enforce international agreements, to promote multi-stakeholder dialogues on international issues and responses, and to disseminate information on international issues and organizations to citizens.

Global issues and external engagement have become more relevant for Parliaments and the people. Members of Parliament need to communicate and get input for and from their constituents regarding international issues that affect their security and social-economic well-being. As democratization of opinion rises thanks to the ever-presence of information and communication technology (ICT), Members of Parliament are compelled to communicate with their constituents more effectively to meet the rising expectations of the people. At the same time, those in Parliament who deal especially in foreign affairs can invite leaders of government ministries and state agencies to give briefings and address probing questions on the international issues, foreign affairs, and trade policies that affect their citizens.

### ROLES OF PARLIAMENT IN REALIZING SUSTAINABLE DEVELOPMENT GOALS

Building global partnerships on sustainable development is expressed in Goal 17 of the United Nations Sustainable Development Goals (SDGs). As this goal implies, international partnerships and multi-stakeholder collaboration are critical to realizing the SDGs. The SDGs also stress the importance of inclusiveness - the participation of all

segments of society - in order to mobilize and share knowledge and expertise, and also to provide the needed technical and financial resources.

The parliamentary institution, which plays a vital bridge between the State and society, is one of the key stakeholders in mobilizing resources and directing a national agenda towards realizing regional and international goals. Therefore, public-private and civil society partnerships are critical to concretizing the SDGs. Goal 16 elucidates the importance of promoting peaceful and inclusive societies for sustainable development. The Declaration of the 2030 Agenda for Sustainable Development states that, “we acknowledge the essential role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for the effective implementation of our commitments”.

As stated in the declaration, the Parliament has four important roles to play in realizing the SDGs, namely oversight, legislation, representation, and budget scrutiny. To help fulfill this mission, Parliaments can increase national involvement, provide a platform for national and international discussions and dialogues, encourage debate and consensus building among national stakeholders, develop robust legal frameworks that motivate stakeholders to implement the SDGs, collect input from citizens and civil society groups, allocate appropriate levels of funding, and conduct oversight using annual checks and requesting and reviewing reports by the respective committees concerning progress made in achieving the SDGs.

Parliamentary contributions to Voluntary National Reviews (VNRs) help to evaluate and track the progress regarding the SDGs. The key functions of the VNRs are

planning and institutionalizing, gathering input and data, writing and reviewing, and conducting presentations and follow ups. The deliverables of the VNRs are the enhancement of multi-stakeholder partnerships and the promotion of active participation, along with a sense of ownership, among all relevant parties. Furthermore, the prioritization of the SDGs in national development planning, the raising of public awareness, policy advocacy, and the development of effective and inclusive assessment mechanisms regarding the implementation of the SDGs are considered vital.

The key challenge for Parliaments, especially in Asian countries, is how to increase their engagement and influence over the SDGs agenda, as the SDG programs are mainly shaped by the executive body. International parliamentary forums such as the Inter-Parliamentary Union (IPU), the Asia Pacific Parliamentary Forum (APPF), the World Parliamentary Forum on Sustainable Development (WPFSD) and the Asia-Europe Parliamentary Meeting (ASEP) need to invest more effort and resources in developing international consensus as well as planning an engagement strategy regarding the SDGs.

## **ROLES OF THE ASIA-EUROPE PARLIAMENTARY PARTNERSHIP MEETING (ASEP)**

The Asia-Europe Parliamentary Partnership Meeting (ASEP) is the meeting of Parliamentarians from Asia and Europe that seeks to provide policy inputs and recommendations to the Asia-Europe Meeting (ASEM) process. ASEP is the parliamentary arm of ASEM, and its first meeting took place in 1996. As it is an informal forum, its declarations are not legally binding.



ASEP has two main objectives. First, it serves as a forum for inter-parliamentary contacts, exchanges and diplomacy among Parliaments, and as a vehicle to promote mutual understanding among the people and countries of Asia and Europe. Second, it provides a link between the Parliaments of Asia and Europe and ASEM, and thereby enabling an active parliamentary contribution to the ASEM process, particularly in bi-annual meetings.

Achieving the Sustainable Development Goals (SDGs) is one of the key areas of cooperation facilitated by the Asia-Europe Meeting (ASEM). In their joint statement in 2018, ASEM leaders stressed the importance of multi-stakeholder partnership in pursuing social and economic inclusion, sustainable societies and people-centered development. Moreover, ASEM leaders proposed linking the issue of ASEM connectivity with sustainable development to help to address the 2030 Agenda. Meanwhile, the Declaration of the tenth Asia-Europe Parliamentary Partnership Meeting (ASEP 10) places an emphasis on the importance of multilateralism and international partnership to address climate change and sustainable development.

## CONCLUSION

Today, parliamentary institutions are playing an increasingly important role

in addressing a range of complex and interconnected global issues. Concerning the SDGs, the Parliament has several important roles to play such as oversight, legislation, and budget scrutiny. However, to increase its influence in shaping and implementing the SDGs, Parliaments need to strengthen their leadership and institutional capacity, and to develop effective engagement strategies.

ASEP is one of the key international parliamentary forums that can further promote parliamentary dialogues and consultation on the SDG agenda, especially in building the necessary international partnerships and multi-stakeholder collaboration. In this effort, capacity building, knowledge sharing, and collective efforts on the SDGs need to be further promoted.

Specific recommendations for ASEP are: (1) encourage all ASEP members to carry out a Voluntary National Review (VNR) for their country and to create a knowledge-sharing platform encompassing the results of those VNRs; (2) institute capacity building programs in ASEP developing member countries on the SDGs for Members of Parliament and staff; and (3) create an ASEP Special Envoy on the SDGs in order to effectively engage with the parliamentary members of ASEP and international organizations such as the United Nations.



## 1.3 THE ROLE OF PARLIAMENTS IN FACING TRANSNATIONAL CHALLENGES: A EUROPEAN PERSPECTIVE

We live in a globalized world where opportunities and challenges, including global warming, trade, migration, biodiversity protection, transnational crime and ocean governance, transcend national borders and require international cooperation. With globalization the boundaries between what are considered national policy and international relations are sometimes blurred. Indeed, what is decided in Beijing or Washington by governments and global markets will most likely impact the present and future of populations in Brazil or Spain, in Cambodia or Australia.

After a long history of devastating conflicts, European countries now have in place well-established methods of international cooperation, organized through the institutions and the laws of the European Union (EU), which has among its fundamental principles the transfer of some aspects of national sovereignty to the supra-national level. Not surprisingly, the EU is a champion of multilateralism and strongly believes in a rules-based multilateral system as the most effective way to address, in a fair and collaborative way, today's common challenges.

While this approach is facing resistance from some powers in the international community,

***“The EU is a champion of multilateralism and strongly believes in a rules-based multilateral system as the most effective way to address, in a fair and collaborative way, today's common challenges.”***

***“Legally binding agreements characterize the European way while Asians favor consensus and trust based on good relations and national sovereignty.”***

it is largely shared within Asia, as confirmed during the ASEP 10 meeting in Brussels in 2018, in which multilateralism was one of the two featured topics. More recently, a shared commitment was demonstrated at the last ASEM Foreign Ministers Meeting held in Madrid, Spain, in December 2019, under the theme “Asia and Europe: together for effective multilateralism”.

Of course, there are differences between the European and the Asian ways, both in methodology and substance. Legally binding agreements characterize the European way while Asians favor consensus and trust based on good relations and national sovereignty. Economic relations are the priority for Asian governments, while commitments regarding human rights or the fight against climate change are equal priorities for Europe. The two continents do, however, have a fundamental interest in fighting protectionism and isolationism, and both agree on the need to maintain an open multilateral system.

While globalization has brought important benefits such as lifting hundreds of millions of people in the world out of poverty, it has also destabilized the economic and socio-cultural foundations of our societies, creating fear and insecurity among many in Europe. People fear they are losing control of their future and feel

insecure in their present circumstances. This has led to opposition to the “remote elites and bureaucracies” who decide, along with a mounting resistance to multiculturalism, manifested in the strengthening of populist policies across much of the continent. Today, many political leaders face a lack of trust from citizens who consider them a part of a distant world detached from their realities. There is a growing gap between decision-makers and voters, highlighted in debates concerning a crisis of democracy as a governance system.

Globalization has also supported international institution-building: multilateral organizations have proliferated since the 1990’s in order to manage the process and impact of globalization. These organizations have been set up as means to foster regional stability, manage conflicts, support economic growth, reduce development gaps, build prosperity and address global challenges in a rules-based environment. They take different formats, from those deeply integrated, such as the EU, to very weak ones such as SAARC.

With increasing frequency, decisions on key policy issues effecting large numbers of people are discussed and made within regional or multilateral frameworks: from WTO to APEC on trade and economic development; from EAS and ARF to NATO on security; from UNFCCC to AOSIS on climate change. The G20 discuss all those issues as well. This is due to the global nature of a growing number of issues and their increasing technical complexity. Such decisions are largely made outside the control of national representative institutions, such as parliaments, which find it difficult to exert their scrutiny and oversight powers over those supra-national bodies. This is a major weakness that results in a lack of support from the average citizen for decisions taken by those bodies and institutions. Generally speaking, regional integration processes tend indeed to suffer

from a democratic deficit: a top-down approach is often pursued and there is limited involvement from other stakeholders, including from elected parliamentarians and civil society representatives.

At a time when major decisions are being made further away from citizens, another, and divergent, major development is also taking place: Government policies and decisions are under greater scrutiny from civil society groups, media and ordinary citizens. A better educated electorate, making full use of social media tools - which are changing the democratic process - has easy access to an abundance of information, expresses opinions and tries to directly influence decision-making.

And this is a good thing: all walks of life must be engaged to gain public acceptance of policies and international agreements that directly impact on citizens’ lives. The public now expects leaders to act with transparency and within democratic arrangements. Information, dialogue and participation are key words to claim legitimacy. The demand for legitimacy and accountability is growing everywhere.

In this context of global challenges and new democratic expectations, the role of Parliamentarians is a crucial one: as representatives of the people they must add their voices to global affairs debates and negotiations, trying to shape and influence policies and conducting diplomatic relations parallel to those of the executive.

“*Generally speaking, regional integration processes tend indeed to suffer from a democratic deficit: a top-down approach is often pursued and there is limited involvement from other stakeholders.*”

Parliamentary diplomacy adds legitimacy, resilience and political weight to decisions. This can be done by national Parliaments when contributing to, and monitoring, their country's policies in addressing global issues (as recently seen with the EU-Canada free trade agreement or CETA).

This is useful and important, but international cooperation on transnational challenges is, more often than not, carried out by a combination of global, regional and sub-regional organizations. Multilateral co-operation has therefore become a new frontier for legislators who aspire to see intergovernmental organizations made more accountable and transparent.

This may not be easy, as sovereign States are reluctant to give away powers to their own national legislature. There is even more resistance to grant powers to supra-national parliamentary assemblies (and the European Parliament is confronted with this issue on a daily basis). To achieve greater levels of legitimacy, to hold regional organisations accountable and to respond to common challenges, regional representative assemblies need to be set up and strengthened to contribute to, and oversee, decisions taken by those organisations.

A significant number of regional and international organisations around the world have already equipped themselves with representative assemblies (IPU, WTO, AIPA, APF, APA) or regional parliaments (EP, PAP). Of course, they vary in design, powers and performance but the fact is that many transnational parliamentary institutions remain weak and their role, impact, power and policy inputs too limited.

This is not to say that parliamentary diplomacy should supersede traditional diplomacy. The general principle remains: it is for the executive branch of government to negotiate international agreements on

behalf of States, and it is for Parliaments to scrutinize government action, influence policies pursued by the government in negotiating those agreements, ratify them, implement their provisions through the adoption of appropriate legislation and budget allocations, and oversee the implementation process as a whole.

But Parliaments engaged in diplomacy do have advantages: they do not necessarily commit their governments to arrangements made, and can therefore act with more flexibility in sensitive situations, or where disagreements are deep. They can propose and discuss more innovative solutions. Their engagement diversifies the avenues for dialogue and provides additional room for maneuver as they have no formal role in negotiations. For example, the European Parliament tends to express blunt messages on governance and human rights or market access in its relations with China. These messages complement the work of the EU Member States, and put pressure on the European Commission to maintain the right balance between values and interests.

Besides the Parliaments of the EU Member States, which of course have a direct impact on domestic and global policies through their own parliamentary debates, budget allocations, hearings and resolutions, the European Parliament (EP) is formally recognized as the elected representative body of the EU, and its Members are directly involved in decision-making: the EP is co-legislator, with the European Council, in the majority of domains, with the notable exceptions of foreign affairs and taxation. The EP adopts or rejects legislation and international agreements (for example rejecting in 2010 the EU-US agreement on financial data sharing or ratifying the FTA with Singapore in February 2019) and votes on resolutions to influence EU policies on matters dealt with in international forums, such as climate change or cyber-security. It also approves annual budgets and oversees

*“ Within the European Union more than 60 percent of legislation is no longer decided at the national level, but at the EU level. ”*

the work of a multinational administration which, in other settings, often operates free of any checks and balances.

Within the European Union more than 60 percent of legislation is no longer decided at the national level, but at the EU level. And in case of contradiction or conflict, EU legislation takes precedence over national legislation: the EP, a directly elected institution, is step by step taking over the legislative and oversight functions.

Legislators contributing to the work of regional assemblies face their own challenges: they must manage different and sometimes conflicting interests, which can be local or national, or specific to their political family[A]. Above all, they must identify what is in the (long-term) regional and/or global interest. This requires adopting a political culture based on consensus-building that prioritizes global needs over local or national ones. In a regional context (but often too in national environments, depending on the political system) one has to build bridges and foster agreements to seek broad consensus. When discussing the economy, when solving crises, when combating terrorism, when tackling social issues, data protection, climate change or energy security, the entire community must be considered.

*“ Strong regional parliamentary assemblies are needed in order to provide oversight over the work of supra-national bodies. ”*

This is why strong regional parliamentary assemblies are needed in order to provide oversight over the work of supra-national bodies, to review their decisions, to follow-up on implementation, to express support for some policies, and to amend or oppose others. Even if these parliamentary assemblies do not enjoy direct decision-making powers, the initiatives, statements and resolutions produced can have a profound impact on the “official diplomacy” conducted by the executive branch of government. They can contribute to and influence international developments by expressing views which are sometimes different from regional organisations, due to their relative flexibility.

In a globalized world marked by increasingly influential non-state actors, one where key decisions on public affairs transcending national borders are largely taken in global and regional forums, global and regional parliamentary assemblies such as ASEP must be empowered to hold those forums accountable and add legitimacy to their decisions. Legislators play an important role in the decision-making process at the national level. Likewise, they must become key actors in regional structures where more and more significant decisions are being made.

## 1.4 INDONESIA'S EARLY RESPONSES TO THE COVID-19 CRISIS

### THE ROLE OF PARLIAMENTARY DIPLOMACY

"A new normal." In 2020, this term has often been used to describe our shared situation. The outbreak of Coronavirus Disease 2019 (COVID-19), now a global pandemic, has transformed our way of life.

Each passing day during this crisis is a defining moment. "The decisions people and governments take in the next few weeks will probably shape the world for years to come... Decisions that in normal times could take years of deliberation are passed in a matter of hours. Immature and even dangerous technologies are pressed into service, because the risks of doing nothing are bigger. Entire countries serve as guinea-pigs in large-scale social experiments." [5].

The ability of each country to respond to this global pandemic and mitigate its impact is certain to determine the fate of nations for years to come. However, this pandemic is too big a challenge for any one country to face alone. Some people have even likened the war against COVID-19 to World War II, only this time, instead of fighting against each other, all nations are on the same side. Of course, every nation must protect its own citizens against a virus that does not distinguish between race, beliefs or political views. However, limiting the responses to only the country level has proved insufficient to address the complexity of challenges brought on by this pandemic. The virus has brought with it cascading consequences stretching far beyond the health of individual citizens, and reaching across national borders. Hence, this pandemic is a turning point, compelling us to restore our faith in the merit of global cooperation and collaboration.

COVID-19 is also a wakeup call, a powerful reminder of the need for global cooperation and solidarity, for it hit the world at a time when the multilateral system faced pressure from the rivalries between major powers. In a webinar conducted by the Inter-Parliamentary Union (IPU) and the United Nations Office for Disaster Risk Reduction (UNDRR) on 28 April 2020, the World Health Organization (WHO) Director General emphasized that global solidarity was essential for fighting this pandemic, [6] in a spirit that echoed the message of the Indonesian House's Speaker, Puan Maharani. In her opening speech to address the virtual panel discussion held by the Committee for Inter-Parliamentary Cooperation of the Indonesian House of Representatives, she made a similar call for international solidarity, revisiting the idea of working together as a family of nations, as advocated by the former Indonesian President Soekarno 75 years earlier [7].

Parliament plays an essential role in moving the wheels of global cooperation. Parliament, as well as individual MPs, is in a unique position to intensify cross-border communication to garner solidarity among Parliamentarians. However, the growing international role of Parliament requires support from adaptive inter-parliamentary organizations [8]. Innovation is the keyword, especially since COVID-19 has changed the way people interact with each other. Gone are the days when the role of inter-parliamentary organizations was limited to facilitating contact and communication of Parliamentarians through annual assemblies. Recent innovations include a recent IPU compilation on how Parliaments are coping with the pandemic, along with its series of webinars with partner international organizations on various issues related to the crisis.



## THE SPECIFIC RESPONSE OF THE INDONESIAN PARLIAMENT TO THE COVID-19 CRISIS

The Government of Indonesia has taken a leading role to reaffirm international cooperation and collaboration. Together with Ghana, Liechtenstein, Norway, Singapore and Switzerland, Indonesia introduced the UN Resolution on Global Solidarity to Fight Corona Virus Disease 2019. The Resolution, co-sponsored by 188 countries, put an emphasis on international cooperation as a central tool to address the pandemic, encouraging the exchange of information, scientific findings, and best practices under the leadership of the WHO. Furthermore, Indonesia is a participant in the WHO Solidarity Trial. This aims to accelerate medical breakthroughs in the search for effective medicines and treatments for COVID-19 [9]. Beyond the UN, Indonesia has also actively encouraged cooperation and collaboration within organizations such as the G20, ASEAN, G77, D8, OIC, MIKTA, WTO, WIPO, ICAO and IMO.

COVID-19 has also changed the way Parliament works. The above-mentioned IPU compilation of parliamentary responses to the pandemic helps us to share and compare parliamentary practices [10]. It reveals that remote work, avid use of information and communication technology, as well as the implementation of physical distancing have become common preventative measures among various Parliaments. The House of Representatives of the Republic of Indonesia has embraced this new normal by implementing all of those procedures. On 30 March 2020, the Indonesian House of Representatives held its opening session under several protective measures, with some Parliamentarians attending physically and many more attending virtually. Following the opening session, similar arrangements have been implemented for the Parliament and parliamentary secretariat; all discussions between the secretariat and its legislative

counterparts are now in the form of virtual meetings.

It is often that in times of crisis democracy becomes the casualty. As in most nations, in Indonesia the major power to make decisions on policies to curb the pandemic has belonged to the executive. In order to ensure that Government efforts to adjust public health and social measures, while managing the risk of a resurgence of cases, should not in any way undermine democracy, transparency, and accountability, parliamentary shutdown was never an option for Indonesia.

Although the Indonesian Parliament started its session at the end of March, a few weeks after the first two cases of COVID-19 were announced by President Jokowi, the work of Parliament had never ceased. A day after the first cases were announced, the Indonesian House, through its Speaker Puan Maharani, reminded the Government to prioritize public health and safety, beyond other concerns, including the resulting economic impact. She urged the Government to be transparent in the management of the infection cases and to strengthen border-checks and early detection as well as other proactive measures. She even suggested establishing an integrated and coordinated team to fight the pandemic [11]. These calls were raised amidst a growing public concern that the executive was focusing on mitigating the economic impact of the pandemic rather than on preparing for, and mitigating, what came immediately after the first infection.

No country anticipated the COVID-19 pandemic. Therefore, it can be considered reasonable that governments all over the world exercised their emergency powers to combat it. But the need to act boldly and quickly is not an excuse to concentrate all the power and authority with the executive. A concentration of power may lead to its abuse. This is where Parliament's constitutional mandates are needed more than ever.



It is within such a context that the Indonesian Parliament established a Parliamentary Team to Oversee COVID-19 Crisis Management. This team was tasked to deal with how the executive responds to related health issues, as the Government declared COVID-19 a Public Health Emergency through a Presidential Regulation on 31 March 2020. The Team made an early point to remove inter-institutional ego-sectoral [C] in the management of the crisis. It was assigned to monitor the development of domestic infrastructure needed to address the health crisis including PCR test kits, vaccine research and other measures.

The Parliament also raised a debate on the Government Regulation in lieu of the Law on State Financial Policy and Financial System Stability, since the regulation granted the Government the power and flexibility to encroach on the domain of existing laws and procedures to enact financial policy during the pandemic. The new regulation was envisioned as an overarching legal umbrella to provide budgetary, financial and monetary policies to deal with the impacts of COVID-19.

The regulation allowed Government to raise the budget deficit cap to more than 3 percent of GDP, a move which was previously restricted by the State Finances Law. It also cut the required procedures on revising the state budget structure without prior consultation with the Parliament. A controversial aspect of the regulation, criticized by some portions of the public, gave a sort of immunity to the authorities, as they cannot be charged under penal and civil laws when exercising the policy during the pandemic.

The debate ended on 12 May, marked by the adoption of the regulation by the Indonesian Parliament into law. The adoption came after a heated discussion on its contents, at which point the Parliament acknowledged that there was a crisis unfolding that

required an extraordinary response. It was accepted that changes in the state budget structure without prior consultation with the Parliament were needed to enable the swift action necessary to prevent further financial catastrophe.

However, this expansion of power and the extraordinary authority the Government was granted during the crisis was not without limit. A highlight of the parliamentary debate that should not be ignored was the addition of a “sunset clause” to the budget deficit cap flexibility, which is set to expire in 2023. The government has also committed to return to the normal process of budget deliberation for the year 2021. Furthermore, the executive stated it would request parliamentary debate on the upcoming year’s budget by mid-June, 2020. This includes a debate on public debt.

Under the adopted law, Indonesia has allocated approximately Rp 405.1 trillion (USD 27.6 billion) worth of total stimulus, including to the healthcare sector (USD 5.1 billion), social safety net sector (USD 7.5 billion), taxation incentives and people’s business credit (USD 4.8 billion), and recovery program (USD 10.2 billion) [12]. It has also set a budget deficit cap of around 5.07 percent of GDP, or around Rp 852.9 trillion (USD 57.9 billion). To finance the deficit, the government proposed to offer USD 57.11 billion worth of government bonds [13]. During a meeting of the Parliament, a debate occurred on how to maintain a low interest rate for these bonds. The main concern of the Parliament was how to limit financial consequences in the decades to come [14]. To address this, the Parliament needs to scrutinize debt planning, proposals and payment feasibility, notably to ensure that money raised through the increased debt will be used to support those who have been impacted the most. In short, debt management is one of many areas where Parliament needs to be very much involved, particularly in a time of crisis.

## 1.5 ASEAN POLICY RESPONSES TO THE ECONOMIC IMPACTS OF COVID-19

ASEAN Member States (AMS) have taken targeted and decisive measures in response to the impact of COVID-19 through three broad interventions: fiscal stimulus packages, monetary and financial measures, and sector-specific interventions [17, 26]. Fiscal stimulus was intended to boost the health, social and economic sectors, particularly in the hardest hit segments of population and industries, whereas monetary measures were undertaken to promote adequate liquidity and increase confidence with the concerns related to production cuts [17]. The effectiveness in identifying targets and resource allocation was considered crucial to maintain livelihoods, employment and economic activities before moving forward towards a recovery. The effectiveness of these responses will ultimately depend on the disbursement and absorption capacity of each measure [26].

### FISCAL STIMULUS PACKAGES

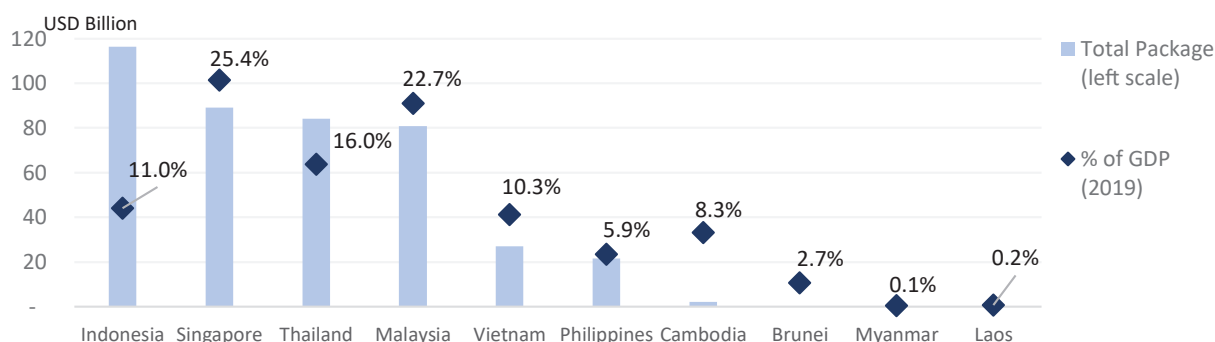
The extent of fiscal stimulus measures have been limited by each country's fiscal space, including costs of borrowing, scope of public debt, and level of development. Some AMS have relaxed fiscal targets and increased borrowing to finance spending to fight the outbreak [17]. Some members, such as Cambodia, have also put in place reductions of nonessential current expenditure to allocate the saved funds for the health sector and to cushion the virus' economic impact [27, 28]. Fiscal intervention for ASEAN economies can be classified under three categories [17]:

- Tax/fees/charges/moratoriums that reduce financial burdens on affected businesses and industries to help them survive and resume operations
- Household subsidies (including cash allowances and subsidies for social security and health protection), particularly those identified as low-income and vulnerable
- Financing and moratorium/restructuring of loans for affected business, including individuals and small and medium enterprises (SMEs).

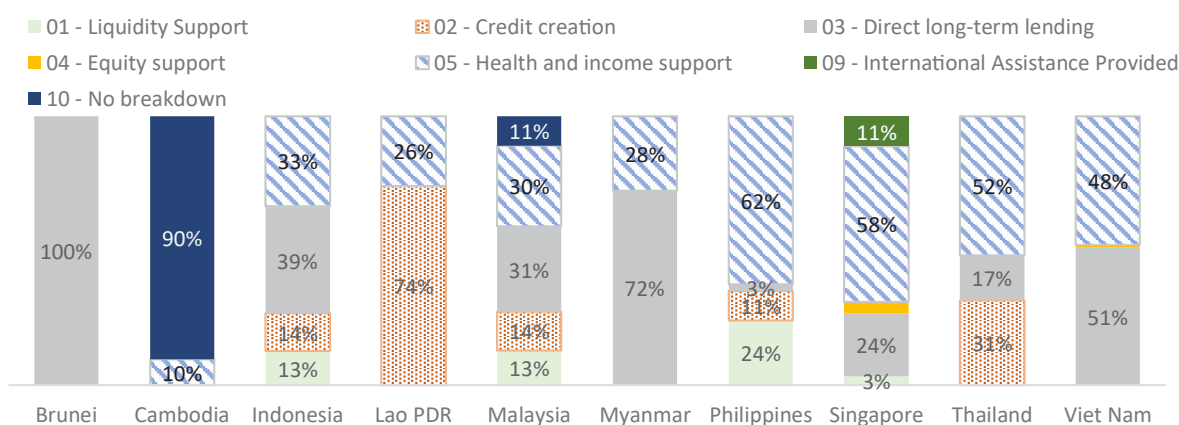
As of December 2020, AMS have employed a wide range of measures amounting to a combined USD 421 billion, equivalent to an average of 10.2% of GDP in 2019 [29]. Individually, Indonesia has had the largest package, reaching USD 116 billion, or 11% of GDP in 2019 and comprising about 27% of the total regional package (Figure 3.1); Singapore with almost USD 90 billion had the second largest package, yet stands first in GDP equivalent (25.3%) over the same period. As shown in Figure 3.1, Malaysia and Thailand stand in the middle, followed by Vietnam (10.3% of GDP), Cambodia (8.3%) and the Philippines (5.9%), while Brunei, Laos and Myanmar stand at the bottom of the list.

According to the IMF, the measures rolled out by the governments and central banks could consist of one or more of the following main components : (1) liquidity support, (2) credit creation, (3) direct long-term lending, (4) equity support, (5) health and income support, (6) budget reallocation,

***“Fiscal stimulus was intended to boost the health, social and economic sectors, particularly in the hardest hit segments of population and industries.”***

**Figure 3.1: AMS total stimulus amount (in USD billion) and share of 2019 GDP (in %)**

Note: Total amount does not include component 6, 7 and 8 to avoid double counting.

**Figure 3.2: Breakdowns of stimulus measures by AMS (% to total package)**

Source (Figure 3.1 and Figure 3.2): ADB, IMF [15, 16]

(7) central bank financing of government (through lending, bond purchases, etc.), (8) international assistance received, (9) international assistance provided, and (10) no breakdown [29,30]. As Figure 3.2 demonstrates, besides Brunei where all of the measures have gone to direct lending (measure-3), all other Member States have spent a fair to high amount on health and income support (measure-5).

A large part of the budget stimulus in AMS has been directed to support SMEs since they are more vulnerable compared to large firms. SMEs are subject to limited resources, capital and liquidity constraints, and hence

were judged to be more likely to lay off workers and close down during the crisis. Across ASEAN, SMEs account for more than 90% of businesses and are responsible for a large share of total employment, ranging from 52% in Vietnam to 97% in Indonesia [31].

## MONETARY AND FINANCIAL MEASURES

Central banks across the region have taken measures to ease market liquidity and support financial institutions mostly through conventional policy instruments including policy rate cuts, reserve requirement

ratio reduction, open market operations, loan facilities, and asset purchases [15]. Loan rate cuts and additional credit have also been provided specifically to virus affected manufacturers, essential sectors, and medical product producers. Most monetary institutions also continued to encourage banks to support lending without undermining the soundness of the banking sector. Taken together, the measures are intended to maintain stability in the banking system and to boost liquidity and market confidence, aimed at steering the economy out of the crisis.

## INFRASTRUCTURE PROJECTS AS PART OF STIMULUS MEASURES

Infrastructure projects have typically been used as a tool to support the economy during crisis as they provide a strong boost to economic activities and have long-term impact [18,32]. Similarly, in the time of the

pandemic, governments have continued infrastructure work as part of the stimulus measures as well as to help bridge the gap of supply chain disruptions in AMS:

- With sufficient fiscal space, **Cambodia** has been able to spend on infrastructure programs including a USD 100 million project for infrastructure development and rehabilitation investment in Preah Sihanouk Province, and a USD 150 million construction and improvement of 38 lines of road in Siem Reap Province during the last quarter of 2020 [28].
- **Indonesia** developed plans to start labor-intensive projects country-wide to preserve employment particularly for low-income workers.
- **Malaysia** continued large infrastructure works to support economic growth and at the same time allocated budget for small initiatives aimed at maintaining jobs, whereas the Philippines continued the 'build, build, build' project.

### AMS Central Bank

### Monetary and financial measures

#### National Bank of Cambodia

- delayed additional increase in the capital conservation buffer for one year
- issued guidelines on loan structuring for borrowers experiencing financial difficulties in priority sectors [15]
- continued extension of forbearance to June 2021, taking into account the impacts of the recent flooding in Cambodia in addition to the pandemic [31]

#### Bank of Laos

- urged commercial lenders to restructure financing for affected borrowers, with one-year grace periods and lower interest rates as needed

#### State Bank of Vietnam

- encouraged banks and lenders to curb dividends and operating expenses
- urged banks to bring down settlement fees 50% through interbank electronic system, a measure taken to support sufficient supplies of capital

#### Bank of Thailand

- applied Corporate Bond Stabilization Fund by providing bridge financing to high-quality firms to ensure stability in the financial market
- set up a special facility to provide liquidity for mutual funds through banks
- purchased government bonds to support the functioning of the bond market

#### Monetary Authority of Singapore

- initiated efforts to address the financial institutions operational challenges
- adjusted specific regulatory requirements and supervisory programs to ease the financial system

- **Singapore** committed to continue construction schemes after some delays due to travel restrictions and when COVID-19 cases first accelerated (in April 2020).
- **Thailand** reserved investment resources for community infrastructure as part of packages for stabilizing the economy.

Despite being a crucial measure to counter the severe economic impact of the pandemic, infrastructure construction has also been affected by social restrictions, while budgets are realigned for other stimulus funding. For instance, Indonesia has needed to reallocate funding from the capital plan to the pandemic response. However, as the lockdowns are lifted, large-scale infrastructure projects will work as a vital part of the recovery plan to revive economies.

## ASEAN COLLECTIVE RESPONSES

In addition to the measures by individual Member States, ASEAN has collectively responded to the crisis with a series of meetings and joint declarations among members, as well as with stakeholders and external partners, to strengthen coordination mechanisms and to mitigate the adverse impacts of the pandemic [26]. At the start of the crisis in January 2020, regional preparedness and response actions were launched by the ASEAN Health Sector

with ASEAN-plus-three partners (China, Japan and the Republic of Korea), and the COVID-19 ASEAN Response Fund was subsequently established.

In addition to the health sector response, ASEAN declared it was keeping markets open and facilitating flows of food, medicine and medical supplies, and other essential goods. The ASEAN Economic Ministers (AEM) reaffirmed the commitment to promote regional economic resilience through the AEM statement on “Strengthening ASEAN’s economic resilience in response to the outbreak of COVID-19”, adopted at the 26th AEM Retreat in March 2020 [33]. According to the statement, the region commits to maintain ASEAN’s open economic and integration policies, while [...exploring cooperation with external partners and the international community to enhance readiness and response measures to mitigate and eliminate the impact of the COVID-19] (p.2) [33]. Following this statement, an “ASEAN-Japan Economic Resilience Action Plan” and “Hanoi Plan of Action of Strengthening ASEAN Economic Cooperation and Supply Chain Connectivity in Response to the COVID-19 Pandemic” were subsequently adopted (in April and June 2020, respectively) to implement the AEM statement and to explore arrangements to preserve supply chain connectivity [34, 35].

“ *The ASEAN Economic Ministers (AEM) reaffirmed the commitment to promote regional economic resilience through the AEM statement on “Strengthening ASEAN’s economic resilience in response to the outbreak of COVID-19”* ”



## 1.6 PARLIAMENTS IN EUROPE FACING THE COVID-19 CRISIS

The European Parliament and the national Parliaments of the Member-States of the European Union have been active in the critical fight against the COVID-19 pandemic, attempting to mitigate its impact, protect its people and economy, and promote solidarity.

The European Parliament has supported the ten actions taken by the European Commission to fight the coronavirus, though we should remember that health issues are not under the control of the EU, according to the treaties [F], but of national governments. Despite this, the EU has set up a series of procedures, including the coordinated cross-border transfer of infected persons between hospitals (France, Germany and Luxembourg). Of course this pandemic has had consequences well beyond the health sector, in areas more within the scope of the EU's established powers (financial support by the European Central Bank, softening of budgetary rules, and coordination of external border controls).

This text presents first the actions taken by the EU Commission, then the recommendations of the EU Parliament, and finally the initiatives taken by France and Germany, together.

### TEN ACTIONS BY THE EU [36]

#### Borders

To help limit the transmission of the virus in Europe and beyond, the EU has closed its external borders to non-essential travel, while ensuring critical goods keep moving within the EU through the introduction

of green lanes. Additional resources have been made ready for the European Center for Disease Prevention and Control, the agency tasked with providing rapid risk assessments and epidemiological updates on the outbreak.

#### Providing medical equipment

EU-countries have fast access to the first ever RescEU stockpile of medical equipment, such as ventilators and protective masks, under the Civil Protection Mechanism. In addition, the EU has set up a huge international fund allowing Member States to make joint purchases of equipment and drugs and is mobilizing €3.08 billion in EU aid to purchase more tests and help medical staff care for patients. The EU has also organized an online fundraiser with the aim of raising an initial €7.5 billion for vaccines, medicines and diagnostics to fight the coronavirus worldwide.

#### Promoting research

The EU's Horizon 2020 research program funds 18 research projects and 151 teams across Europe to help quickly find a COVID-19 vaccine. The specific aims are to improve diagnostics, preparedness, clinical management and treatment.

#### Boosting European solidarity

The European Parliament has backed new rules allowing Member States to request financial assistance from the EU Solidarity Fund to cover health emergencies. With the newly broadened scope of the fund, up to €800 million will be made available for Member States in 2020 to fight the coronavirus pandemic.

## Assuring the EU's recovery

To help the EU recover from the economic and social impact of COVID-19, the European Commission was asked to propose an update to the EU's long-term budget for 2021-2027 that includes a stimulus package. Members of the European Parliament (MEPs) called for a massive recovery and reconstruction package to be financed by an increased long-term budget for the EU, existing EU funds and financial instruments, as well as by so-called recovery bonds. In addition, the Commission presented its post-lockdown roadmap for an effective and coordinated exit strategy that includes large-scale testing and protective materials for people.

## Supporting the economy

The EU is putting forward a €540 billion support package to tackle the crisis and support workers, businesses and Member States. In addition, the European Central Bank is providing €750 billion to relieve government debt during the crisis, as well as €120 billion in quantitative easing and €20 billion in debt purchases. MEPs also voted in favor of making €37 billion from existing EU structural funds available to EU countries to tackle the coronavirus crisis and support healthcare services, businesses and workers.

## Protecting jobs

To ensure employees can keep their jobs, the Commission has proposed to support short time work (Sure), funding for companies facing decreased demand due to the coronavirus crisis. The European Commission has also unlocked €1 billion from the European Fund for Strategic Investments in guarantees to encourage banks and other lenders to provide up to €8

billion in liquidity to support some 100,000 European businesses.

## Repatriating EU citizens

Tens of thousands of Europeans stranded around the world by the outbreak have been returned home thanks to the EU Civil Protection mechanism.

## Helping developing countries face the pandemic

The Commission has unlocked €20 billion to help non-EU countries fight the crisis as part of an EU package for a coordinated global response to tackle the spread of COVID-19.

## Ensuring accurate information

The spread of disinformation about the coronavirus puts people's health at risk. MEPs have called for a European information source to ensure that everyone has access to accurate and verified information in their language and have also asked social media companies to tackle disinformation and hate speech.

## THE EUROPEAN PARLIAMENT'S COURSES OF ACTION [37]

In a resolution adopted on 14 April 2020, the European Parliament welcomed the EU's fiscal measures and liquidity support to address the pandemic. MEPs have also stated that beyond what is already being done, Europe also needed a massive recovery and reconstruction package financed by an increased long-term budget (MFF), existing EU funds and financial instruments, as well as "recovery bonds" guaranteed by the EU budget. Members clarified that an economic virus response should not, however, involve the

mutualisation of existing debt, but instead focus on future investment. The European Green Deal and the digital transformation should be at its core in order to kick-start the economy, MEPs stressed.

### **Borders**

MEPs have insisted that borders within the EU must be kept open to ensure that medicines, protective equipment, medical devices, food and essential goods can circulate. They acknowledged that the EU's single market is the source of "our collective prosperity" and key to the immediate and continuous response to COVID-19.

### **Prevention**

The European Parliament has called for the creation of a European Health Response Mechanism, to ensure a better response to health or sanitary crises in the future. It is hoped that necessary equipment, materials and medicine stocks could be quickly mobilised to save lives. In the immediate term, MEPs also wanted to see additional EU funding to finance research to find a vaccine.

### **EU Coronavirus Solidarity Fund**

Members also called for a permanent European Unemployment Reinsurance Scheme and hoped to establish an EU Coronavirus Solidarity Fund of at least €50 billion. This proposed fund was aimed at supporting the financial efforts undertaken by the healthcare sectors in all Member States during the crisis, as well as providing future investments to make those healthcare systems more resilient and more focused on those most in need.

### **Greater powers for the EU to address cross-border health threats**

Joint European action to combat the COVID-19 pandemic was, and is,

indispensable, the Friday 14 resolution states. Not only must the European Union emerge stronger from this crisis, its institutions should also be empowered to act when cross-border health threats arise. This would enable them to coordinate the response at the European level without delay, and direct the necessary resources to where they are most needed, whether they are materials like face masks, respirators and medicines or financial aid. MEPs also voiced their support for increasing EU production of key products such as pharmaceutical ingredients, medical devices, equipment and materials, to ensure the EU is better prepared for future global shocks.

### **Coordinated post-lockdown approach needed**

MEPs further underlined the need for a coordinated post-lockdown approach in the EU, in order to avoid a resurgence of the virus. They urged EU countries to jointly develop criteria for lifting the quarantine and other emergency measures, and asked the European Commission to launch an effective exit strategy that included large-scale testing and personal protective equipment for the largest possible number of citizens.

### **European information source to counter disinformation**

Finally, the resolution stressed that disinformation about COVID-19 was a major public health concern. MEPs requested the EU should therefore establish a European information source to ensure that all citizens have access to accurate and verified information. Members also called on social media companies to proactively take the necessary measures to stop the spread of disinformation and hate speech related to the coronavirus.

## THE ROLE OF NATIONAL PARLIAMENTS

The legislative bodies of some individual Member States addressed, at the national level, several issues related to the temporary restriction of freedoms, tracing and control of infected people, and fact-checking of information.

France was the only EU country where a vote by both National Assembly and Senate were required before the government could declare and act on a State of Health Emergency [38]. Some of the main issues discussed during parliamentary deliberations were the judiciary responsibility of mayors in the reopening of schools and the limits to freedom of movement, still restricted at the time of this writing to a radius of 100 km.

In Germany, a major issue was the issuance of “Corona-bonds” to set up a mechanism for sharing public debts between European Member-States. Chancellor Angela Merkel pressed the point to the Bundestag that such a step was the only one able to avoid a collapse of the EU economic system (“Systemabsturz”).

On 20 May 2020, Angela Merkel and France’s Emmanuel Macron announced a bilateral agreement to support the economic recovery by helping the weakest regions and sectors in the EU 27. The agreement would allow the EU Commission to borrow up to €500 billion from the financial markets. Of course, differences remain among the EU 27 regarding the scope and the means of European solidarity – debt sharing, loans or grants – to help the countries most affected by COVID-19, Italy and Spain first among them.

To conclude, the EU remains firmly committed to multilateralism as the only reasonable way to deal with this shared challenge, which has been a terrible yet elegant reminder of our

increasing interconnectedness. Those of us in Europe saw the virus first appear in industrial districts located in northern Italy (Lombardy) and Bavaria, which both have economic and popular ties to Wuhan in China. From there, it likely entered Spain through some of the 3000 supporters of the football club Valencia, who had visited Milan for a match between their side and Atalanta, from Lombardy. Other early cases have been traced back to a ski resort in the French Alps, likely spread from British persons coming back from a symposium in Singapore where they had dinner with a group from Wuhan. The spread of COVID-19 has illuminated the many ways people from around the world now interact – global business, international seminars, tourism and religious gatherings, sports and work migrations. In 2018, 4.5 billion passengers flew by air. Not surprisingly, the transmission of COVID-19 has also tended to follow the main routes of air traffic. Despite the current crisis, these trends towards increased interaction among citizens of the world seem likely to continue into the future. Coordination and regulation of this increasing interconnected and complex world is a core responsibility of Parliaments.

Among the governments, Parliaments and citizens of Europe, the common experience of facing COVID-19 has renewed a strong belief in the value of multilateralism, an indispensable tool for assisting in the exchange of scientific data, the coordination of emergency responses, and the establishment of common rules. There is also deep regret regarding the unfortunate unilateralist stances being taken by some major powers, especially at a time when coordinated action has proved so necessary. Indeed, the shared crisis of COVID-19, and our aligned response, has demonstrated that multilateralism is the only institutional and political answer to the common challenges and opportunities in our socially, economically, and technologically interconnected world.

## 1.7 HOW VIRTUAL CAN PARLIAMENT BE?

The COVID-19 pandemic has caused us to focus on the functioning of our political systems. In Switzerland, in particular, it became clear that the relationship between Parliament and government in a time of crisis was not fully defined, and that the role of Parliaments in the current crisis was unclear to its Members and to the government. In a democracy, politics can never be a matter for the government alone, but the question was nevertheless raised: Must a parliament meet, even in times of crisis? To help better understand this question, this text will first give a brief outline of how Switzerland coped with the COVID crisis and, in particular, how the question of parliamentarism arose in the Canton of Zurich.

### OVERVIEW [39]

Due to the COVID pandemic, Switzerland was in a state of political emergency from March to May 2020. On the basis of emergency legislation (Article 185(3) of the Federal Constitution), the Swiss Government (Federal Council) made wide-ranging decisions from mid-March 2020, including closing schools and shops from 17 March, banning gatherings of more than five people, and adopting special measures to benefit employees, employers and companies in the areas of short-time working, compensation for loss of earnings, debt enforcement and bankruptcy law. There were also emergency decrees in the areas of education and culture. These emergency ordinances were of a temporary nature, with most planned to expire at the end of August 2020.

These decisions were made by the Swiss Government alone. At least during the first four weeks, they were largely supported by the political parties, politicians and the population without criticism or protest.

For its efforts, the government was able to build on a lot of trust. Swiss society has proved to be resilient and has handled the crisis very well. The generations (young and old) have helped each other, and the population has exercised discipline even though there was no ban on public outings. The media and political parties also united to support the measures. Overall, the Federal Council was given a good report card in crisis management. Meanwhile, under the pressure of the COVID pandemic, the Federal Parliament ended the spring session on 16 March 2020. Until the special session from 4 to 7 May 2020, parliamentary business in plenary session was suspended.

The situation was similar at the state level. Cantonal governments quickly convened their crisis teams while 16 of the 26 state Parliaments cancelled their scheduled meetings. In the Canton of Zurich, there was disagreement about what powers the government had, and whether the government could prohibit Parliament to meet for health policy reasons. You see, the Parliament of Zurich has 180 members, above the limit of 100 for assemblies set by the Federal Council. However, the Executive Committee of the Zurich Parliament put a stop to such discussions when it promptly decided to convene Parliamentary sessions. On the one hand, it maintained that the Parliament is a constitutional body, and so which must, according to the constitution, approve the emergency ordinances of the government in times of crisis. On the other hand, Parliament must also be a model for the population. Even in times of crisis, one must faithfully carry out one's duties and ensure the democratic legitimacy of state decisions. Moreover, no government in Switzerland has the constitutional right to dictate to Parliament when, why and where it meets. Zurich's Cantonal Parliament



therefore played a pioneering role in the nation, moving from the narrow historic Parliament building dating from 1698 to a modern exhibition hall on the outskirts of Zurich, to hold a parliamentary session in compliance with the hygiene regulations of the Federal Office of Public Health and according to the recommendations on social distancing. In total, the Zurich Parliament met three times until the resumption of regular weekly operations on 8 May 2020. In accordance with the cantonal constitution, it approved three emergency ordinances from the executive, supplemented one of them with orders to the government, and suspended another. In addition, Parliament voted on all matters that needed to be approved, in particular financial decisions. The parliamentary committees also met again and an overall plan was put forth to negotiate and resolve the accumulated government business in good time. The Zurich Parliament decided it would continue to meet in the exhibition hall for the remainder of 2020.

In these confusing times, where responsibilities had to be clarified, some fundamental questions suddenly arose about Parliament: Why can't a parliamentary session be held by video? How should those Members of Parliament who belong to a vulnerable section of the population be accommodated? There are clear constitutional answers to these questions in Switzerland. Parliaments can deliberate and make valid decisions as long as the majority of Members are present. The constitution also requires that they meet physically. But this does not answer the real question or clarify whether the question has even been asked correctly: from a democratic liberal point of view, shouldn't one instead ask whether parliaments should, or should not, meet during a crisis? Do parliaments have no political say in a crisis? Is democratic discourse not particularly important in a crisis?

“*Do parliaments have no political say in a crisis? Is democratic discourse not particularly important in a crisis?*”

It would be presumptuous to suppose one has an answer to all these questions. What we do know is that there are no obvious solutions for the problems they raise - and the next emergency is certainly around the corner. Perhaps not a pandemic, but an energy or water shortage, an economic crisis, a flood or storm - hopefully not a nuclear incident. In the latter case, even a parliament by video-conference would be of no use. To answer these questions, it becomes clear that a change of culture is needed, as we examine the very idea of parliament in a democratic system.

## THE IDEA OF “PARLIAMENT”

“Government by discussion” is a slogan which “marks the genuine achievement of parliamentary systems and at the same time one of their democratic traits” [40]. Parliament is an institution to enable legal political rule within the framework of competency and will, negotiation and debate [41]. It is the orderly procedure, according to whose rules the discussion of arguments takes place, generating state decisions which lead the parties in dispute to unity [42]. Parliament as a forum for society or as a stage for politics represents the diversity of opinions in union and is thus symbolic of what we in Switzerland like to call the “will of the nation”.

A key to the function of representation in the political process is trust. Parliament implements what Article 2 of the Swiss Civil Code requires of every person in civil life, to “act in good faith” [G], not only in public life but also in all human relations, i.e. also

between interest groups, political groups and Members of Parliament [H] [43]. The democratic foundation of representation is the confidence of the people in the decisions of Parliaments and in particular their comprehensibility. This foundation can only be sustained if the actors also trust each other. Various examples from Switzerland's political past underscore the importance of political institutions enjoying the trust of those represented: The public was dissatisfied and outraged when the Swiss Parliament only partially implemented the content of two initiatives adopted by the people [44, 45], the first related to limiting urban sprawl and the proportion of second homes (especially holiday homes) in Switzerland, and the second, named "Against Mass Immigration", seeking a fundamental reorientation of Swiss immigration policy, thereby affecting its fundamental relationship with the European Union. Despite this, the people accepted Parliament's proposals for implementation and decided not to hold a further plebiscite [I][46, art. 143]. This acceptance can be traced back directly to the trust of the voters in the political actors. The Members of the Federal Parliament gained this trust by disclosing their decision-making process transparently and comprehensibly. They explained to the people that the implementation proposals were compromises necessary because of Switzerland's established foreign policy positions. In contrast, the secret preparations of three parliamentary groups not to re-elect two members of the

Federal Government did lasting damage to the reputation of the Federal Parliament. It took a few more elections, operating under more transparent rules, until public confidence in the selection and electoral process was restored.

These two examples show that the institution of parliament is particularly suited to creating or restoring identity, integration and trust, especially in combination with direct democracy. Neither the referendum nor the government's proposal for implementation was able to achieve a balance between the political camps after a bitter struggle for votes. In Parliament, however, a compromise could be negotiated. Accordingly, the idea of parliament as a democratic institution has a peace-making function. Political opponents are obliged to participate in the decision-making process in an orderly and transparent manner. On the one hand, the Parliament forms an interface where politics is transformed into state action, and on the other hand, it is a link between state action and politics [47]. In short, the institution of parliament enables politicians to settle their differences openly, transparently and comprehensibly - and thus peacefully.

Parliament and direct democracy exist together in Switzerland [48]. The latter would be incapable of action without the compromise facilitated in Parliament, either beforehand or afterwards. In the case of Switzerland, Parliament and direct democracy strengthen each other [49]. If Parliament were excluded, the great populist dream would come true and governments would be able to act directly with the people with undivided and unlimited power. Such concentrations of power are anathema to Switzerland as the triad of "people, parliament and government" forms an elaborate but strong democratic balance resulting in integration, trust and peace.

***“Parliament and direct democracy exist together in Switzerland [48]. The latter would be incapable of action without the compromise facilitated in Parliament***

”

The relationship between the individual and the State is of central importance. The functions of all four state powers (people, parliament, government and courts) contribute jointly to guaranteeing and developing democracy and human rights: The courts adjudicate matters of non-compliance with legal provisions, the people ensure that human rights are observed, [50, p. 7] and the Parliament plays an intermediary role between the people and the government or administration [50, p. 6]. The government represents the State externally, the Parliament represents the people internally [46, art. 184 and art. 148] and is challenged by the latter through initiative and referendum [51]. This balance makes Parliament a highly responsive and effective source for political initiative and inspiration [52].

For this reason, minorities in Switzerland have always used parliamentary procedure to express themselves publicly. By means of parliamentary actions including motions, issues can be brought onto the political stage via the Members of Parliament that would be lost in the major political procedures, e.g. in initiative and referendum rights, consultation procedures or collective bargaining. This is only possible because party discipline in Switzerland is not as strictly observed as in many parliamentary democracies. With their individualistic understanding of representation, according to which Members of Parliament bring in regional and communal interests or interests of associations in addition to political party interests, parliaments make an important contribution to the integration of minorities and to the cohesion of society.

Parliament thus creates identity and trust and ensures diversity and integration. The political power vested in Parliament and its capacity to settle disputed issues depend on clarity where decisions are made, how the process is regulated and who is involved

“ *minorities in Switzerland have always used parliamentary procedure to express themselves publicly. By means of parliamentary actions including motions, issues can be brought onto the political stage via the Members of Parliament that would be lost in the major political procedures* ”

in negotiations. Every compromise that is decided in Parliament is reached in a democratically established procedure. It is a procedure in which Members of Parliament are involved and, through direct human contact, are able to strike a balance between arguments, facts, dogmas and rhetoric. In this way, Parliament guarantees the introduction, discussion and debate of all political issues [53].

This parliamentary reality implies an immediacy of time and space, a “here and now”, the parliamentary reality of politics. The principle of immediacy thus acquires a substantive component that goes further than its conventional definition. It is not just a procedural principle, but a principle that includes the political functions of Parliament as described above. It is defined in such a way that Parliament and its procedure have an integrating effect, guarantee the identification of political diversity and make politics directly malleable and negotiable on the ground.

If people like to point out that Parliament is no more than the average of the population, then that is exactly the point. Parliament cannot and should not be more. It should be the metaphor, the image of our society in all its diversity. The procedure expresses this idea of Parliament, and it does so in the form of the direct action of its actors.

## TRUST REQUIRES ASSIGNABILITY

Now one may be inclined to say that the immediacy of parliamentary negotiations can also be established in a video conference, since a subject is discussed and decided upon in negotiations with all parties involved simultaneously. Only the local immediacy is replaced by a fictitious place; it gives way to a virtual immediacy. A virtual immediacy, however, is not compatible with today's established parliamentary procedure, which is obviously geared towards a physical assembly on site [46, art. 151-153, 49].

Assume that a communication tool fulfilled all the requirements for a parliamentary debate, such as the continuous demonstration of the identity of the Members of Parliament during the assembly, secure connections or dedicated lines, assignable votes and voting, possibilities for making applications and submitting proposals, as well as the opportunity for public participation, etc. Even if all of these were to be fulfilled, and even if it were possible to have, for example, 600 people in two councils at the same time, the question would still remain as to how Parliament's institutional identity function could be established given that it is strongly tied to a physical location.

There is no question that in five or ten years a video-conference parliament could function sensibly and well. The technology, especially the user interface, will continue to advance, so that even a virtual symbolic location might be created. And who knows, perhaps we will not even need a device to participate anymore. It is therefore all the more important that projects are now being launched that seriously consider the implementation of a digital parliament [50]. For the time being, however, there is no such tool available and the effort to put the

functions of the Parliament described above into a virtual space would be enormous and require, among other things, the drafting of a new parliamentary order.

Nevertheless, it should be noted that the identity function and thus the full diversity of a parliament can hardly be represented in a video conference. Rather, the person who moderates the conference and thus continuously appears in the foreground functions as a fixed point and identifier. The president of the parliament becomes the continuum and visual identification point, while the parliament as a whole is pushed into the background. This is fundamentally incompatible with parliamentary tradition. The presidents of the councils should not take a prominent position, but instead provide a kind of judicial neutrality. Virtuality throws the physical layout out of balance, especially since no overall view, the quasi-panoptical parliament, can be conveyed. In Switzerland, there is also the problem that parliamentary presidents are only elected for one year, which increases the challenge regarding the identity function.

Considering that parliaments must remain capable of acting during a pandemic in order to carry out the necessary decisions or elections in an extreme emergency, video conferencing can offer a substitute, but only a temporary one. This is because the core of the parliamentary function is based on direct human contact, which makes it possible to deliberately strike a balance between political forces and arguments in a spirit of trust. Perhaps this cannot happen in a virtual space, because the trust-promoting immediacy of human exchange and thus a central part of democracy is missing. The uniform appearance of parliament would be sacrificed to the individuality of the council members. This may be a new form of parliamentarism, but it will hardly have the same attraction and quality.



## 1.8 THE ASEAN WAY TOWARDS MULTILATERALISM FOR PEACE, SECURITY AND PROSPERITY

### THE ASEAN WAY TOWARDS MULTILATERALISM

At the same time that multilateralism worldwide is under enduring strain, multilateralism in Southeast Asia has been gaining strength and influence. Progress has been made through the development of norms and initiatives that encourage cooperative engagement between States. Much of this progress is due to the Association of Southeast Asian Nations (ASEAN) - which gained international prominence through its diplomatic efforts to seek a comprehensive political solution to the protracted conflicts faced by Cambodia during the 1980s. Since then, ASEAN has become known as the anchor of stability in Southeast Asia as a result of its cooperative security architectures and its promotion of wider cooperation with the major powers, with East Asia, and with other Asia-Pacific countries.

Subscribing to the “ASEAN Way”, its leaders prefer informal procedures because ASEAN believes in a non-threatening atmosphere for exploring ways of problem-solving. Thus, ASEAN participation in multilateral security consultations consistently emphasizes the importance of the “comfort level” of participants, arguing that contentious issues should be dropped from the agenda rather than risk raising tensions. Exemplifying this approach is the ASEAN Regional Forum (ARF), which sees multilateralism as a platform for problem-solving and for preventing and containing risks of regional disorder.

ASEAN approaches multilateralism through its unique style of regionalism. This approach entails the evolution of multiple

groupings and forums rather than a set of overarching and inclusive institutions, such as those developed in Europe by the European Union. ASEAN multilateralism is generally based on consensus and tends to be non-binding. This is in contrast with the Western approach to multilateralism which pushes for greater institutionalization and binding commitments in its regional organizations. The ASEAN Way towards multilateralism also tends to be process-driven, rather than motivated by specific actors, challenges, or events. In this sense, ASEAN aspires to develop procedures consistent with existing regional norms and practices. This enables participants to interact comfortably with each other, which in turn promotes multilateral interactions, instills mutual transparency and reassurance, and helps to resolve contentious issues peacefully and constructively.

Since its inception in 1967, the ASEAN Regionalism process has been used to forge stronger regional cooperation in the wider East Asia region while at the same time advancing multilateral relations with powers, both near and far. ASEAN does this by continuing to enhance the ASEAN Regional Forum (initiated in 1994 with 27 members), the ASEAN Plus Three grouping (which since 1997 has brought together the ASEAN ten with China, Japan and South Korea), the East Asia Summit (18 members comprising the 13 ASEAN Plus Three countries along with India, Australia, New Zealand, Russia and the United States, which met for the first time in December 2005), and the Defense Ministers’ Meeting Plus (ADMM-Plus) (inaugurated in October 2010 with ASEAN Member States plus eight other powers: Australia, China, India, Japan, New Zealand, the Republic of Korea, Russia, and the United States).



An adherence to multilateralism helps to defend the Association's own existing rules and norms, safeguarding the region against being bullied by the major powers. The ASEAN Way towards multilateral security cooperation is all about putting security concerns on the table and applying ASEAN styles of dialogue, consultation and institutions to remove suspicions, create better understanding, build mutual trust, and facilitate peaceful approaches to regional conflicts, avoiding the threat or the use of force. This is how ASEAN, as a whole, is able to engage China multilaterally while Member States, individually, continue to benefit from the United States' restraining presence in this part of the world.

## THE CHALLENGES TO ASEAN REGIONALISM

Despite ASEAN success in maintaining positive relations with both China and the US, the biggest challenge to broader multilateral cooperation is the anxiety surrounding potential conflicts among the major powers, and the lack of mechanisms to constrain or help manage their behavior. Although the US is the chief architect of the international order that emerged after World War II, what has been unfurling within American society since President Trump took office in January 2017 is a clear revelation of the nation's growing disengagement from the world. By putting "America First", the US appears to have forsaken the US-led international order. In trying to "make America great again", the US is now rejecting globalization as a positive force. With more aggressive nationalism and a move towards protectionism, the US today is relinquishing its leading role over the multilateral rules-based order that was once a cornerstone of America's policy – and a source of American hegemony.

The phenomenal rise of China is no less stressful for ASEAN. More confident and assertive, China has caught up

with the West in terms of economics, technological development and some defense capabilities, and has integrated itself into the global economy. But China has not embraced the Western concept of a rules-based order or other Western values such as representative democracy and universal human rights. When it comes to defending its core interests, such as those pertaining to the South China Sea, China has been consistent and clear with its preference for bilateral negotiation with the parties concerned, rather than relying on multilateral arrangements such as the International Courts. Bilateralism provides a more flexible framework for cooperation, offering China greater leverage over its allies.

Another challenge is ASEAN's own DNA. The deeply entrenched norm of non-interference and consensus-based decision-making can limit the Association's bearing on geopolitical and security flashpoints in the region. The rigid adherence to these principles at times deprives ASEAN of the possibility to take greater strides and command greater respect among Member States and external partners to cement its rightful place as the most effective driver for peace, stability and prosperity in Southeast Asia. For example, one of ASEAN's flagship multilateral cooperation mechanisms, namely the ASEAN Regional Forum (ARF), still lacks the capacity to enforce a framework for "rules of acceptable behavior".

Internal challenges for ASEAN include the slow pace of its integration process to mitigate economic disparity and inequality between Member States. On management of border security, ASEAN must find a more concrete way to help mediate and resolve disputes between Association members. It can also bolster its spirit of caring and willingness to assist Member States in distress due to domestic issues. Accordingly, a suitable recalibration of the principle of

**“ASEAN must find a more concrete way to help mediate and resolve disputes between Association members.”**

non-interference and a more responsive decision-making process can be explored, as well as a more proactive approach towards the issues of good governance, human rights, democracy, accountability and transparency.

External challenges for ASEAN include its struggle to comfortably discuss hard security issues that infringe upon “ASEAN Centrality”. This affects the image and credibility of the Association, which skeptics often refer to as a forum for “only talk and not enough action”. ASEAN needs to go beyond these non-substantive reactions in dealing with today’s pressing challenges, ranging from the denuclearization of the Korean Peninsula, the South China Sea dispute, the humanitarian crisis in the embattled Rakhine State, the effects of climate change and cyber-attacks, and other non-traditional threats. In this regard, the ARF must advance beyond its role as just a “talk shop” to address today’s complex security environment. A progressive three-stage vision of the ARF involves, first, moving beyond the building of trust and confidence, to second, beginning to avert conflicts through preventive diplomacy, and then, third, to stamping out conflicts through conflict resolution.

## **WAYS FORWARD FOR ASEAN TO PROMOTE MULTILATERALISM FOR THE BENEFIT OF PEACE, SECURITY AND PROSPERITY**

Multilateralism the ASEAN Way has a long history in the region with its unique way of consultations and collective

arrangements in the economic, political and security realms. Although the ASEAN Way of consensus rather than majority rule, commitment to the principle of non-interference in the internal affairs of other countries, and decision-making that features informal structures and modalities, has served it well over the past 50 years, there are some who can argue that ASEAN remains a “limited political institution that is still reluctant to address post-Cold War security concerns” [56].

For ASEAN-led multilateralism to thrive and be able to address potent security issues, ASEAN Member States should envisage multilateral cooperation as more than a mere problem-solving exercise in managing regional disorder. To proactively instill peace and to work towards increased prosperity, it can consider the following points.

- More efforts are needed to engage China constructively. China is central not only to how the region’s security agenda will evolve, but also to the viability of any security framework that emerges. ASEAN must recognize this reality.
- More effort is needed from ASEAN to achieve the sustained attention and engagement of America, as the region’s security situation is more volatile than ever before. The US still has many interests in Southeast Asia, and the continued US presence in the region can help to prevent intra-regional conflicts and domination by outside powers.
- ASEAN must not choose sides but instead maintain its principle of neutrality so as not to constrain its room for maneuver in achieving security arrangements that might lead to the reduction of tensions caused by competition among the big powers. ASEAN should make clear that

Southeast Asia is nobody's backyard, and that no outside powers will be permitted to impose on it anything that is harmful to the common regional interest. ASEAN's options will be few if the Association is over-dependent on a single power. Thus, ASEAN needs to continue to engage all external powers, faithfully and constructively.

- ASEAN should continue its attempts to engage the US and China through its existing frameworks such as the ARF, even if there are limitations in terms of what can be accomplished. Washington and Beijing are keen to court ASEAN and to pay some consideration to its wishes when framing their respective policies. How much clout ASEAN has in this regard will depend on its ability to forge unity and centrality - hence there is a need to seriously push forward the ARF, the East Asia Summit (EAS), and the ADMM Plus processes.
- For ASEAN to "champion" multilateralism, it must reinvigorate itself and adapt its existing institutions to new trends to ensure that regional and multilateral cooperation are able to function properly in order to tackle regional issues. Particularly, ASEAN must strike a balance between having multilateral cooperation that prefers weak organizational structures with an emphasis on consensus-building, with the alternative practice of multilateralism exercised through EU style legally-binding commitments within overarching institutional structures.

- As the reality of power politics can negatively affect ASEAN multilateralism, it may be beneficial to emulate the EU's style of "effective multilateralism" - a rules-based order that emphasizes shared sovereignty, collective problem-solving and common actions to achieve peace, security and prosperity. Accordingly, ASEAN should endeavor to build a stronger partnership with the EU. As partners, ASEAN and the EU can garner the political will necessary to help shape a new order of multilateralism in order to avert the danger of conflicts and collisions among powerful states. For its part, the EU should also recognize the meaningful contribution of ASEAN towards this evolving multilateralism.

Despite its shortcomings, ASEAN has been remarkably successful in promoting regional cooperation through consensual dialogue. This approach has helped to create a post-Cold War regional order that is distinctive for the way in which multilateral institutions have largely managed to coexist with - and not supplant - either traditional security arrangements, such as alliances, narrower bilateral or wider global structures of economic governance, or other broader security arrangements. As such, the ASEAN Way should be treated as a welcome addition to the building of a new multilateral future.

## 1.9 PROACTIVE PARLIAMENTS FOR PEACE, SECURITY, AND SHARED PROSPERITY: AN ASIAN PERSPECTIVE

Occupying 30 percent of the world's land area and hosting a population of more than four billion [57], Asia is the most diverse continent in terms of politics, economy, and culture. This is due to its vast size, demographic complexity, and historical legacy, inevitably leading to a dynamic yet problematic geopolitical environment. In particular, there are the major sub-regions—East Asia, Southeast Asia, South Asia, Central Asia, and the Middle East—where major powers coexist, collaborate, and compete economically and militarily. This has given rise to contemporary security issues, both traditional and non-traditional, that significantly threaten peace, security, and shared prosperity of not only Asia itself, but also of external partners including the United States, Europe, and their allies.

### ASIA'S CONTEMPORARY SECURITY ENVIRONMENT

Asia's ongoing traditional security issues range from the South China Sea dispute between China and ASEAN claimant States, which disturbs freedom of navigation, disorders international rules and norms, and tests ASEAN solidarity, to the Cross-Strait relations between China and Taiwan, made more complicated by the strategic ambiguity [58] of the United States. Korean peninsula (de)nuclearization particularly threatens the security of US allies - South Korea and Japan - while the East China Sea dispute pits the second world economic power (China) against the third (Japan). At the same time, the Syrian civil war continues to generate tensions between the United States and Russia, not to mention the flow of refugees into Europe. The breakdown of the Iran Nuclear Deal has further disrupted regional peace

and stability, along with the global supply of oil.

Moreover, the region also continues to experience unsettled international border disputes involving Southeast Asian States, India and Pakistan, and Israel and Palestine, as well as armed separatist movements in Southwestern Myanmar and Southern Thailand. Left unchecked and without proper and timely measures, these issues could potentially undermine regional trust among the Asian States concerned and external partners as well as regional security as a whole.

In the meantime, prevalent non-traditional security issues are, on the one hand, increasingly eroding Asian physical infrastructure and human security, and on the other hand, compelling affected States to pursue collective responses. For example, terrorism, particularly the rise of ISIS in the Middle East and parts of Southeast Asia, has led to physical destruction and humanitarian disasters, including large-scale intra and inter-regional migration. The downfall of ISIS in 2019 has only re-shifted the power and attention to Al-Qaeda, generating fear of the return of ISIS foreign fighters to their home countries, including those in Southeast Asia [59].

In addition, epidemics or pandemics - especially the outbreak of the coronavirus (COVID-19) in China in early 2020 - have resulted in extensive quarantines in numerous countries and even continents, increased racial tensions, and significant economic disruption. These only exacerbate regional threats to human security and extend the lengthy list of pressing non-traditional security issues,



namely climate change, environmental degradation, drug and human trafficking, poaching of natural resources, food and energy security, natural disasters, and cyber warfare, including the calculated dissemination of fake news.

## ASIAN EXISTING ARCHITECTURE IN ADDRESSING SECURITY CHALLENGES

In this context, it is clear that no State can single-handedly deal with the multitude of traditional and non-traditional security issues, so collective cooperation mechanisms are indispensable. These shared challenges have, as a result, served as preconditions for the establishment of the Inclusive Asian Security Architecture [60], consisting of, for example, the ASEAN Regional Forum (ARF), the ASEAN Defense Ministerial Meeting (ADMM) and ADMM-plus, the East Asian Summit (EAS), and other related initiatives mandated to address both traditional and non-traditional regional security issues. These institutions operate not only at the Track I (governmental) level, but also through Expert Working Groups (EWGs) at the Track II (backchannel) level, and they could be further promoted by Parliamentary support, which is discussed in following sections. Notably, most of the existing architecture is associated with Asia Pacific-rim States, as the other sub-regions have yet to realize or form any concrete regional initiatives.

## ASIA'S SECURITY OUTLOOK: THE ASIAN WAY OF MULTILATERALIZATION

While multilateralism is critical to regional security, it should not be at the expense of Asian centrality. The role of defining their own destiny and sovereignty remains of the utmost importance, an entrenched value in all Asian States. One prime example is

ASEAN Centrality [60], in which the ASEAN Way - non-interference, consultation, and consensus - is fundamental to many multilateral institutions, such as ASEAN Plus Three (APT), the Asia-Europe Meeting (ASEM), ARF, and EAS, etc. Such centrality can be best realized through “informal”, “unofficial” or “soft” regionalism, which embeds certain institutional features, including non-supra-nationality, mutual understanding and flexibility, and a lack of legally binding obligations as opposed to those of the “formal”, “official” or “hard” regionalism of the West [62]. In this regard, regional institutional design should revolve around the matter of “regional suitability” - what suits Asia - rather than “regional comparison” - comparing the Asian Way with the Western Way of institutionalization. Skillful utilization of this well-suited multilateralism is needed to maneuver carefully between superpowers, especially the United States and China, in order to maximize regional and national interests and to minimize risks of becoming satellite States, while emphasizing the rule of law and norms as keys to maintaining international order.

## PROACTIVE ROLES OF PARLIAMENTS IN THE CONTEXT OF PEACE, SECURITY, AND SHARED PROSPERITY

As an independent branch responsible for legislation, policy oversight, and popular representation, Parliament has a fundamental role in promoting peace, security, and shared prosperity. Against the backdrop of contemporary traditional and non-traditional security challenges, which are increasingly complex and dynamic in nature, it is timely and necessary that Asian Parliaments be proactive—controlling the situation rather than just reacting to it—by strengthening their traditional roles and embracing new ones.



First, Asian Parliaments have been traditionally authorized to perform a variety of roles which contribute to modelling regional security architecture and economic integration. For example, they are tasked with the roles to ratify and enforce international agreements (that, of course, reflect their national interest), oversee foreign policy, and approve budgets. They are also in charge of proposing, reviewing, and passing laws (though the degree of this authority varies from State to State), to ensure domestic peace and stability, which also has strong implications for regional security. Thus, to be proactive, Asian Parliaments must strengthen these traditional roles through capacity building in order to control and shape the regional security environment to the greatest extent possible, rather than merely responding to challenges when they arise.

Second, to be proactive, Asian Parliaments also need to adapt to more sophisticated roles, including, for example, increased engagement in Parliamentary Diplomacy [63] - diplomatic activities of parliamentary assemblies complementary to executive diplomacy. In this way, proactive Parliaments could supplement the conventional diplomatic channels using growing networks of inter-parliamentary forums, such as the Inter-Parliamentary Union (IPU), the ASEAN Inter-Parliamentary Assembly (AIPA), and the Asian Parliamentary Assembly (APA), among others.

## **DIVERSITY OF ASIAN PARLIAMENTS: CAPACITY, COMPOSITION, AND CONSTITUTIONAL FRAMEWORK**

Just as no two nations are alike, the same can be said of Parliaments in Asia. Diversity would best describe the contemporary status of Parliaments in

this particular region in terms of three variables—capacity, composition, and constitutional framework. First, Asian Parliaments differ based on the economic status of their respective States, and these economic gaps correlate with capacity gaps between these Parliaments due to the direct relationship between economic capacity and parliamentary budgeting in specific policy areas. Second, the composition of political parties in each Parliament is the result of the differing political systems of each State. Some nations have elections featuring a variety of competitive parties, in others one party tends to dominate, and in others there is just a single party. Last but not least, Asian Parliaments can also be divided in terms of constitutional framework - presidential and parliamentary [64]. The former contains two separate elections for the head of government and for the Parliament itself, thus separating clear powers between the executive and legislative branches, while the latter has only one election for the Parliament, which then elects a Head of Government, directly responsible to the Parliament.

As one might expect, such dissimilarities of parliamentary capacity, composition, and constitutional framework generate different parliamentary powers over the drafting, review, and passage process. The proactive paths a Parliament has available largely depend on the nature of these differences. Parliaments in more economically developed nations would be equipped with advantages of strong budgetary power, while Parliaments in presidential States with multi-party electoral systems can play a stronger role in shaping legislation. These diverse features - deriving from political and historical legacies - need to be considered when discussing the diversity of approaches Parliaments can take in promoting regional peace, security, and shared prosperity.

## 1.10 SECURITY CHALLENGES IN ASIA: A PERSPECTIVE FROM EUROPE

In an op-ed from May 2018 Federica Mogherini, then High Representative of the European Union for Foreign Affairs and Security Policy, wrote that “Europe and Asia have never been so close [...] our security is interconnected: we face the same challenges, we confront similar threats and we share an interest in preserving peace in our regions and international cooperation on a global scale” [65]. She was referring to the acceleration of the security cooperation between the European Union and Asia, but also, and more importantly, to the similarity between and increasingly integrated character of the security of both Europe and Asia.

For a long time security issues in East Asia, and Southeast Asia in particular, were limited to sub-strategic issues. They conveniently constituted the core of EU-Asia security dialogues but were no more than a potential nuisance for Europe-Asia interdependence. With China’s rise to great power status, stakes are higher. Changes in the status quo in Asia are likely to impact not only the Asian regional order but also the global order, and therefore influence the framework in which Europe is operating, in Asia and elsewhere. Therefore, as demonstrated by the South China Sea conundrum, “Security problems in Asia are no longer Asia’s alone.” Their management remains primarily the responsibility of Asians, but Europe is bound to look at, and whenever possible to contribute to, mitigation of Asia’s security issues.

### ASIA’S AUTONOMY UNDER THE UNITED STATES’ STRATEGIC UMBRELLA

Asia’s major security problems have hardly changed since the end of the Cold War. Economic vulnerability, political fragility and unstable governance, along with ethnicity, have always affected large parts of Asia and therefore regional stability through manifestations such as terrorism, separatism and armed rebellion, piracy and poaching of natural resources, and even drug trafficking. Similarly, territorial boundary disputes [J] are not new to the region. They were considered relatively minor irritants as long as they remained confined to Southeast Asian countries. They did not prevent, and to some extent contributed to the process of regional integration. As observed by US scholar Marvin C. Ott, “to a degree that far exceeded that which existed anywhere else in the Afro-Asian world, the Southeast Asian states [have] developed regional institutions and patterns of interactions that gave the region increasing coherence as a single political, economic and even security entity” [66]. In a Southeast Asia which has faced no major security threats from within or without the region since the end of the Cold War, existing disputes were addressed through peaceful management mechanisms. The ASEAN Regional Forum (ARF), created in 1994 and for a long time the security institution of ASEAN, aimed essentially at “fostering constructive dialogue and consultation on political and security issues of interest and concern” and was meant to function as a contribution to “confidence building and preventive diplomacy in the Asia-Pacific” [67]. The United States guaranteed a regional order which provided Asia with the political space and autonomy to act on non-strategic security issues on its own.

## FROM REGIONAL TO GLOBAL: CHINA'S RISE AND THE INTERNATIONALIZATION OF ASIA'S SECURITY

China's ascendance to great power status did not modify the existing regional institutions but radically (although gradually) changed the context in which they were operating. The first decade of the 21<sup>st</sup> century saw the gradual internationalization of the security concerns of the region. A more confident and assertive China now claimed sovereignty over almost the entire South China Sea, antagonizing competing claimants (Brunei, Indonesia, Malaysia, the Philippines, Taiwan and Vietnam). Bilateral maritime disputes within ASEAN did not cease to exist, but were subsumed into a larger one opposing China and a number of ASEAN Member States.

Moreover, the militarization of the Paracel and Spratly islands, where China built 20 and seven outposts, respectively [68], exacerbated the potential for conflict and internationalized it at the same time. China not only challenged the interpretation of the United Nations Convention of the Law of the Sea (UNCLOS) on matters such as the regulation of military forces in the Exclusive Economic Zones (EEZ), narrowing the definition of "freedom of navigation", but also the very principles of international law, introducing for example the notion of "historical rights". In the process, China created uncertainty where the rule of law had introduced predictability. The uncertainty applied to all, including Europeans. Asian security problems were no longer limited to Asia.

***"The first decade of the 21<sup>st</sup> century saw the gradual internationalization of the security concerns of the region."***

## CHALLENGE TO MULTILATERALISM, AND SINO- US POLARIZATION: ASIA DISPOSSESSED FROM ITS STRATEGIC FUTURE

Additional factors, in particular the Sino-US polarization and the convergent challenges to multilateralism, are now contributing to the internationalization of Asia's security problems as well as to its dispossession from its own strategic future. The growing Sino-US rivalry and the subsequent regional polarization is turning every issue into a zero-sum game in which each actor is forced to choose sides, weakening Southeast Asia's cohesion and creating tensions between each country's individual priorities.

The polarization of the region between Chinese and US interests is further accompanied by a growing challenge to multilateralism: in different ways, the two behemoths of international relations are actively weakening multilateralism institutions. The neglect of ASEAN and all ASEAN-led institutions by the United States [K], and the US preference for bilateral relationships in which the asymmetry of power systematically works in its favor, has been met by China's activism. Beijing has invested in its relations with ASEAN institutions and is capitalizing on its economic investments in several ASEAN Member States in order to deprive the Association of its significance, to divide the region politically, and to limit the ASEAN capacity to oppose Chinese policies and efforts to model regional dynamics according to its will.

Moreover, the center of gravity of Southeast Asia is gradually shifting outside the region. This in turn is leading to the erosion of ASEAN centrality, understood here as the ASEAN consensus-based decision-making mechanism, which has

so far effectively curtailed all hegemonic temptation in the region. Asian security priorities and security architecture were further institutionalized during the same period with the creation, in 2005, of the East Asia Summit (EAS)[L] followed, in 2010, by the creation of the ASEAN Defense Ministers Meeting Plus (ADMM Plus) [M]. But the new institutions are increasingly a hostage of the US-China competition for global influence.

Debates around the concept of Indo-Pacific illustrate the dilemma East Asian countries are currently facing and the limited means they have to escape it. Pressed to choose between China and the United States, they have endorsed the Indo-Pacific to preserve their link with the US but defined it in their own inclusive way in order to avoid antagonizing China and protect themselves against the most negative consequences of the Sino-US rivalry. Yet all Indo-Pacific strategies are still in their initial stage and their impact on regional dynamics still uncertain.

## ENVIRONMENTAL SECURITY AS A GAME CHANGER?

In this context, new and important dimensions of security, such as environmental security, could bring back to Asia the inclusivity which is increasingly eluding it. Climate change, for example, is a threat multiplier. It re-designs maps, displaces populations, creates new sources of tensions and impacts critical infrastructures. Threats to biodiversity, marine or otherwise, lead, directly and indirectly, to similar consequences. Indeed, threats to environmental security affect all other dimensions of security. Experts recognize, for example, that Asia will be among the hardest hit by climate change. Low lying coastal cities in many Southeast Asian countries, and the millions of people who live there, are particularly vulnerable.

*“Climate change, for example, is a threat multiplier. It re-designs maps, displaces populations, creates new sources of tensions and impacts critical infrastructures. Threats to biodiversity, marine or otherwise.”*

However, environmental security issues are almost always trans-boundary and their solution a collective endeavor. Marine environmental protection (MEP) is one example. It has been estimated that the current rate of reef destruction in the South China Sea, one of the world's most diverse marine ecosystems, hosting 76 percent of the world coastal species and 37 percent of reef-fish species, means that its littoral States may suffer some USD 5.7 billion a year in potential economic loss [69]. The ASEAN Socio-Cultural Blueprint 2025 encourages Member States to “promote cooperation for the protection, restoration and sustainable use of coastal and marine environment...” [70] but there is still no institutional translation of this principle in ASEAN's relations with the other major stakeholder, China. And although marine environmental protection is an important aspect of climate change adaptation, there is still no overarching regional convention or institution governing the management of shared marine environment despite various multilateral regional cooperation mechanisms. Yet environmental security protection provides the opportunity of a (relatively) de-politicized and cooperative approach to the South China Sea issue based on technical grounds, and is still worth pursuing.

## THE ROLE OF PARLIAMENTS

Parliaments have a responsibility of their own in the framing of the security architecture



***“ The more diverse the representation, the more effective Parliaments will be in reaching out to populations and in developing consensual approaches to foreign policy. ”***

in Asia. It is, first of all, their role to ensure that agreements signed by governments are in compliance with national interests and international engagements. They also have a role of control and oversight over foreign and security policies conducted by governments through their foreign affairs and defense committees. For this purpose they enjoy a powerful instrument, as they approve the budgets of the ministries concerned.

They also have the responsibility to educate the larger polity about foreign affairs and security matters. Public political debates articulate the values underlying national foreign policies and contribute to inform societies about issues affecting national and regional security, as well as about the nature of the responses provided by governments on foreign policy and security issues. As such, Parliaments also have the capacity to facilitate the implementation of international agreements at the national level. In the case of Asia, and more specifically of ASEAN, Parliaments have therefore the capacity to facilitate regional integration through the implementation of ASEAN declarations and agreements. The more diverse the representation, the more effective Parliaments

will be in reaching out to populations and in developing consensual approaches to foreign policy.

Last, but not least, Parliaments can also conduct their own diplomacy. Parliamentary diplomacy “is a complementary tool which has the potential to achieve results that might appear to be difficult for traditional diplomacy or for conventional diplomatic channels” [71], as underlined by the 40<sup>th</sup> General Assembly of the ASEAN Inter-Parliamentary Assembly (AIPA). Parliamentary diplomacy can create strong partnerships to deal with regional challenges, in particular to prevent the fragmentation of the Asian security architecture. In essence, parliamentary diplomacy is a diplomacy of influence. Through a variety of networks, Parliamentarians may communicate messages and promote more subtly the national interest of their respective States. For that reason, parliamentary diplomacy should be the preferred instrument to deal with environmental security issues.

Parliaments can therefore play a central role in the preservation of the unity and inclusivity, as well as the multilateralism that are increasingly eluding Asia. They are therefore interlocutors that Europe cannot ignore and should instead cultivate. Although the degree to which they are faithful representations of the popular will vary from one country to another, they can be powerful instruments for governments to resist the centrifugal pressures that Asia is currently experiencing. As such they can contribute significantly to regional and global security.

***“ Parliamentary diplomacy can create strong partnerships to deal with regional challenges, in particular to prevent the fragmentation of the Asian security architecture. ”***



## 1.11 PARLIAMENTARY OVERSIGHT OVER THE USE OF FORCE AND ARMED FORCES

“ *The purpose of war, and therefore of the conduct of warfare, is always political. Since war cannot be justified strictly in its own terms, its meaning must derive from a policy logic, or impulse, external to itself* [72]. ”

### INTRODUCTION

All wars are political. Wars between states, and wars within them, are always waged for political reasons, purposes and aims. This central tenet regarding war has been valid since the earliest days of recorded history, and continues to be true to this day [73]. Because wars are political they tend to affect entire populations and entire nations. There was perhaps a time when kings and rulers could wage limited war without the support of their subjects, and perhaps was there once a time when wars did not wreak havoc on entire countries. Modern industrialized wars and the effects of globalization have changed that, and the people of a nation are now more than ever affected by international conflict and war; hence there is a need for democratic influence on strategic decision-making and control over national armed forces.

### THE CASE FOR DEMOCRATIC CONTROL

Ideally, the role of a Parliament should extend “to all sectors of government activity, particular in terms of budget allocations.” This of course includes the principal power of an elected assembly, the power to vote and to approve laws proposed by the government. In this sense, a government “functions under

the control of parliament” [74]. The elected body represents the people, and thus acts on their behalf, and functions as a balancing power vis-à-vis the executive arm. Accordingly, the executive branch is kept accountable and in check by the Parliament.

This balancing act is one of the cornerstones of democracy and can be considered especially important when it comes to the use of military forces. Without such democratic oversight, the executive would be all powerful and could easily neglect the views and opinions of its population, and their political opponents. Thus, without parliamentary oversight, pluralistic democracy faces an existential threat.

Even though it can be argued that issues relating to the security of a nation “have special characteristics” [75], it stands quite clear that Parliaments should also have extensive influence over a State’s foreign relations and on matters relating its national security and defense.

In the past, kings and despots were supreme commanders of military forces [76]. These forces were as a consequence primarily loyal to the King, not to the people. As such, the army was always a potential threat to the local populace. This is also the reason why Machiavelli, the renaissance thinker on political affairs,

argued that a nation should abolish private armies and mercenary troops and instead institute conscripted citizen militias [77]. In the modern era, with the spread of democracy and an increased belief in political participation, it should no longer be up to monarchs, autocrats and elites to decide on how and if to use military force and the armed forces. Instead, it is ever more important for elected representatives to partake in the decisions regarding the use of force and forces.

## THE PRIMACY OF POLITICS

According to well-known strategist Colin S. Gray, “there can be no argument over the primacy of the political over the military” [78]. The meaning of this is that military operations should be subjected to larger political goals and aims. From that also follows that military forces should be organized in a way that reflects those same political goals and aims. There was a period in history when politicians were expected to hand over control of war and warfare to military experts and military professionals, so that the latter would be able to operate in a sort of “politics-free zone”. Because such ideas were commonplace, war in the early twentieth century became a senseless slaughter, “bereft of political purpose” [79].

It may be reasonable to argue that war and warfare is a complicated matter and that it requires experts to make decisions regarding the organization and use of military and security forces. It is probably also natural that most people included in conceptualizations of military strategy are military professionals and not civilians. At the same time, the strategy intellectuals, if we may call them that, the people responsible for formulating the grand strategies of a nation, are most of the time civilians [80].

By making sure armed forces and warfare is subjected to democratic control, that political

purpose of war can be harnessed, reined in and perhaps controlled so that the security of its populace is not needlessly or recklessly threatened. It is crucial to rein in the ability to make war so that a nation is not drawn into a conflict because of the individual feelings of a leader.

## THE EXECUTIVE SHOULD OPERATE UNDER A LEGAL FRAMEWORK

In 1983, after the bombings of the US Embassy in Beirut, Lebanon, where more than 220 US servicemen were murdered, President Ronald Reagan and his national security team discussed the continued presence of US military troops in the country. Even though the President was outraged by the bombings, to the extent that he in his diary admitted feeling “hatred for the humans who can do such a cruel but cowardly deed” [81], he did not unilaterally seek a vendetta, but took the case to Congress for approval. In his diary, President Reagan specifically refers to the so called War Powers Act [82] and how he was seeking “Congressional approval of the Marines being in Lebanon” [83]. Even though the US President is the supreme commander of the US military, he does not have the power, unlike the Kings and rulers of the past, to wage war unchecked and at will [84].

On the contrary, the US Constitution deems congressional approval not only required, but absolutely necessary before the President of the United States can deploy troops overseas or use armed force [85]. In the US this is referred to as congressional oversight and is a formal mechanism introduced to keep the military under democratic control. Most modern democratic states have similar mechanisms in place.

## IDEAL STRATEGIC PLANNING AND DECISION-MAKING PROCESSES

In order to safeguard the democratic oversight of military forces and the use of military force, Parliamentarians must be part of the strategic planning process. They should not just be invited into the process, they must be seen as natural and necessary partners, and even as stakeholders.

Now, some may give counter-arguments, claiming that military operations must be kept secret and that strategy is too complicated for people not trained in military matters to understand, let alone control. Firstly, even if there is a clear need for particular parts of a strategy to be kept secret, that is not an excuse to keep elected the representatives of the people completely out of the loop. On the contrary, the presence of secrets makes democratic oversight even more important. To ensure that strategic planning of this nature remains well guarded, those involved can and must be vetted for security reasons. Secondly, and this may be the strongest argument for democratic representation in the decision-making process, “strategy cannot be guided wholly by military considerations” [86]. In fact, civilians must unconditionally be considered the masters over the military [87]. This goes back to the relationship mentioned above: war is about politics. The political function of war and warfare must always come first.

Democratic representation in the decision-making process can take many different forms, but should not be taken lightly. There should for instance be a special cabinet or committee comprised

of democratically elected individuals representing the national assembly or Parliament. In this committee all issues pertaining to defense policy and the national strategy should be debated. Whether there is then a second or even third format in which decision-making regarding the actual use of force, or if the committee can also be a part of that, is besides the matter. What matters is that both policy as well as decision-making regarding the use of forces includes democratically elected individuals.

## CONCLUSIONS

War is probably the worst thing that can happen to any nation; civil war perhaps being even worse than international war. Therefore, any decision to go to war, or to use military forces, must be thoroughly checked and be subjected to several layers of deliberation. First, the use of force must be executed in line with existing laws, both international law but also national legislation. Secondly, whenever a nation feels obligated to resort to the use of military force, it must be done in a democratic way, allowing for political debate on the necessity of war as well as a discussion about all strategic options at hand. It can never be acceptable that the decision to draw a nation and its peoples into armed conflict is made unilaterally by the executive branch.

That oversight should be exercised by a democratically elected assembly and its Parliamentarians. These Parliamentarians should naturally be included in all aspects of strategic as well as military planning, policy, as well as decision-making processes. The realm of war and international conflict is political, thus the master of these issues should be civilian.

## 1.12 ROLE OF WOMEN IN CONFLICT RESOLUTION AND PEACEBUILDING IN ASEAN

### 1. BACKGROUND

Several studies show that when women are included in conflict resolution and peacebuilding, outcomes improve significantly (in terms of successful peace negotiations, impact of humanitarian assistance, sustainability of peace, and economic recovery) [88, 91, 94, 96, 97]. Yet an analysis of 1,500 peace and political agreements adopted between 2000 and 2016 found that only 25 even mention the role of women [98]. And despite growing recognition of their critical role as peacemakers, through broadening the scope of issues discussed in the negotiation process, increasing “community-buy in” and the chances that root causes of the conflict will be addressed, and greater pressure on

the involved parties to reach an agreement, women continue to be underrepresented at the global, regional, and national levels. Globally, from 1990 to 2019, women made up just 6% of mediators, 13% of negotiators, and 6% of witnesses and signatories worldwide [99]. As of December 2020, 336 peacekeepers were women from the ASEAN region, as shown in Figure 1.

Additionally, whereas analysis found that increased female participation in parliament reduces the risks of civil war and of human rights abuses and that when the percentage of women in parliament increases by 5% a state is 5 times less likely to use violence when faced with an international crisis [88], ASEAN has been classified as having insufficient representation of women in parliaments (See Figure 2).

Figure 1: Peacekeeping Contributions by ASEAN Member States (AMS)

EMA	Contribution des femmes	Homme	Femme	Total
<b>Brunei</b>	Contingent (0)	30	0	30
<b>Cambodia</b>	Contingent (71), experts (1), staff (1)	684	92	776
<b>Indonesia</b>	Contingent (107), experts (3), FPU (29), police (13), staff (7)	2663	164	2827
<b>Lao PDR</b>	N/A	0	0	0
<b>Malaysia</b>	Contingent (34), experts (3), staff (1)	801	44	845
<b>Myanmar</b>	N/A	0	0	0
<b>Philippines</b>	Experts (5), police (3), staff (0)	16	11	27
<b>Singapore</b>	N/A	0	0	0
<b>Thailand</b>	Contingent (0), experts (1), police (9), staff (1)	288	13	301
<b>Viet Nam</b>	Contingent (10), experts (1), staff (1)	64	12	76

Source: UN Peacekeeping December 2020

**Figure 2: Women Representative in Parliaments by AMS**

ASEAN Countries	National Parliament	
	Lower House	Upper House
<b>Brunei</b>	9.1%	-
<b>Cambodia</b>	20.%	16%
<b>Indonesia</b>	20.3%	-
<b>Lao PDR</b>	27.5%	-
<b>Malaysia</b>	14.4%	19.1%
<b>Myanmar</b>	11.1%	-
<b>Philippines</b>	28%	29.2%
<b>Singapore</b>	24.0%	-
<b>Thailand</b>	16.2%	10.4%
<b>Viet Nam</b>	26,7%	-

Source: UN Women/IPU, Data as of March 2020

Finally, despite evidence that women in police forces are more likely to de-escalate tensions and to report gender-based violence and are less likely to use excessive force, law enforcement in the ASEAN region is predominantly male, with a women severely underrepresented in the police and military: even if ASEAN Member States (AMS) have undertaken programs to recruit women into police and military service, women comprise only between 6 and 20% of law enforcement workforces [95].

While a number of AMS are post conflict societies undergoing rebuilding, far more needs to be done to engage women's participation in sustaining peace and to track the achievements of women in contributing to peacebuilding and conflict resolution. In a context in which women and girls suffer disproportionately from impacts of conflicts, women's participation in peace and security matters are important to ensure respect for women's rights and to uphold international

commitments. It is also fundamental to build a solid foundation for peaceful and just societies. The aim of this article is to underline the roles of ASEAN Parliaments in promoting women in conflict resolution and peacebuilding, by highlighting some relevant AMS good practices as well as the way MPs can develop and lobby on topics related to women, peace and security (WPS).

## 2. INTERNATIONAL AND REGIONAL WPS FRAMEWORKS

### 2.1 At the international level

In 2000, the Role of Women in Conflict Resolution and Peacebuilding became part of the international agenda with the United Nations Security Council (UNSC) Resolution 1325. This resolution recognizes for the first time that the “full participation of women in the peace process can significantly contribute to the maintenance and promotion of international peace and security”. In this regard, UNSCR 1325 identifies four pillars of the women, peace and security agenda (See Figure 3).

Resolution 1325 has been reinforced in several legally binding international resolutions. They can be divided into two categories: women's participation in peace building, namely resolutions 1889 (2009), 2122 (2013), 2242 (2015) and 2493 (2019); and prevention and fight against conflict-related sexual violence, with resolutions 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013) and 2467 (2019). [N]

### 2.2. At the regional level

In 2017, AMS collectively issued the Joint Statement on Promoting Women, Peace and Security in ASEAN. The 2017 Joint Statement identifies the following four key areas to support the region's realization of the WPS agenda.



### Illustration 3 : Les quatre piliers de la résolution 1325 du Conseil de sécurité des Nations sur les femmes, la paix et la sécurité

<b>Participation</b>	Calls for increased participation of women at all levels of decision-making, including in mechanisms for the prevention, management, and resolution of conflict as well as in peace negotiations & operations.
<b>Protection</b>	Calls specifically for the protection of women and girls from sexual and gender-based violence, including in emergency and humanitarian situations.
<b>Prevention</b>	Calls for improving intervention strategies in the prevention of violence against women, including by prosecuting those responsible for violations of international law; strengthening women's rights under national law; and supporting local women's peace initiatives and conflict resolution processes.
<b>Relief and Recovery</b>	Calls for advancement of relief and recovery measures to address international crises through a gendered lens, including by respecting the civilian and humanitarian nature of refugee camps, and considering the needs of women and girls in the design of refugee camps and settlements.

Source: ASEAN Regional Study on Women, Peace and Security

- **Participation:** Explicitly referencing the importance of women's participation in the political, security, and justice sectors, and in peace processes.
- **Peace Agents:** Reference to the need to recognize and support the role of women as peacebuilding negotiators, mediators, and first responders.
- **Prevention:** Identifying gender inequality as a root cause of conflict and a contributing factor in the risk of violent extremism.
- **Recovery:** Disaster management (presumably including natural and man-made disasters and pandemics).

In April 2018, the first ASEAN-Australia WPS Dialogue was conducted. Under the ASEAN Institute for Peace and Reconciliation (AIPR), ASEAN established on December 13 of the same year the ASEAN Women for Peace Registry (AWPR), a pool of experts who provide capacity building for women as peacebuilders and support the integration of gender perspectives in conflict prevention and peacebuilding strategies.

In 2019, three important agendas emerged, including the adoption of a Joint Statement on Promoting the WPS Agenda at the ASEAN Regional Forum (ARF); the first AWPR Meeting as part of the first Regional Symposium on Implementing the WPS

Agenda, held in Phnom Penh; and the ASEAN Women Interfaith Dialogue, held in Jakarta.

In 2020, the Southeast Asia Network of Women Peace Negotiators and Mediators was set up. The 53rd ASEAN Foreign Ministers' Meeting on 10 September 2020 included an ASEAN Ministerial Dialogue on Strengthening Women's Role for Sustainable Peace and Security where the Ministers "took note of the need to develop a regional plan of action to synergize efforts at the national, regional and global level" [95]. They also encouraged intersectoral collaboration across the three ASEAN community pillars of the Political Security Community, Economic Community, and Socio-Cultural Community.

Finally, the year 2021 marks a significant step in advancing the WPS agenda as ASEAN prepares to commence the development of the Regional Action Plan (RAP) on WPS.

Each of these efforts demonstrates the consistent advance of the WPS agenda in ASEAN. However, there are still only two ASEAN countries with National Action Plans (NAPs) for implementing UNSCR 1325<sup>o</sup>: the Philippines and Indonesia. A huge gap remains between the effort of ASEAN to

promote the WPS agenda and the policies of ASM.

### 3. THE ROLES OF ASEAN PARLIAMENTARIANS IN WPS

#### 3.1. Legislation to implement the WPS agenda

ASEAN Parliaments have an instrumental role in ensuring that laws concerning issues related to WPS are discussed and adopted. The Philippines - the first Southeast Asian nation to ratify the Convention on the Elimination of Discrimination against Women (CEDAW) - offers a unique opportunity to examine how Parliaments can adopt laws in conformity with the WPS agenda and adopt quotas to promote girls and women's participation in peacebuilding and conflict resolution.

The Philippines has passed two pieces of legislation that encourage increased participation of women in peacebuilding and their protection against gender-based violence in armed conflicts, namely Republic Act 7192 and the Magna Carta for Women. Additionally, the Bangsamoro Organic Law - which was adopted in 2018 after 70 congresses involving more than 2700 women - specifically called for rehabilitation

**Figure 4: The Three Iterations of Philippines National Action Plans for WPS**

**2009 - 2016:** First National Action Plan was launched in March 2010 (Executive Order 865), and created the implementing infrastructure of the NAP, the National Steering Committee on Women, Peace and Security (NSC WPS).

**2014 - 2017:** The Philippines launched a review of the first NAP, and in 2014, after a series of consultation meetings, further streamlined the Action Points and Indicators for the second-generation NAP WPS or the 2014 NAP WPS.

**2017 - 2022:** The Philippines launched its Second official NAP, The National Action on Women, Peace and Security (NAPWPS), 2017-2022, through the NSC WPS Technical Working Group (TWG).

Source: ASEAN Regional Study on Women, Peace and Security

programs to address the needs of fighters, including the decommissioned women's auxiliary force, as well as those of internally displaced persons, including widows, as part of a more general commitment to "observe, promote, and ensure gender-responsiveness in all aspects of security and peace building" [97].

Under the Philippine NAP on UNSCR 1325, the government committed to a 10 % quota for female law enforcement officers. Despite early success, the need to increase this quota became evident. On the one hand, this quota left a shortage of female police officers to staff Women and Children Protection Desks within all police departments nationally. On the other hand, increased reports of police brutality and sexual violence pointed to an urgent need to recruit more women to law enforcement. Additionally, female police officers have been deployed to post-disaster refugee camps to ensure protection of women and children from sexual violence and abuse. In 2018, media commentators and women's organizations began placing greater pressure on the Filipino government to increase the quota. In February 2019, the government approved a bill to increase the quota to 20%. In addition, the Philippine NAP established Women and Children Protection Desks in all police stations around the country.

The case of the Philippines reveals the importance of developing a WPS NAP informed by a legislative needs-analysis. In this framework, MPs or parliamentary committees can identify laws or amendments needed to advance the WPS agenda as well as the most critical areas requiring legislative attention. In addressing the WPS agenda, the Philippines is also paving the way for women's participation in peace building and peacekeeping through promoting their role as negotiators, mediators, and peacekeepers (by recruiting female police officer and establishing women's police desks).

### 3.2. Budgeting for WPS implementation

In 2012, the Indonesian government put in place a National Strategy for Gender Mainstreaming Acceleration through Gender-Responsive Budgeting. This strategy provided training for officials and local level bodies as well as proposed budgetary reforms. In subsequent years, after Indonesia launched its first NAP in 2014 for the period 2014-2019, this work has been continually re-evaluated, with the Ministry of Finance and Ministry of National Development Planning tracking the work being done, including capacity checks and training for local officials. Civil society organizations have also been active on these issues, engaging in gender-responsive budgeting training and implementation within their own organizations, especially in the post-conflict areas as well as in the regions most heavily affected by natural disasters. The insights of local women and local communities have, in turn, been fed back into government approaches [97].

The case of Indonesia reveals the importance of analyzing the gendered impact of budgetary allocations, with the aim of expanding the resources dedicated to promoting gender equality. In this framework, MPs or parliamentary committees can be involved in the development, implementation, publicizing and monitoring of a budgeted plan of action for the implementation of resolution 1325. They can, for example, engage with and gather information from their constituents on whether and how government programs have been useful in advancing the WPS agenda or use Question Time to ask whether and how WPS issues will be funded when the draft national budget is tabled in the legislature. Committees responsible for reviewing budgets or public finances can also ask the parliamentary secretariat to undertake an analysis to identify how existing budgets could be targeted more effectively to address WPS, or hold hearings

with representatives from relevant ministries to ask them about what funds they have allocated towards implementation of the WPS agenda and whether and how they have set performance indicators to assess the impact of such funds.

### 3.3. Parliamentary role in public representation

Although the average rate of women's participation in peace processes around the world remains low, the Philippines is an outlier. In 2014 peacemaking negotiations between the Philippines government and the Moro Islamic Liberation Front (MILF), women comprised 40% of the peace negotiators, 69% of the secretariat, and 60% of the legal team, showing that near gender parity can be achieved [94]. More precisely, 33% of the negotiators were women (2 of the 4 government negotiators and 1 of the 5 MILF negotiators), and 50% of the government's negotiating team and 25% of the signatories were women, with the first female panel chair (Professor Miriam Colonel-Ferrer) and the first female chief negotiator to sign a major peace accord (Teresita Quintos-Deles). As a result, 16 articles of the final peace accord mentioned women's rights (the most gender-sensitive peace agreements to date) [97].

The case of Myanmar, where there is no NAP, but a National Strategic Plan for the Advancement of Women (NSPAW) adopted in 2013, reveals the involvement of women's civil society organizations in the peace process. In Myanmar, where armed actors have used sexual violence as a tool against women and their communities, and the trafficking and exploitation of displaced women have risen significantly in recent years, civil society has played an important role in peace processes. For example, the Women's League of Burma (WLB), which consists of 13 women's ethnic organizations, has committed to promote women's participation in the national peace and reconciliation process. This organization, which was a formal observer during the peace accord signing, has since played a direct role in the country's peace process, helping to negotiate some cease-fires, monitoring cease-fire implementation, engaging in political dialogue, and advising peace process stakeholders. Their contributions have led to the inclusion of several gender-friendly provisions in peace-process frameworks, including a 30% quota for women's participation in the political dialogue [96].

**Table 1: Women in Myanmar's National and State/Region Parliaments, 2011-2016 and 2016-2021**

	Elected MPs		Military-appointed MPs		Women as % of elected MPs		Women as % of all MPs	
	Women/ Men 2011-16	Women/ Men 2016-21	Women/ Men 2011-16	Women/ Men 2016-21	2011-16	2016-21	2011-16	2016-21
<b>National Parliament Total</b>	28/438	67/424	2/164	2/164	6.0%	13.7%	4.8%	10.5%
<b>Upper House</b>	4/155	23/145	0/56	0/56	2.5%	13.7%	1.8%	10.3%
<b>Lower House</b>	24/283	44/279	2/108	2/108	7.8%	13.6%	6.2%	10.6%
<b>Parliaments at national / regional level</b>	25/634	84/575	1/221	2/219	3.8%	12.7%	2.9%	9.7%

Source: Amyotha Hluttaw Office; Pyithu Hluttaw Office; Phan Tee Eain and The Gender Quality Network 2014; and Union Election Commission Myanmar

The WLB has also significantly contributed toward increasing women's representation in Myanmar's Parliament (women have almost doubled their rates of legislative representation), including by conducting political training for women and lending support to women candidates.

## 4. THE WAY FORWARD

Good practices suggest that MPs should be involved in the development of NAPs and the RAP as early as possible. By regularly holding public hearings, requesting clarifications directly from government and requesting reports from plenary sessions, parliaments can bring the WPS agenda to the attention of the public and the media, thereby encouraging accountability at all levels. MPs can also benefit the NAP/RAP with their knowledge of the most critical issues in their home constituencies, law reform, budgets and parliamentary procedure.

### 4.1. At the national level

Parliamentarians should be included in the working group responsible for developing the WPS NAP. In this way, Members can share their knowledge of the priorities of their electorates. It can also be a first step to generate buy-in for law reform and budgetary aspects of the WPS NAP that will need to be approved by parliament.

When a WPS NAP is under development — whether or not the parliament is included in the drafting process — it may be useful to raise awareness with MPs on WPS and its relevance in their country. This involvement can increase the likelihood of MPs taking charge over the final WPS NAP and ensuring oversight of its implementation.

If a WPS NAP has not been developed, Parliament can inquire into whether WPS issues have been integrated into other national or sectoral development plans

or if any national development or sectoral development plans which include WPS issues have been prepared. They can also check if any legislation that requires, at a minimum, that some form of gender equality action plan be developed by the government and presented to parliament has been passed.

The Universal Periodic Report (UPR) and treaty reporting provide multiple opportunities for parliaments to engage with WPS issues. During the preparation of the national UPR and/or CEDAW report, parliaments can hold hearings and have the resulting recommendations integrated into the final national report that is submitted to the United Nations by the executive branch. In this way, the legislature can play an important role in facilitating feedback directly from communities and civil society. Once the UPR and CEDAW Concluding Reports are produced by the Human Rights Council and CEDAW Committee respectively, MPs can also call for the report to be tabled in parliament and referred to relevant parliamentary committees for further consideration and action.

### 4.2. At the regional level

Because the majority of ASEAN countries do not have a NAP, the development of a feasible RAP should support all Member States in establishing national policies, with the RAP itself providing a legal basis for each member's national plan. In this area, the ASEAN Inter-parliamentary Assembly (AIPA) can play an important role in strengthening the cohesion between regional and national policies. Adopting a RAP would be a milestone, one that could mark a new era of dedicated attention and increased resources - including at AMS levels - to translate the region's recent policy commitments on WPS into action. Developing an RPA will also have domestic spillover, encouraging AMS to be more active at the national level.



The Philippines and Indonesia could lead the process and share lessons learned and best practices based on their own plans. More specifically, parliamentary groups, such as women's caucus and the Women Parliamentarians of AIPA (WAIPA), can also play a crucial role in harnessing the power of women MPs across multiple parties and pushing forward the WPS agenda by promoting gender-sensitive laws and policies, including in relation to WPS. Such groups can also be a useful contact point for women's rights NGOs to contribute towards parliamentary processes.

## 5. CONCLUSION

For ASEAN, an intergovernmental organization promoting peace, stability, and economic prosperity in a region with a complex history involving colonial struggles, Cold-War conflicts, and international border disputes, USCR 1325 is highly relevant to addressing today's pressing challenges. These include the need for inclusive mediation and to build social cohesion, to counter entrenched discrimination and exclusion, to manage and resolve the ongoing conflicts of today, and to prevent the relapse and emergence of the conflicts of tomorrow. Widening the scope of security to encompass economic security, health pandemics, and disaster and climate change management, the WPS agenda offers an important pathway to ASEAN's transformative recovery and journey

towards sustainable development, shared prosperity and a secure future. This is why ASEAN should work towards establishing a RAP that recognizes the role of women in areas of conflict prevention both in governance and in relief and recovery. And given that Southeast Asia is among the most disaster-prone regions on the planet, this plan will need to recognize natural disasters as another form of 'conflict'.

With the disruptive and dislocating nature of the COVID-19 global pandemic, the WPS agenda has never been more relevant in ASEAN. While this crisis has the potential to exacerbate existing gender inequalities, making bad situations worse for women, it also presents a chance to build back better in a way that empowers women as agents of peace and social cohesion in a time of uncertainty and social distancing. This health crisis can and should be an opportunity to stimulate efforts towards the participation of women in peace processes and political dialogue must continue and be strengthened by virtual means to overcome the constraints of the current situation. Finally, women must be represented among leadership and those in the field for security enforcement of emergency measures, including lockdowns. As women in the region are fierce actors for peace and preventers of conflict, women's rights must also be prioritized by the security sector during emergency actions.

# LE RÔLE DES FEMMES DANS LA RÉOLUTION DES CONFLITS ET LA CONSTRUCTION DE LA PAIX AU SEIN DE L'ANASE

## 1. CONTEXTE

Nombreuses sont les études qui démontrent que lorsque les femmes sont incluses dans la résolution des conflits et la consolidation de la paix, les résultats s'améliorent considérablement (en termes de réussite des négociations de paix, d'impact de l'aide humanitaire, de durabilité de la paix et de reprise économique) [88, 91, 94, 96, 97]. Pourtant, l'analyse de 1 500 accords de paix et accords politiques adoptés entre 2000 et 2016 a révélé que seulement 25 d'entre eux mentionnent le rôle des femmes [98]. Et en dépit de la reconnaissance croissante de leur rôle essentiel dans la consolidation de

la paix (en ce qu'elles élargissent le champ des questions discutées dans les processus de négociation, renforcent l'appropriation communautaire et les chances de s'attaquer aux causes profondes d'un conflit, et exercent une pression accrue sur les parties impliquées pour parvenir à un accord), les femmes continuent d'être sous-représentées aux niveaux mondial, régional et national. À l'échelle mondiale, entre 1990 et 2019, les femmes ne représentaient que 6 % des médiateurs, 13 % des négociateurs et 6 % des témoins et signataires dans le monde [99]. Pour l'ANASE, en décembre 2020, 336 casques bleus étaient des femmes, comme le montre l'illustration 1.

**Illustration 1: Contributions des États Membres de l'ANASE (EMA) aux opérations de maintien de la paix**

EMA	Contribution des femmes	Homme	Femme	Total
<b>Brunei</b>	Contingent (0)	30	0	30
<b>Cambodge</b>	Contingent (71), experts (1), employés (1)	684	92	776
<b>Indonésie</b>	Contingent (107), experts (3), FPU (29), police (13), employés (7)	2663	164	2827
<b>Laos</b>	N/A	0	0	0
<b>Malaisie</b>	Contingent (34), experts (3), employés (1)	801	44	845
<b>Myanmar</b>	N/A	0	0	0
<b>Philippines</b>	Experts (5), police (3), employés (0)	16	11	27
<b>Singapour</b>	N/A	0	0	0
<b>Thaïlande</b>	Contingent (0), experts (1), police (9), employés (1)	288	13	301

Source: Maintien de la paix de l'ONU, Décembre 2020

CHAPTER

01

PROACTIVE PARLIAMENTS FOR PEACE, SECURITY AND SHARED PROSPERITY  
LE RÔLE DES FEMMES DANS LA RÉOLUTION DES CONFLITS ET LA CONSTRUCTION DE LA PAIX AU SEIN DE L'ANASE

En outre, alors même que plusieurs études ont montré qu'une participation accrue des femmes au parlement réduit les risques de guerre civile et de violation des droits de l'homme et que lorsque le pourcentage de femmes au parlement augmente de 5 %, un État est 5 fois moins susceptible de recourir à la violence lorsqu'il est confronté à une crise internationale [88], l'ANASE a été classée comme ayant une représentation insuffisante des femmes dans les parlements (voir Illustration 2).

**Illustration 2: La représentation des femmes dans les Parlements nationaux**

Pays de l'ANASE	Parlement national	
	Chambre haute	30
<b>Brunei</b>	9.1%	-
<b>Cambodge</b>	20.%	16%
<b>Indonésie</b>	20.3%	-
<b>Laos</b>	27.5%	-
<b>Malaisie</b>	14.4%	19.1%
<b>Myanmar</b>	11.1%	-
<b>Philippines</b>	28%	29.2%
<b>Singapour</b>	24.0%	-
<b>Thaïlande</b>	16.2%	10.4%
<b>Vietnam</b>	26,7%	-

Source: ONU Femmes/UIP, Données de Mars 2020

Enfin, malgré les preuves que les femmes dans les forces de police sont plus enclines à désamorcer les tensions et à signaler les violences sexistes, et qu'elles sont moins susceptibles de faire un usage excessif de la force, les forces de l'ordre dans la région de l'ANASE sont majoritairement masculines, et les femmes sont largement sous-représentées dans la police et l'armée : même si les États membres de l'ANASE ont

entrepris des programmes pour recruter des femmes dans la police et dans l'armée, les femmes ne représentent qu'entre 6 et 20 % des effectifs des forces de l'ordre [95].

Alors qu'un certain nombre d'États membres de l'ANASE (EMA) sont dans des situations de reconstruction post-conflit, il reste encore beaucoup à faire pour accroître la participation des femmes dans le maintien de la paix et pour suivre les réalisations des femmes dans leur contribution à la consolidation de la paix et à la résolution des conflits. Dans un contexte où femmes et filles souffrent de manière disproportionnée des impacts des conflits, leur participation aux questions de paix et de sécurité est importante pour garantir non seulement le respect des droits des femmes mais aussi le respect des engagements internationaux. Cette participation est également fondamentale en vue de la construction de bases solides pour des sociétés pacifiques et justes. L'objectif de cet article est de souligner le rôle des parlements de l'ANASE dans la participation des femmes à la résolution des conflits et la consolidation de la paix, en mettant la focale sur la pertinence de certaines bonnes pratiques des EMA, ainsi que sur la capacité des députés à développer et infléchir les sujets liés aux femmes, à la paix et à la sécurité.

## 2. CADRES INTERNATIONAUX ET RÉGIONAUX SUR LE RÔLE DES FEMMES DANS LA RÉOLUTION DES CONFLITS ET LA CONSTRUCTION DE LA PAIX

### 2.1 Au niveau international

En 2000, le rôle des femmes dans la résolution des conflits et la consolidation de la paix est devenu partie intégrante de l'agenda international avec la résolution 1325 du Conseil de sécurité des Nations unies (CSNU). Cette résolution reconnaît pour la

### Illustration 3 : Les quatre piliers de la résolution 1325 du Conseil de sécurité des Nations sur les femmes, la paix et la sécurité

<b>Participation</b>	Appelle à une participation accrue des femmes à tous les niveaux de prise de décision, y compris dans les mécanismes de prévention, de gestion et de résolution des conflits ainsi que dans les négociations et opérations de paix.
<b>Protection</b>	Demande spécifiquement la protection des femmes et des filles contre la violence sexuelle et sexiste, y compris dans les situations d'urgence et les situations humanitaires.
<b>Prévention</b>	Demande d'améliorer les stratégies d'intervention en matière de prévention de la violence à l'égard des femmes, notamment en poursuivant les responsables de violations du droit international, en renforçant les droits des femmes dans le cadre du droit national et en soutenant les initiatives locales des femmes en faveur de la paix et les processus de résolution des conflits.
<b>Secours et réparation</b>	Demande que les mesures de secours et de redressement soient améliorées afin de répondre aux crises internationales en tenant compte de la dimension de genre, notamment en respectant la nature civile et humanitaire des camps de réfugiés et en prenant en considération les besoins des femmes et des filles dans la conception des camps et des installations de réfugiés.

première fois que « la pleine participation des femmes au processus de paix peut contribuer de manière significative au maintien et à la promotion de la paix et de la sécurité internationales ». À cet égard, la résolution 1325 du Conseil de Sécurité des Nations Unies identifie quatre piliers de l'agenda « Femmes, paix et sécurité » (voir Illustration 3).

La résolution 1325 a été renforcée par plusieurs résolutions internationales juridiquement contraignantes. Elles peuvent être divisées en deux catégories : la participation des femmes à la consolidation de la paix, avec les résolutions 1889 (2009), 2122 (2013), 2242 (2015) et 2493 (2019) ; et la prévention et la lutte contre les violences sexuelles liées aux conflits, avec

les résolutions 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013) et 2467 (2019) [ 1 ].

## 2.2. Au niveau régional

En 2017, les États membres de l'ANASE ont collectivement publié la Déclaration conjointe sur la promotion des femmes, de la paix et de la sécurité au sein de l'ANASE. Cette déclaration identifie quatre domaines clés pour soutenir la réalisation de l'agenda FPS dans la région.

- **Participation** : Ce domaine fait explicitement référence à l'importance de la participation des femmes dans les secteurs de la politique, de la sécurité et de la justice, ainsi que dans les processus de paix.

- **Agents de paix** : Ce domaine fait référence à la nécessité de reconnaître et de soutenir le rôle des femmes en tant que négociatrices, médiatrices et parties-prenantes dans la construction de la paix.
- **Prévention** : Ce domaine identifie l'inégalité entre les sexes comme étant une cause profonde de conflit et un facteur contribuant au risque d'extrémisme violent.
- **Réparation** : Ce domaine fait référence à la gestion des catastrophes (y compris les catastrophes naturelles ou d'origine humaine et les pandémies).

En avril 2018 s'est tenu le premier dialogue entre l'ANASE et l'Australie portant sur l'agenda FPS. Dans le cadre de l'Institut de l'ANASE pour la paix et la réconciliation (IAPR), l'ANASE a créé, le 13 décembre de la même année, le Registre des femmes pour la paix de l'ANASE (RFPA), pool d'experts qui assure le renforcement des capacités des femmes en tant que bâtisseuses de paix et qui soutient l'intégration des perspectives de genre dans les stratégies de prévention des conflits et de consolidation de la paix.

En 2019, trois agendas importants ont émergé : 1) l'adoption d'une déclaration conjointe sur la promotion de l'agenda FPS au Forum régional de l'ANASE ; 2) la première réunion de l'IAPR dans le cadre du premier symposium régional sur la mise en œuvre de l'agenda FPS tenu à Phnom Penh ; 3) et le dialogue interconfessionnel des femmes de l'ANASE, tenu pour sa part à Jakarta.

En 2020 a été mis en place le Réseau des femmes négociatrices de paix et médiatrices d'Asie du Sud-Est. La 53e réunion des ministres des Affaires étrangères de l'ANASE, qui s'est tenue le 10 septembre 2020, comprenait un dialogue ministériel sur le renforcement du rôle des femmes pour une paix et une sécurité durables, dialogue au cours duquel les ministres

ont « pris note de la nécessité d'élaborer un plan d'action régional pour mettre en synergie les efforts déployés aux niveaux national, régional et mondial » [95]. Ils ont également souligné la nécessité d'adopter une approche intersectorielle entre les trois piliers communautaires de l'ANASE, à savoir la communauté politique, la communauté économique et la communauté socio-culturelle.

Enfin, l'année 2021 marque une étape importante dans l'avancement de l'agenda FPS dans un contexte où l'ANASE s'apprête à développer son Plan d'action régional (RAP) sur la mise en œuvre de la résolution 1325.

Chacun de ces efforts illustre que l'agenda FPS progresse au sein de l'ANASE. Cependant, seuls deux pays de l'ANASE disposent de plans d'action nationaux (PAN) pour mettre en œuvre la résolution 1325 du Conseil de sécurité des Nations unies : les Philippines et l'Indonésie. Un décalage subsiste donc entre les efforts de l'ANASE pour promouvoir l'agenda FPS et les politiques menées au niveau des EMA.

### 3. LES RÔLES DES PARLEMENTAIRES DE L'ANASE DANS L'AGENDA FPS

#### 3.1. Légiférer pour mettre en œuvre l'agenda FPS

Les parlements de l'ANASE peuvent jouer un rôle déterminant en veillant à ce que les lois concernant les questions liées à l'agenda FPS soient discutées et adoptées. Les Philippines – premier pays d'Asie du Sud-Est à avoir ratifié la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes (CEDEF) – offrent une illustration de la façon dont les parlements peuvent adopter des lois conformes à l'agenda FPS ainsi que des quotas pour



#### Illustration 4: Les trois étapes des plans d'action nationaux des Philippines pour la mise en œuvre de la résolution 1325

2009-2016 : Le premier plan d'action national (PAN) a été lancé en mars 2010 (décret-loi 865), et a créé une structure de mise en œuvre du PAN, comité directeur national sur les femmes, la paix et la sécurité (CDN FPS).

2014-2017 : les Philippines ont lancé une révision du premier PAN et, en 2014, après une série de réunions de consultation, ont rationalisé les points d'action et les indicateurs pour le PAN sur la mise en œuvre de la résolution 1325 de deuxième génération ou le PAN FPS 2014.

2017-2022 : Les Philippines ont lancé leur second PAN officiel, le plan d'action national sur les femmes, la paix et la sécurité (PAN FPS) 2017-2022, par l'intermédiaire du groupe de travail technique du PAN sur la mise en œuvre de la résolution 1325.

promouvoir la participation des filles et des femmes à la consolidation de la paix et à la résolution des conflits.

Avec la loi de la République 7192 et la Magna Carta des femmes, les Philippines ont adopté deux textes de loi qui encouragent une participation accrue des femmes à la consolidation de la paix et à leur protection contre les violences sexuelles dans les conflits armés. En outre, la loi organique Bangsamoro - qui a été adoptée en 2018 après 70 congrès impliquant plus de 2700 femmes - a spécifiquement appelé à des programmes de réhabilitation pour répondre aux besoins des combattants, notamment la force auxiliaire féminine démobilisée, ainsi qu'aux besoins des personnes déplacées à l'intérieur du pays (y compris les veuves), dans le cadre d'un engagement plus général visant à « observer, promouvoir et garantir la prise en compte du genre dans tous les aspects de la sécurité et de la consolidation de la paix » [97].

Dans le cadre du PAN philippin sur la résolution 1325 du Conseil de sécurité des Nations unies, le gouvernement s'est engagé à respecter un quota de 10 % de femmes dans les forces de l'ordre. Malgré les premiers succès, la nécessité d'augmenter ce quota est devenue évidente. D'une part, une

insuffisance dans les effectifs des policières pour les bureaux de protection des femmes et des enfants dans tous les départements de police du pays a été observée. D'autre part, l'augmentation des signalements de brutalités policières et de violences sexuelles a montré qu'il était urgent de recruter davantage de femmes dans les forces de l'ordre. En outre, des femmes policières ont été déployées dans les camps de réfugiés après une catastrophe pour assurer la protection des femmes et des enfants contre les violences et abus sexuels. En 2018, les médias et les organisations de femmes ont commencé à faire davantage pression sur le gouvernement philippin afin qu'il augmente le quota. En février 2019, le gouvernement a approuvé un projet de loi visant à rehausser ce quota à 20%. En outre, le PAN philippin a créé des bureaux de protection des femmes et des enfants dans tous les postes de police du pays.

Le cas des Philippines révèle l'importance d'effectuer au préalable une analyse des besoins législatifs. Dans le cadre d'un PAN sur la mise en œuvre de la résolution 1325 du Conseil de Sécurité des Nations Unies, les députés ou les commissions parlementaires peuvent identifier les lois ou les amendements nécessaires pour faire avancer l'agenda FPS ainsi que les domaines

les plus critiques nécessitant une attention législative. En abordant l'agenda FPS, les Philippines ouvrent également la voie à la participation des femmes à la construction et au maintien de la paix en promouvant leur rôle de négociatrices, de médiatrices et de gardiennes de la paix (en recrutant des policières et en créant des bureaux de police à destination des femmes).

### 3.2. Budgétiser pour mettre en œuvre l'agenda FPS

En 2012, le gouvernement indonésien a mis en place une stratégie nationale d'accélération de l'intégration du genre par une budgétisation sensible au genre. Cette stratégie prévoyait des formations pour les fonctionnaires et les organes au niveau local ainsi que des propositions de réformes budgétaires. Au cours des années suivantes, après que l'Indonésie a lancé son premier PAN en 2014 pour la période 2014-2019, ce travail a été continuellement réévalué, le ministère des finances et le ministère de la planification du développement national assurant le suivi du travail effectué, y compris les contrôles de capacité et la formation des fonctionnaires locaux. Les organisations de la société civile ont également été actives sur ces questions, en s'engageant dans la formation et la mise en œuvre d'une budgétisation sensible au genre au sein de leurs propres organisations, en particulier dans les zones post-conflit ainsi que dans les régions les plus touchées par les catastrophes naturelles. Les propositions des femmes et des communautés locales ont, à leur tour, été prises en compte dans les approches gouvernementales [97].

Le cas de l'Indonésie révèle l'importance de l'analyse ventilée par sexe de l'incidence du budget, dans le but d'accroître les ressources consacrées à la promotion de l'égalité des sexes. Dans ce cadre, les parlementaires ou les commissions parlementaires peuvent être impliqués dans le développement, l'implémentation, la popularisation et le suivi

d'un plan d'action budgétisé pour la mise en œuvre de la résolution 1325. Ils peuvent, par exemple, s'engager aux côtés de leurs électeurs et recueillir des informations pour savoir si, et comment, les programmes gouvernementaux ont été utiles à l'avancée de l'agenda FPS ou utiliser l'heure des questions pour demander si, et comment, les questions FPS seront financées lors de la présentation du budget national à l'assemblée législative. Les commissions responsables de l'examen des budgets ou des finances publiques peuvent également solliciter le secrétariat parlementaire afin d'analyser comment les budgets existants pourraient gagner en efficacité par rapport aux questions de FPS, ou encore organiser des auditions avec des représentants des ministères concernés pour connaître le montant des fonds qu'ils ont alloués à la mise en œuvre de l'agenda FPS ainsi que les indicateurs de performance qu'ils ont pu établir afin d'évaluer l'impact de ces fonds.

### 3.3. Le rôle du Parlement en matière de représentation

Bien que le taux moyen de participation des femmes aux processus de paix dans le monde reste faible, les Philippines font figure d'exception. Lors des négociations de rétablissement de la paix menées en 2014 entre le gouvernement philippin et le Front Moro islamique de libération (FMIL), les femmes représentaient 40% des négociateurs, 69% du secrétariat et 60% de l'équipe juridique, ce qui démontre la possibilité d'atteindre une quasi-parité entre les sexes [94]. Plus précisément, 33% des négociateurs étaient des femmes (2 des 4 négociateurs du gouvernement et 1 des 5 négociateurs du FMIL), et 50% de l'équipe de négociation du gouvernement et 25% des signataires étaient des femmes, avec la première femme présidente du panel (Professeur Miriam Colonel-Ferrer) et la première femme négociatrice en chef à signer un accord de paix majeur (Teresita Quintos-Deles). En conséquence, 16 articles

## Encadré 1 : les femmes dans les parlements nationaux et les Parlements des États/Régions du Myanmar

	Parlementaires élus		Parlementaires nommés parmi les militaires		% de femmes parmi les parlementaires élus		% de femmes parmi l'ensemble des parlementaires	
	Femmes/ Hommes 2011-16	Femmes/ Hommes 2016-21	Femmes/ Hommes 2011-16	Femmes/ Hommes 2016-21	2011-16	2016-21	2011-16	2016-21
<b>Parlement national Total</b>	28/438	67/424	2/164	2/164	6.0%	13.7%	4.8%	10.5%
<b>Chambre haute</b>	4/155	23/145	0/56	0/56	2.5%	13.7%	1.8%	10.3%
<b>Chambre basse</b>	24/283	44/279	2/108	2/108	7.8%	13.6%	6.2%	10.6%
<b>Parlements (au niveau national/régional)</b>	25/634	84/575	1/221	2/219	3.8%	12.7%	2.9%	9.7%

Source : Bureau d'Amyotha Hluttaw ; Bureau de Pyithu Hluttaw ; Phan Tee Eain et le Gender Quality Network 2014 ; et Commission électorale de l'Union Myanmar

de l'accord de paix final mentionnent les droits des femmes (les accords de paix les plus sensibles au genre à ce jour) [97].

Le cas du Myanmar, où il n'existe pas de PAN, mais un Plan stratégique national pour la promotion des femmes (PSNPF) adopté en 2013, révèle l'implication des organisations de la société civile dans le processus de paix. Au Myanmar, où les acteurs armés ont utilisé la violence sexuelle comme un outil contre les femmes et leurs communautés, et où la traite et l'exploitation des femmes déplacées ont considérablement augmenté ces dernières années, la société civile a joué un rôle important dans les négociations de paix. Par exemple, la Ligue des femmes de Birmanie (WLB), qui se compose de 13 organisations ethniques de femmes, s'est engagée à promouvoir la participation des femmes au processus de paix et de réconciliation nationale. Cette organisation, qui était un observateur officiel lors de la signature de l'accord de paix, a depuis joué un rôle direct dans ce processus au niveau

national, en aidant à négocier certains cessez-le-feu, en surveillant leur mise en œuvre, en participant au dialogue politique et en conseillant les parties prenantes. Leurs contributions ont conduit à l'inclusion de plusieurs dispositions favorables aux femmes dans les cadres du processus de paix, notamment un quota de 30 % pour leur participation au dialogue politique [96].

Le WFB a également contribué de manière significative à la progression du nombre de femmes parlementaires au Myanmar (celui-ci a presque doublé), notamment en organisant des formations politiques qui leurs sont dédiées et en apportant son soutien aux candidates.

## 4. VOIE À SUIVRE

Les bonnes pratiques suggèrent que les parlementaires soient impliqués dans l'élaboration des PAN et du PAR le plus tôt possible. En organisant régulièrement des auditions publiques, en réclamant des

clarifications directement au gouvernement et en requérant les rapports des sessions plénières, les parlements peuvent attirer l'attention du public et des médias sur l'agenda FPS, encourageant ainsi la responsabilité à tous les niveaux. Les députés peuvent également faire bénéficier le PAN/ PAR de leur connaissance des questions les plus critiques dans leur circonscription, des réformes législatives, des budgets et des procédures parlementaires.

#### 4.1. Au niveau national

Les parlementaires doivent être inclus dans les groupes de travail chargés d'élaborer les PAN pour la mise en œuvre de la résolution 1325, de telle façon à ce qu'ils puissent partager leurs connaissances des priorités de leurs électors. Cela peut également constituer une première étape pour susciter l'adhésion à la réforme législative et aux aspects budgétaires du PAN qui devront être approuvés par le parlement.

Lorsqu'un PAN relatif à la résolution 1325 est en cours d'élaboration - que le parlement soit ou non inclus dans le processus de rédaction - il peut être utile de sensibiliser les députés à l'agenda FPS et à sa pertinence dans leur pays. Cette implication peut augmenter la probabilité que les députés s'approprient le PAN final et assurent le contrôle de sa mise en œuvre.

Si un PAN pour la mise en œuvre de la résolution 1325 n'a pas été élaboré, le Parlement peut demander si les questions relatives à l'agenda FPS ont été intégrées dans d'autres plans nationaux de développement ou sectoriels ou si de tels plans incluant les questions relatives à l'agenda FPS ont été préparés auparavant. Il peut également vérifier que l'adoption d'au moins une législation exigeant qu'une forme de plan d'action pour l'égalité des sexes soit élaborée par le gouvernement et présentée au parlement.

Le rapport périodique universel (EPU) et les rapports de traités offrent de multiples occasions aux parlements de s'engager sur les questions en lien avec l'agenda FPS. Pendant la préparation du rapport national de l'EPU et/ou de la CEDEF, les parlements peuvent organiser des auditions et faire en sorte que les recommandations qui en résultent soient intégrées dans le rapport national final qui est soumis aux Nations Unies par le pouvoir exécutif. De cette façon, le corps législatif peut jouer un rôle important en facilitant le retour d'information direct des communautés et de la société civile. Une fois que les rapports finaux de l'EPU et de la CEDEF sont produits respectivement par le Conseil des droits de l'homme et le Comité de la CEDEF, les députés peuvent alors demander que le rapport soit déposé au parlement et renvoyé aux commissions parlementaires compétentes pour examen et action complémentaires.

#### 4.2. Au niveau régional

La majorité des pays de l'ANASE n'ayant pas de PAN, l'élaboration d'un PAR faisable devrait aider tous les États membres à s'engager dans de tels plans nationaux, dans la mesure où le PAR constitue en lui-même une base juridique pour les politiques nationales. Dans ce domaine, l'Assemblée interparlementaire de l'ANASE (AIPA) peut jouer un rôle important en renforçant la cohésion entre les politiques régionales et nationales. L'adoption d'un PAR serait ainsi une étape importante en ce qu'il pourrait susciter un regain d'intérêt et des ressources supplémentaires - y compris au niveau des EMA - pour traduire en action les engagements politiques récents pris au niveau régional en matière de renforcement du rôle des femmes dans la résolution des conflits et la construction de la paix. Le développement d'un PAR aura également des retombées au niveau national, encourageant les EMA à être plus actifs dans ce domaine.

Les Philippines et l'Indonésie pourraient engager le processus en partageant les leçons apprises et les bonnes pratiques lors de la mise en œuvre de leurs plans respectifs. Plus spécifiquement, les groupes parlementaires, tels que les caucus des femmes ou les femmes parlementaires de l'AIPA (WAIPA), peuvent également jouer un rôle crucial en exploitant le pouvoir des femmes parlementaires à travers plusieurs partis dans l'objectif de faire avancer l'agenda FPS par la promotion de lois et de politiques sensibles au genre. Ces groupes peuvent également être utilisés comme point focal par les ONG de défense des droits des femmes pour contribuer aux processus parlementaires.

## 5. CONCLUSION

Pour l'ANASE, organisation inter-gouvernementale qui promeut la paix, la stabilité et la prospérité économique dans une région marquée par une histoire complexe (lutttes coloniales, conflits de la guerre froide et différends frontaliers internationaux), la résolution 1325 est très pertinente pour relever les défis les plus urgents de notre temps. Il s'agit notamment de la nécessité d'une médiation inclusive et du renforcement de la cohésion sociale, de la lutte contre les discriminations et l'exclusion sociale, de la gestion et de la résolution des conflits actuels et enfin de la prévention de la reprise et de l'émergence des conflits de demain. En élargissant la portée de la sécurité pour y inclure la sécurité économique, les pandémies et la gestion des catastrophes et du changement climatique, l'agenda FPS offre une chance de transformer l'avenir de l'ANASE en l'engageant sur la voie du développement

durable, d'une prospérité partagée et d'un avenir plus certain. C'est pourquoi l'ANASE devrait travailler à l'établissement d'un PAR qui reconnaisse le rôle des femmes dans les domaines de la prévention des conflits, tant au niveau de la gouvernance que des secours d'urgence et des réparations. L'Asie du Sud-Est étant l'une des régions de la planète les plus exposées aux catastrophes naturelles, ce plan devra reconnaître celles-ci comme une autre forme de "conflit".

Avec la pandémie mondiale COVID-19, et toutes les perturbations et bouleversements qu'elle entraîne, l'agenda FPS n'a jamais été aussi pertinent au sein de l'ANASE. Alors que cette crise exacerbe les inégalités existantes, y compris celles de genre, en aggravant la condition des femmes, elle offre également l'opportunité de reconstruire en mieux, et d'une manière qui renforce les femmes en tant qu'agents actifs de la paix et de la cohésion sociale dans une période d'incertitude et de distanciation sociale. Cette crise sanitaire peut et doit être l'occasion d'accroître les efforts en faveur de la participation des femmes aux processus de paix, et le dialogue politique doit se poursuivre et être renforcé, par des moyens virtuels, afin de surmonter les contraintes de la situation actuelle. Enfin, les femmes doivent être représentées parmi les dirigeants et ceux qui sont sur le terrain pour faire respecter les mesures d'urgence, y compris les confinements. Étant donné que les femmes de la région sont des actrices incontournables dans la prévention et la consolidation des conflits, le respect de leurs droits doit également être considéré comme une priorité par le secteur de la sécurité dans le cadre de l'état d'urgence.



## ASEAN-EU PARTNERSHIP

Central to multilateral efforts between Asia and Europe is the relationship between ASEAN/AIPA with the European Commission/European Parliament. Accordingly, a Joint Communication from the European Commission to the European Parliament and the Council released on 16 September 2021 outlines the EU strategy for cooperation in the Indo-Pacific.

The Communication [100, p.5] references the centrality of ASEAN and outlines how,

*“The EU and ASEAN have developed a dynamic, multifaceted partnership over more than 40 years. This strategic partnership covers political, security, economic, environmental, climate and socio-cultural issues as well as connectivity.*

*The EU appreciates ASEAN’s commitment to effective multilateralism and supports the principle of ASEAN centrality, its efforts to build a rules-based regional architecture, and the multilateral anchor that it provides. The EU also supports the ASEAN-led process towards an effective, substantive and legally binding Code of Conduct in the South China Sea, which should not prejudice the interests of third parties. EU-ASEAN cooperation also covers a wide range of security issues, including through the ASEAN Regional Forum (ARF).*

”

## FOOTNOTES

- A. “Security relations in the Asia-Pacific region make the same points in the negative. In the immediate postwar period, it was not possible to construct multilateral institutional frameworks in this region. Today, the absence of such arrangements inhibits progressive adaptation to fundamental global shifts. The United States and Japan are loath to raise serious questions about their anachronistic bilateral defense treaty, for example, out of fear of unraveling a fragile stability and thereby triggering arms races throughout the region. In Asia-Pacific, there is no EU and no NATO to have transformed the multitude of regional security dilemmas, as has been done in Europe with Franco-German relations, for example. Indeed no Helsinki-like process through which to begin the minimal task of mutual confidence building exists in the region. Thus, whereas today the potential to move beyond balance-of-power politics in its traditional form exists in Europe, a reasonably stable balance is the best that one can hope to achieve in the Asia-Pacific region”.
- B. Political families bring together parties from different countries sharing the same political agenda. Examples are ALDE (liberal parties in Europe) or Socialist international (worldwide organization of socialist parties).
- C. Sectoral ego refers to the tendency for different sectors or agencies to formulate and implement programs and activities in accordance with their own specific mandates, rather than collaborating with related sectors to ensure more effective results.
- D. Please visit <https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19> for further information of the components.
- E. Measure 8 is international loans or grants the country received as a borrower/recipient. Measure 9 is the loans or grants the country provided as a lender/donor to other countries. Measure 10-No breakdown: captures actions or announced measures that do not yet clearly fit into one or more of the other measures or cannot be clearly allocated according to their purposes (it is not double counting).
- F. Article 168 of the TFUE, alinea 4 (norms of quality and security on blood and organs and for drugs and devises of medical use). A binational hospital with EU label is active at the Franco-Spanish border.
- G. Every person must act in good faith in the exercise of his or her rights and in the performance of his or her obligations.
- H. The manifest abuse of a right is not protected by law.
- I. Federal laws are passed by the people if 50,000 voters so request within 100 days of publication
- J. Territorial disputes in Southeast Asia included for example : The claim of the Philippines to the Malaysian state of Sabah; Claims to the Spratly Islands by Malaysia, Brunei and the Philippines; Disputed ownership by Malaysia and Singapore over Pedra Blanca Island; Disputed ownership by Malaysia and Indonesia of the islands of Sipadan, Sbetik and Ligitan; Clashes along the Thai-Myanmar border; A dispute between Thailand and Malaysia over the land border and offshore demarcation line; Boundary disputes between Malaysia and Vietnam and between Indonesia and Vietnam over their offshore demarcation lines; A boundary dispute between Cambodia and Vietnam and; A dispute between Malaysia and Brunei over Limbang and offshore boundaries.
- K. The US delegation to the November 5th East Asia Summit, led by US National Security Advisor, Robert O’Brien, was the lowest ranking delegation ever sent to the East Asia Summit.
- L. The East Asia Summit (EAS) is a forum held annually by leaders of the ASEAN plus six mechanism as well as Russia and the United States.
- M. The ASEAN Defense Ministers Meeting Plus is a platform for ASEAN and its eight Dialogue Partners to strengthen security and defense cooperation in the region. It focuses on five areas of practical cooperation: maritime security, counter-terrorism, humanitarian assistance and disaster relief, peacekeeping operations and military medicine.
- N. ASEAN has made a number of commitments to address sexual violence against women. However, none have aimed to increase women’s participation in political or security discussions. Neither have any of these commitments dealt specifically with the impact of armed conflict on women.
- O. These NAPs, which can range in their period of implementation, focus, and targets, are to specify each government’s commitment to mainstreaming provisions that incorporate the four aforementioned pillars of UNSCR 1325.

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The Four Races statue represents workers from different trades and continents in Geneva, Switzerland in front of the WTO building

LE TRAVAIL DOIT ETRE PLACE AU DESSUS  
DE TOUTES LES LUTTES DE CONCURRENCE  
IL N'EST PAS UNE MARCHANDISE

# CHAPTER 02

## PROMOTING GLOBAL ECONOMIC RECOVERY IN THE ERA OF COVID-19 AND BEYOND

P.82	2.1	Multilateral Trade Agreements Face Challenges <i>By PIC FACT : Scott CAMERON, Sereyrath CHEA, Veathanak VEATHAVONG, Ham CHHORN</i>
P.85	2.2	Multilateral Trading Systems: An Asian Perspective <i>By Dr. Srinivasa MADHUR</i>
P.89	2.3	Multilateral Trading Systems: A European Perspective <i>By Florent ZWIERS</i>
P.94	2.4	Reform of the WTO: A European Perspective <i>By Prof. Michel FOUCHER</i>
P.98	2.5	ASEAN Preparing for a Post-Pandemic Resilient Recovery <i>By Dr Sryneath CHHUOR</i>
P.103	2.6	European Union Recovery Plan (Next Generation Europe) <i>By Prof. Michel FOUCHER</i>
P.105	[FR]	Plan de relance de l'Union européenne



## 2.1 MULTILATERAL TRADE AGREEMENTS FACE CHALLENGES

*“The U.S. has introduced costly protectionist measures leading to escalating tensions, uncertainty, and even full-scale tariff wars with its trading partners.”*

Multilateral trade cooperation has flourished since the creation of the General Agreement on Tariffs and Trade (GATT) in 1947 and its successor the World Trade Organization (WTO) in 1995. These frameworks set the legal ground rules for international commerce between their members (of which the WTO now counts 164 countries) [1].

Using the WTO framework as a base, dozens of multilateral free-trade agreements (that is, arrangements for the flow of goods and services with little to no impediments between three or more countries) have been negotiated around the world, including in ASEAN with the ASEAN Free Trade Area (AFTA) and most recently in Africa with the African Continental Free Trade Area.

However, the presidential administration of the world's largest economy, the United States, has had a change of heart on multilateral systems, turning instead to bilateral negotiations of a more combative variety. The U.S. has introduced costly protectionist measures leading to escalating tensions, uncertainty, and even full-scale tariff wars with its trading partners.

Perhaps emboldened by the U.S. administration, other countries have started to engage in similar tactics, most notably Asia's two largest electronics suppliers, Japan and South Korea.

With these threats to the global trade order, it is worth reexamining the case for trade and the importance of multilateral agreements, especially to ASEAN Member States, now and in the future.

### WHY DO COUNTRIES TRADE?

The classical economics case for trade is that a country can improve its welfare by specializing in its comparative advantage (the products and services it can produce at the lowest relative cost in terms of other production foregone) while trading with other countries to satisfy its consumption demands. Comparative advantages can arise from a country's climate, technology, skill level, or government policies, to name a few [2].

Trade can also contribute to peace. In fact, the WTO system was born out of a desire among powers to avoid a repeat of the Second World War. As such, the WTO's mission emphasizes principles such as equality, cooperation and peace through negotiation [1].

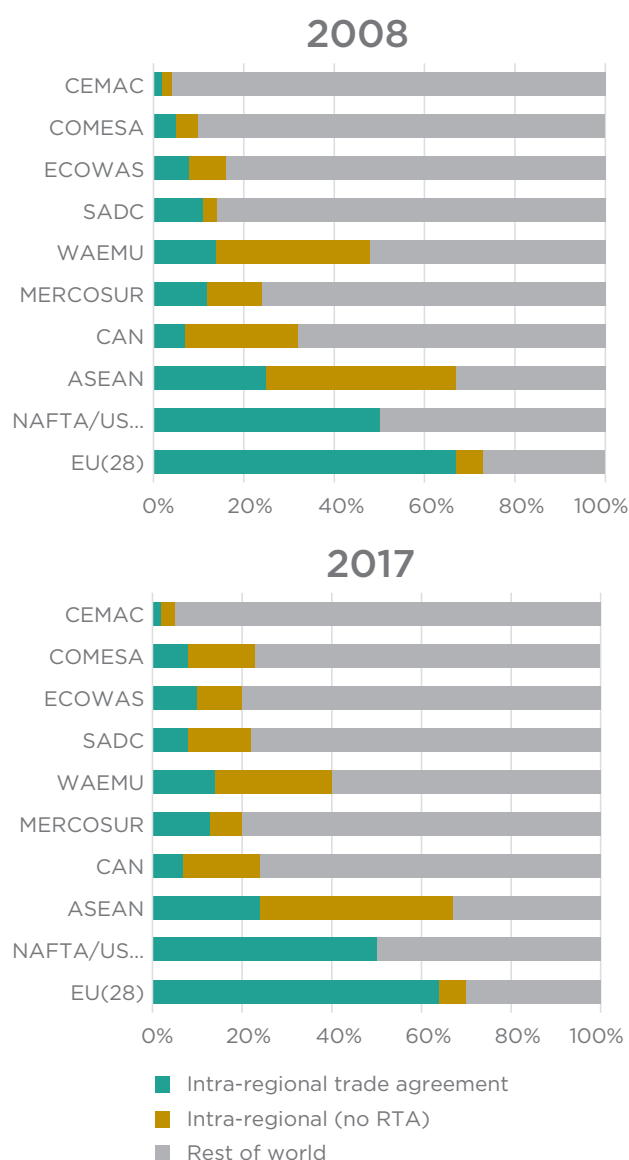
### TRADE'S IMPORTANCE TO ASEAN

The ASEAN region's population of more than 600 million makes it the world's third largest market trading block and seventh largest economy by some measures [3]. Although merchandise exports overall have grown from USD 990 billion in 2008 to USD 1447 billion in 2017, the composition of export partners for ASEAN Member States has remained roughly unchanged over the last ten years: 24 percent of exports are to AFTA partners, 43 percent are to partners within the region but not a part of AFTA, and 33 percent are with external trade partners [4].

The figure below shows that ASEAN has by far the greatest untapped potential to expand its preferential tariff scheme to include more regional partners, but has made little progress in doing so over the last decade.

## EXPORTS AMONG TRADE AGREEMENTS, REGIONS, AND THE REST OF THE WORLD

**Figure 1. ASEAN Trading Partners**



Source: WTO World Trade Statistics 2019

## ROLE OF PARLIAMENTS IN PUTTING MULTILATERAL AGREEMENTS BACK ON TRACK

In the face of trade tensions, the WTO expects that annual merchandise trade growth will have fallen to 1.2 percent in 2019, down from 3.0 percent in 2018 [5]. What can be done to reverse the tide of uncertainty so that trade may rebound to its full potential in driving global growth?

Parliaments and inter-parliamentary organizations can play a role in reminding the world's governments that trade lifts all boats. By providing an alternative voice to those executive bodies that currently hold multilateralism in disfavor, and by giving needed support to those governments that wish to increase cooperation, legislative bodies can help to adopt and expand multilateral trading systems. For their part, AIPA Member Parliaments can work to accelerate and expand regional trade with an enlarged AFTA, which could both increase prosperity in the region and show other partners and the world that multilateralism is here to stay. Alternative trade agreements could also be sought, such as in the case of the Comprehensive

“ By providing an alternative voice to those executive bodies that currently hold multilateralism in disfavor, and by giving needed support to those governments that wish to increase cooperation, legislative bodies can help to adopt and expand multilateral trading systems. ”



and Progressive Agreement for the Trans-Pacific Partnership [1] and the Regional Comprehensive Economic Partnership [2] in which members of ASEAN have integrated into both cross-regional and intra-regional trade arrangements.

Multilateralism can also be enhanced through digital infrastructure and technology, as supported by the European Parliament in addressing the challenges facing multilateral trading systems [6, 7]. For instance, as a part of the legislative function, the International Trade Committee of the European Parliament has adopted a report on blockchain technology to enhance global trade and increase transparency, as blockchain stimulates collaboration and reduces the risk of non-payment and the procedural

costs of paperwork [7]. The system could facilitate trade across customs borders, where exporters could upload documents to a WTO application and prove compliant with the rules of a respective trade agreement.

Parliaments also play a fundamental role in shaping, overseeing and communicating government activities that ensure fair and inclusive trade which fosters development, employment and poverty reduction [8]. Efforts could be taken in cooperation with government and business interests in which the parliaments utilize research and educational services to provide reports on relevant trade issues. Parliamentary outreach and media workshops could also be used at the local level to explain the importance of a rules-based trade system to the public [7].

“ *Parliaments also play a fundamental role in shaping, overseeing and communicating government activities that ensure fair and inclusive trade which fosters development, employment and poverty reduction.* ”



Cat Lai container harbor, Ho Chi Minh City, Vietnam  
Hien-Phung Thu

## 2.2 MULTILATERAL TRADING SYSTEMS: AN ASIAN PERSPECTIVE

### THE POST-WAR INSTITUTIONS

The multilateral trading system that was created in the aftermath of the Second World War which succeeded in moving the global economy towards a much freer trade regime for decades, is now in a state of flux. The multilateral trading regime, governed by the World Trade Organization (WTO) – until 1995 an intergovernmental arrangement known as the General Agreement on Trade and Tariffs (GATT) – is a remarkable success story of global governance (Basedow, 2017) [8].

It has made notable progress in achieving a near-free global trade regime for decades. First, average tariffs among the Organization for Economic Cooperation and Development (OECD) countries that ranged from 20 to 30 percent in the 1950s now stand at less than 4 percent. Second, quantitative restrictions on global trade in the form of trade quotas have been brought down sharply. Third, new multilateral rules and enforcement mechanisms covering trade in services, intellectual property rights, and investments have generally made trade relations among countries more predictable. Fourth, the dispute settlement mechanism of the WTO governing multilateral trade has been strengthened. Finally, the GATT/WTO regime has evolved from a small club of 23 developed Western economies in the post-war era into a truly global institution with 164 members, with more countries wishing to join.

Despite these overall successes, the multilateral trading system under the GATT/WTO regime has faced many setbacks in the past, including the

notable failure of the Doha Round of trade negotiations. However, it is the unilateral raising of tariffs by the United States on Chinese products in 2018, which, in turn, led to retaliatory actions by China against the United States, which has introduced much deeper and wider cracks in the multilateral trading system. Whereas past setbacks had impeded further progress in multilateral negotiations, the current fissures pose an existential threat to multilateral trading systems (Panagariya, 2018) [9].

### THE UNITED STATES-CHINA TRADE CONFLICT

On March 8, 2018, the United States unilaterally imposed a 25 percent tariff on steel imports and a 10 percent tariff on aluminum imports from China. Closely following that, China took a retaliatory action on April 2, 2018 by levying a 25 percent tariff on its food imports from the United States. On July 6, 2018 the United States decided to take further unilateral action, imposing a 25 percent tariff on Chinese imports worth USD 34 billion. China responded the same day with its own tariffs at the same rate on imports of equal value from the United States. On August 2, 2018, the United States threatened another round of 25 percent tariffs on imports worth USD 200 billion from China, to which China responded with its own counter-threat of tariffs on imports worth USD 60 billion. Subsequently, the United States issued another list of imports from China worth USD 16 billion on which it imposed a 25 percent tariff beginning on August 23, 2018. China immediately announced retaliatory tariffs on imports from the United States of equivalent worth, at a corresponding rate of 25 percent.

Compounding the tariff based assault on multilateral trade begun by the United States in 2018, President Trump then delivered a body blow to the WTO by withdrawing the United States' membership of the organization's Appellate Body that facilitates the settlement of multilateral trade disputes. When disputes over compliance with the rules governing multilateral trade arise between countries, the Appellate Body under the GATT/WTO dispute settlement mechanism help to resolve them. Although countries have at times filed too many frivolous trade disputes at the WTO, overburdening the dispute settlement mechanism, member countries have placed the preservation of the system above all else and therefore abided by the rulings. In general, members also avoided raising trade barriers except under various safeguard provisions of the GATT-WTO agreements. And when violations occurred, countries generally sought relief through mediation via the GATT and WTO instead of retaliating unilaterally. But the recent trade actions of the United States have a strong unilateral flavor and hence strike at the very basis of the multilateral trade regime. Whether an acceptable remedy to the WTO's dispute settlement process will evolve sooner rather than later is thus an open question at this stage.

As far as the trade conflict between the United States and China, there have been some hopeful signs. In early 2020, the two countries signed the "phase one" agreement which includes pledges from China to increase its imports of American farm products and other goods, provides protection for United States technology, and creates new enforcement mechanisms. The United States cancelled an impending and damaging round of new tariffs and promised to slash in half the 15 percent tariffs previously imposed on consumer goods like clothing. China also agreed to import an additional USD 200 billion of

American products over two years above the USD 187 billion it imported in 2017 before the trade conflict began, including an additional USD 32 billion in agricultural products. Many experts believe that the "phase one" trade deal does not amount to a trade peace between the two nations, but only a truce.

## ASIA'S RESPONSE

In general, most Asian countries have maintained a neutral stance on the trade conflict between the two dominant global economic powers, largely reflecting their varied geopolitical alliances. However, Asian countries have time and again reiterated the need for, and their commitment to, preserving the multilateral trading system that the world has painstakingly nurtured for decades.

At the same time, many Asian countries have proceeded with both cross-regional and intra-regional economic integration initiatives. The first such initiative was the signing of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – a cross-regional trade and economic integration initiative (that includes 11 countries around the globe – Japan, Malaysia, Singapore, Vietnam, Brunei, Australia, New Zealand, Canada, Chile, Peru, and Mexico), after the United States pulled out of the 12-member Trans-Pacific Partnership (TPP) as soon as President Trump took office in January 2017. The CPTPP was signed in March 2018 and was ratified by a majority of members. It became effective on December 30, 2018. South Korea is seen as a likely future member of the CPTPP, while more recently Thailand and Columbia have expressed interest in joining.

More recently, the Regional Comprehensive Economic Partnership (RCEP) – a 16-member regional economic partnership consisting of the ten



Association of Southeast Asian Nations (ASEAN) plus Japan, China, South Korea, Australia, New Zealand, and India – is reaching its final stages. All the member countries, excluding India, are aiming to sign the agreement in 2020 and implement it beginning 2021. RCEP, an initiative begun in 2012 as an attempt to integrate trade agreements between ASEAN nations and their major trading partners (dialogue partners) into a single agreement, would be the world's largest trade agreement by population and income covered.

RCEP has a huge potential to raise global income (Reinsch et. al., 2019). A study by Brookings Institute – a think-tank based in the United States – estimates that RCEP has the potential to boost global incomes by USD 285 billion annually, which in absolute terms is twice the estimated gains from CPTPP (cited in Reinsch et. al., 2019). The deal makes significant strides in dealing with rules of origin, intellectual property, and tariff reduction, while still coming up somewhat short in other areas, like e-commerce. During the final negotiations, there was a setback when India pulled out of the agreement. While India's move was somewhat unexpected, the departure will not impact the progress of RCEP. The RCEP provisions that specifically address India will be frozen, and other small changes may be made in order to account for India's departure. RCEP will remain open for India to rejoin at any time (RCEP also contains a more general accession provision), but it seems unlikely that India will consider rejoining RCEP prior to the signing of the agreement.

## CONCLUSION

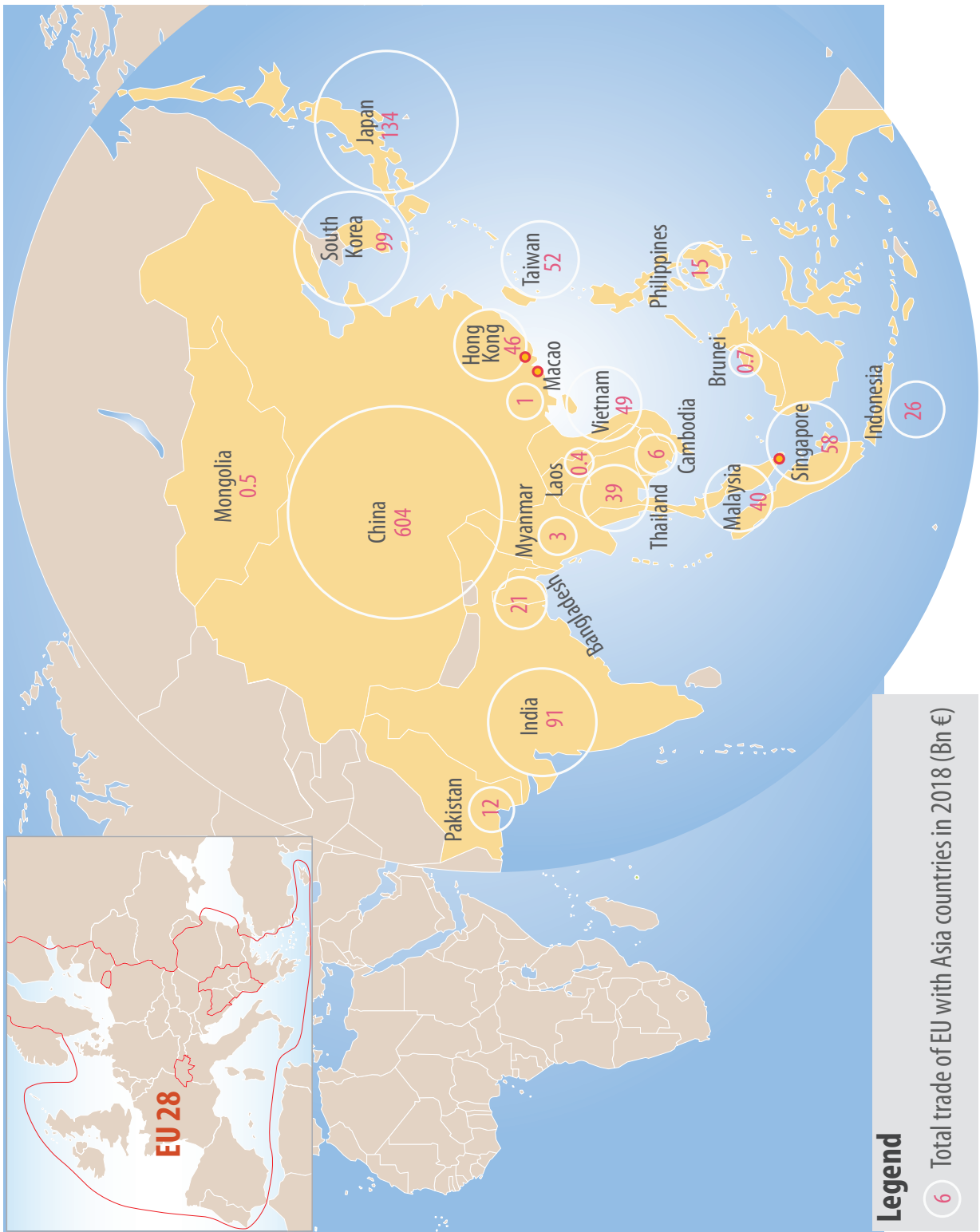
Over the last several decades, nearly every Asian country has benefitted vastly from the postwar multilateral trading system and its key governance institution, the WTO. A rules-based, open global trading regime has enabled country after country

in Asia to follow an outward-oriented trade policy regime and integrate into the vast global market. The results have been a surge in exports, the creation of millions of jobs at home, and a steady climb up the development ladder. China is perhaps the clearest example of this progress, having benefitted by following an export-led growth strategy since the beginning of 1980s.

Consumers in Europe, the United States and elsewhere have, in turn, benefitted from a whole set of goods and services that they can import from Asia at much lower prices than if produced at home. The multilateral trading system has thus benefitted developed and developing countries alike. Whenever trade-frictions arose between countries, they could resolve them through the rules-based multilateral dispute settlement system under GATT/WTO. However, the unilateral raising of tariffs by the United States starting in 2018 and its withdrawal from WTO's Appellate Body responsible for resolving trade disputes between countries have introduced significant strains on the multilateral trading system. Over the same period, many observers have noted that China has also, at times, employed somewhat problematic policies at home which tend to undermine the rules-based multilateral trading regime.

It is in the interest of the international community for both the United States and China to resolve their trade conflict amicably and expeditiously, so that the postwar multilateral trading system that has been so carefully cultivated over the past decades is returned to a healthy state. Most Asian countries have responded with a dual-track approach in the aftermath of the US-China trade-conflict. On the one hand, they have all announced their commitment to the multilateral trading system. On the other, they have also facilitated trade liberalization through fast-tracking cross-regional and

**Map 1:** EU-Asian Trade



**Source:** European Commission DG Trade Statistical Guide 2019

intra-regional integration initiatives such as the CPTPP and RCEP. Such a dual-track Asian perspective seems to be an appropriate response to the evolving cracks

in the existing multilateral trading system. This two track approach should reinforce global trade integration, one way or another.



## 2.3 MULTILATERAL TRADING SYSTEMS: A EUROPEAN PERSPECTIVE

“ *While bilateral trade agreements may be less complex, nations engaged in them are still faced with this fundamental tension between sovereignty and order at the heart of globalization.* ”

### HISTORICAL BACKGROUND

The modern system of rules-based multilateral trade had its start in 1941 when, in the midst of the Second World War, Churchill and Roosevelt met in Newfoundland and made a joint statement, which would later become known as the Atlantic Charter [10]. Despite pressing wartime matters, two of the eight articles (namely 4 and 5) of the charter were dedicated to trade [11], and the charter led to the conception of a number of transnational institutions including GATT and the Bretton Woods system [10].

After the war, Europe became increasingly integrated, initially with the European Coal and Steel Community in 1950 and later with the European Economic Community (EEC) in 1957. However, these agreements were not just dry economic documents solely focused on commercial trade, but expressed underlying political and moral values about Europe and its relationships with other nations. The Schuman Declaration (which led to the establishment of the European Coal and Steel Community) mentioned “the development of the African continent” as one of Europe’s “essential tasks” [12] and the

Treaty of Rome (which established the EEC) has an entire section (part 4) dedicated to “Overseas Countries and Territories” [13].

Further evidence that more than just economic factors played a role during the founding of the EU is that the USA was a strong supporter of the creation of the EEC, despite the fact that a customs union without the USA in it had economic costs to American businesses. According to current WTO Deputy Director-General Wolff, the USA (partially) supported the EEC in order “to form an economic bulwark against Soviet expansion” [14]; so political ideals prevailed over strictly economic considerations. While the EU has grown in size and economy in the decades since, moral and political values still underpin much of its trade philosophy. In fact, the EU’s growth has only further strengthened the “conception of its role as a leading and ‘normative’ power” [15, p.73]. The EU exercises this power both in the WTO as well as through bilateral and plurilateral trade agreements.

### THE WTO

The EU is a member of the WTO (as are all of its Member States) and considers the WTO “indispensable in ensuring free and fair trade” [16, p.1]. The EU regards a strong rules-based system as a prerequisite for sustainable growth, in large part because the

“ *While the EU has grown in size and economy in the decades since, moral and political values still underpin much of its trade philosophy.* ”

“*The EU regards a strong rules-based system as a prerequisite for sustainable growth, in large part because the EU economy is deeply integrated into global value chains which require predictability and stability.*”

EU economy is deeply integrated into global value chains which require predictability and stability [16]. One testament to the ability of the rules-based multilateral trading system to provide stability is that the 2008-2009 global financial crisis, unlike the 1930s depression, did not lead to trade wars or even to a big surge in protectionist measures [16, 17, 18].

A decade later, however, the rules-based multilateral trading system does seem to be in trouble, with increasing threats of unilateral protectionist measures, a lingering US-China trade war, and even threats from the USA to withdraw from the WTO [16, 10]. The Dispute Settlement System (DSS), considered the “jewel in the crown” of the WTO by the EU [19, p.2], is at risk of collapse as the USA is blocking new appointments to the Appellate Body (AB), creating an impasse [19]. This American obstruction is due to a number of concerns it has about the WTO and the “activist approach of the Appellate Body” [20, p.28], the most substantial (and most complex) of which are related to the tension between American sovereignty and the global jurisdiction of the WTO. The USA objects to the AB reviewing its domestic law and to the AB treating its own reports as precedent [20].

In addition to problems with the AB, the stalemate created after the inconclusive Doha Development Agenda (sometimes called 2001 Doha Round, hereafter in this

document; DDA) has led to an increase in bilateralism as WTO members seek to make trade agreements outside of the multilateral WTO system [19]. Part of the reason for the current logjam is the WTO’s “single undertaking approach”, meaning that WTO deals (like the DDA) have to be passed in their entirety or not at all; there is no option to pick certain provisions and not others [21]. Another explanation for the failure of the DDA is the north-south divide; developed nations of the north see giving market access as an economic risk that should come with compromises from those getting access, while developing nations in the south rebuke such a commercial mindset and instead see the DDA as an avenue to change existing unfair rules set by developed nations [18]. This issue is further complicated by the fact that the old WTO conception of countries as being either developed or developing (or least developed) is becoming outdated with the BRIC [A] countries growing to the extent that developed nations feel ill at ease giving them unreciprocated concessions [17].

While the EU Parliament still considers the WTO “the best option for international trade” [19], the EU has been seeking its reform, including by strengthening enforcement mechanisms, giving committees more power to make incremental changes to the rules, and addressing the USA’s concerns about the AB [16]. However, while the USA has been making a number of its own free trade agreements (FTAs) the EU has not sat idly by; in 2006 it broke its moratorium on new trade agreements and forged a large number of FTAs, including several with developed countries [17]. ‘Trade for All’, a policy document from 2015 by the EU Commissioner for Trade (Cecilia Malmström at the time), stated that FTAs are needed alongside multilateral WTO agreements. Multilateral agreements may have bigger impact, but they are much more complex; the EU Commission believes regulatory convergence is easier to achieve through bilateral negotiations [22]. This

philosophy seemed to have been applied in ASEAN; while bi-regional negotiations with ASEAN were held, they turned out to be too complex. The EU has since made bilateral FTAs with Singapore and Vietnam and is in negotiations with all other ASEAN members (except prospective member East-Timor). It seems the liberalization of trade is too urgent and important for the EU to wait until the issues with the WTO system are resolved [15].

## SOVEREIGNTY AND THE NEW WORLD OF TRADE

Some of the problems with the WTO stem from a tension between a desire by States to remain sovereign and a need for a multilateral system of rules to govern trade between nations. Under the Westphalian nation-state model, countries have absolute sovereignty over what happens within their borders. In a globalized world, where products are often made in five or six countries (by companies that may be registered in another country altogether), this model is becoming increasingly more difficult to maintain. While bilateral trade agreements may be less complex, nations engaged in them are still faced with this fundamental tension between sovereignty and order at the heart of globalization.

Pascal Lamy, former Director-General of the WTO and EU Commissioner for Trade before that, frames this issue into what he calls the “old world of trade” versus the “new world of trade”, with our current world being in a transition phase between the two [17, 23, 24].

In this conception the ‘old world’ is one where policy makers try to protect domestic producers from external competition through protectionist measures (such as tariffs and quotas). In such a world, trade negotiations are relatively straight forward; opening trade would mean lowering or removing protectionist measures, whereby

any concession can be reciprocated (if country A lowers tariffs on X, country B can reciprocate by lowering tariffs on Y), and where the end goal is zero (i.e. no tariffs or quotas). On the other hand, in the ‘new world’ protectionism is unhelpful as it hurts the global value chain domestic producers are part of. This protectionism is replaced by precaution; policy makers try to protect the consumers (rather than producers) by setting regulations and standards for goods and services sold in the domestic market. Removing differences in regulation is a fundamental part of opening trade in this new world. However, regulations cannot be traded off as easily as tariffs can, countries are unlikely to lower their health and safety regulations in return for their trading partner lowering theirs. Where trade negotiations in the old world were about moving (protectionism) downwards, in the new world it is about moving (precaution) upwards [23, 24].

This way of framing modern trade would explain the complexities of a multilateral rules-based trading system. While countries could theoretically lower standards (and producers might even cheer on such a move), consumers and consumer organizations would be up in arms; no country could do this if it wants to maintain democratic legitimacy. Tariffs and quotas do not have normative value in and of themselves, but precautionary measures (i.e. regulations) are about risk management and are inherently value-laden [23, 24]. Since values are influenced by culture and different countries have different cultures, opening trade in the new world (i.e. harmonization of regulations) becomes a Gordian knot [17].

The importance of democratic legitimacy was felt firsthand by the EU during the Transatlantic Trade and Investment Partnership (TTIP) negotiations. The aim of the TTIP was convergence of the EU and the USA regulatory frameworks, but despite both already having relatively

high regulatory standards in place, it proved too complex to harmonize them. In addition, many EU citizens saw the TTIP as a threat to the EU regulatory model, which was symbolized in public discourse by protest against “chlorinated chicken” that was allowed for sale in the USA, but not in the EU [25]. The aforementioned “Trade for All” policy document was released in 2015, as public criticism of the TTIP was reaching a crescendo, and TTIP negotiations were on the brink of collapse (negotiations ended in 2016 and the EU Council ruled the negotiation directives obsolete in 2019 [26]). In “Trade for All”, the EU commission stated it learned from this and vowed to be more transparent in future trade negotiations by making negotiation directives and outcomes public in a more timely manner [22].

## EU VALUES AND SPECIAL TREATMENT

As mentioned before, the EU has long mixed trade policy with normative power and aspirations of global development. An example of this is the ‘general system of preferences’ (GSP), which reduces or removes import duties for products from developing countries as well as the Everything But Arms (EBA) scheme, which removes all duties and quotas (except for armaments) for the 49 Least Developed Countries [27]. EU policy documents explicitly mention the importance of enforcing “social justice, respect for human rights, high labour and environmental standards, and health and safety protections” through trade policy [22, p.22].

Some academics argue that the normative language in EU policy documents is merely empty discourse with little bearing on reality, which is played up or down depending on who the EU Commissioner for Trade is [15]. Nevertheless, discourse about, in the words of the EU Commission, “align[ing] trade policy with European values” [22, p.24] seemed

to have had a real effect in ASEAN. The EU’s involvement in the Initiative to Promote Fundamental Labour Rights and Practices in Myanmar is mentioned in “Trade for All” as a means of “responsible management of global supply chains” [22]. And the partial withdrawal of EBA preferences for Cambodia after the EU Commission judged that the Cambodian government did not do enough to allay their “serious concerns” over unresolved cases involving labor unions [28] is also an example of the EU using trade policy as a political tool.

However, such policies are becoming less effective as the world moves further into Lamy’s “new world” of trade; EBA and other special preferences (or withholding thereof) are harder to rationalize in the new world; you cannot give a regulatory advantage to producers from some nations but not others as that would undercut the whole purpose of systematic regulations (i.e. managing risks for consumers) [23, 24]. Consequently, while all trade agreements by the EU in the last decade have had a chapter on “sustainable development” [15], external normative pressure may become harder to apply through trade policy, and those chapters run the risk of becoming unenforceable discourse.

## FUTURE EU ROLE IN TRADE FOR INCLUSIVE AND SUSTAINABLE DEVELOPMENT

The EU is, and likely will remain, an ardent supporter of a strong rules-based multilateral trading system. The EU economy is too integrated in global value chains not to be. However, as long as the WTO remains in a stalemate position where it is unable to develop new agreements or appoint new members to the Appellate Body, the EU will likely continue to expand bilateral and plurilateral FTAs.

Additionally, while normative values will likely still go hand-in-hand with any new



EU trade deals, the enforcement of the normative aspects of the deals will probably be superficial.

Finally, the (at the time of writing) ongoing Brexit negotiations and the rise of euroscepticism (the eurosceptic Parliamentary group “Identity and Democracy” has 76 of 705 seats in the EU

Parliament now that the UK MEPs have left) make the EU’s position precarious. It will likely want to keep the UK in its regulatory sphere. At the same time, as public outrage over TTIP has shown, it cannot afford to make bilateral agreements that need regulatory reform without transparency and democratic input if it wants to keep euroscepticism at bay.



Container ship in the Gulf of Thailand  
Magnifier

## CHAPTER

# 02

PROMOTING GLOBAL ECONOMIC RECOVERY IN THE ERA OF COVID-19 AND BEYOND  
MULTILATERAL TRADING SYSTEMS: A EUROPEAN PERSPECTIVE



## 2.4 REFORMING THE WORLD TRADE ORGANIZATION: TOWARDS A SUSTAINABLE AND EFFECTIVE MULTILATERAL TRADING SYSTEM

### THE WTO MATTERS BUT IT IS IN CRISIS.

According to the EU Commission [29], World trade has expanded 300-fold since the foundation of the multilateral system in 1947 and today contributes more than 60% of global GDP, supporting jobs, growth and investments, partly thanks to successive reductions in tariffs negotiated through the multilateral system. Today the world's applied tariffs stand at an average of 9%, made possible by the stability the system provides. The WTO's most-favored nation principle (MFN) limits discrimination between goods and services from different trading partners.

The WTO framework provides a stable floor of economic openness whereby 60% of EU trade is conducted on MFN terms, including trade with the United States, China, Russia and India. The rules of the WTO protect the interests of all trading nations against discriminatory, behind-the-border action and ensure that contingent trade protection is based on multilaterally agreed mechanisms. Though more needs to be done, the WTO has also contributed to global sustainable development. The economic openness it has guaranteed has helped many developing countries into the world economy, lifting hundreds of millions of people out of poverty.

The EU Commission found that, the current crisis affecting the WTO affects all three of its functions: negotiations have failed to modernize its rules, the dispute settlement system has made a de facto return to the days of the General Agreement on Tariffs and Trade (GATT) where panel reports can be blocked, and the monitoring of trade policies has become ineffective.

“

*The rules of the WTO protect the interests of all trading nations against discriminatory, behind-the-border action and ensure that contingent trade protection is based on multilaterally agreed mechanisms.*

”

In addition, the trade relationship between the US and China, two of the three largest WTO members, is currently managed outside of WTO mechanisms. A key driver of the crisis is that China's accession to the Organization has not led to its transformation into a market economy. The level at which China has opened its markets does not correspond to its weight in the global economy, and the state continues to exert a decisive influence on China's economic environment that results in competitive distortions that cannot be sufficiently addressed by current WTO rules.

But the WTO has not been able to negotiate new rules to tackle this or other pressing issues, such as digital trade and sustainability. Reaching consensus among 164 members against the backdrop of today's diffuse global balance of power is a huge challenge. Negotiations are also held back by disagreements about flexibilities for developing countries. The current situation is not sustainable, where two thirds of the membership - including some of the world's most significant economies - insist on special and differential treatment.

“ *Not only is trade vital for its connected economy, but promoting rules-based international cooperation is the very essence of the European project.* ”

Further, the WTO's monitoring and deliberative function is being seriously challenged by insufficient transparency about members' trade legislation and practices, and the fact that topics such as environmental degradation, climate change and decent working conditions are considered taboo. Last but certainly not least, the dispute settlement system was effectively paralyzed at the end of 2019 due to the full-scale obstruction of appointment of Appellate Body members by the United States.

## THE URGENT NEED FOR REFORM

The current context presents unique problems for an organization that seems to have lost its sense of common purpose, but a stable trading environment with the WTO at its centre is more essential than ever to address the challenges before us, starting with the economic recovery from the pandemic. The EU has a fundamental strategic interest in ensuring the effectiveness of the WTO. Not only is trade vital for its connected economy, but promoting rules-based international cooperation is the very essence of the European project. The EU must therefore play a leading role in building the momentum for meaningful WTO reform.

## SEVERAL OBJECTIVES SHOULD BE PURSUED

Restoring trust and a sense of common purpose: the WTO's contribution to sustainable development

- Concluding the negotiations on fisheries subsidies would be an important step towards solidifying the WTO's contribution to sustainability.
- The EU has presented together with the Ottawa Group a trade and health initiative covering regulations on export restrictions and several trade facilitating measures and steps to facilitate transparency.
- Many SDGs relate to protection of the environment (and biodiversity), and as such the WTO should seek to align its rules with their achievement.
- The EU views sustainability as part of the necessary green transition of economies, and so will work to see this reflected in the WTO's work across the board. To this end, the EU will soon present an initiative on trade and climate in the WTO.

## HOW CAN TRADE CONTRIBUTE TO DEVELOPMENT?

There is a need for a forward-looking approach to special and differential treatment. One of the founding objectives of the WTO is to ensure that developing countries, and especially the least developed among them, secure a share of the benefits of international trade commensurate with the needs of their economic development. 'Special and differential treatment' (SDT) is meant to enable developing countries to make the best use of the opportunities for development that WTO membership offers.

The EU is a strong supporter of SDT but believes its use must be guided by the underlying economic reality that trade

*“Those developing economies that have seen the most consistent growth are those that have focused their efforts on integrating into the global economy and progressively opening their markets to greater competition.”*

is a driver of development, rather than a threat. Those developing economies that have seen the most consistent growth are those that have focused their efforts on integrating into the global economy and progressively opening their markets to greater competition. The great development challenge for the WTO is how the Organization can effectively assist the efforts of those developing countries that are not yet sufficiently integrated into the global economy.

In terms of process, an ‘agreement-by-agreement’ approach appears to be the most likely to deliver real progress on SDT. While it would be desirable that all WTO members agreed on crosscutting criteria for SDT, it is more realistic to try to find convergence in specific negotiations. Still, the EU’s approach will be guided by some overall considerations. The EU would strongly support SDT provisions that effectively respond to the capacity constraints of most developing countries. At the same time, the EU expects full commitments in ongoing negotiations and future agreements from a) OECD members (including OECD accession candidates); b) countries classified as ‘high income’ by the World Bank; and c) countries that represent a sufficiently high share of global exports in general or in the sectors concerned by a particular negotiation. Due to its weight in the system, China should lead by example and not claim SDT in any ongoing negotiations.

## RESTORING A FULLY FUNCTIONING WTO DISPUTE SETTLEMENT SYSTEM WITH A REFORMED APPELLATE BODY

The most urgent of WTO reforms is finding an agreed basis to restore a functioning dispute settlement system and to proceed to the appointment of the members of the Appellate Body. This task should be addressed as a priority and not be linked to the other aspects of WTO reform. In the absence of a functioning dispute settlement system, it is difficult to see what the motivation for countries could be to modernize and fill gaps in the rules.

## TOWARDS A MORE EFFECTIVE NEGOTIATING FUNCTION

At the heart of the crisis in the WTO lies the failure of its negotiating function. WTO reform should therefore aim at restoring the effectiveness and credibility of the WTO as a forum for the negotiation of trade rules and further liberalization. WTO rules need to be brought into line with the economic and trade realities of the 21st century.

On substance, the priority should be to modernize the rules of the WTO on e-commerce, investment facilitation, domestic regulation of services, and on the role of the state in the economy, including on subsidies. Once rules are modernized, consideration could also be given to advancing liberalization regarding goods and services in a manner that ensures a better balance of commitments. As for the method for negotiations, where a single undertaking approach has failed to deliver, progress can be best achieved through different processes, including open, plurilateral agreements. In parallel to substantive negotiations, WTO members should reflect on ways of better integrating plurilateral agreements into the WTO framework.

“ *Many WTO members are of the view that China’s market access and other commitments do not sufficiently reflect its growth, and that further liberalization by China would confer greater legitimacy on its role in the organization.* ”

The last challenges are to reinforce the monitoring and deliberative functions of the WTO and to achieve WTO reform through building alliances and engaging in discussions with China and India on the different aspects of the WTO reform agenda. China’s per capita GDP has increased by a factor of 10 since its WTO accession, and China has become the WTO’s largest exporter during just two decades. Many WTO members are of the view that China’s market access and other commitments do not sufficiently reflect its growth, and that further liberalization by China would confer greater legitimacy on its role in the organization. India has a highly dynamic economy and is a leading player in the G20, although its overall level of development and competitiveness cannot be compared to that of China. Both countries are indispensable partners for substantive WTO reform discussions.

Discussions with China and India should help to better understand the respective perspectives of WTO members, including on the issues for which progress should be achieved at the 12th Ministerial Conference (MC12) scheduled to take place from 30 November to 3 December 2021 in Geneva, Switzerland. Three areas where work should intensify prior to MC12 are trade and health, fisheries subsidies, and the reform of the dispute settlement system.

In addition, the following outcomes could be achieved by MC12:

- An agreement reached to reinvigorate WTO work on trade and environment in view of mainstreaming sustainability issues in the WTO’s work. Ideally, this should be done multilaterally, although certain elements may only be pursued by subgroups of interested WTO members, such as liberalization regarding selected climate-mitigating goods and environmental services.
- Work launched amongst interested countries on the development of rules on competitive neutrality, including modernized rules on industrial subsidies.
- Substantial progress recorded on the plurilateral initiatives on e-commerce and investment facilitation and the conclusion of the Joint Statement Initiative on domestic regulation of services.
- The renewal of the multilateral e-commerce and TRIPS moratoria.
- Improvements to the WTO’s regular work function, through agreements on the horizontal transparency in notifications and trade concerns proposals.
- On agriculture, agreement reached on a package of transparency improvements across the board and on export restrictions. The initiative on the exemption of the World Food Programme humanitarian purchases from export restrictions could also be part of such an outcome. The EU is open to discuss how to progress after MC12 on the main aspects of the negotiations, on trade distorting domestic support.



## 2.5 ASEAN PREPARING FOR A POST-PANDEMIC RESILIENT RECOVERY

As ASEAN and its Member States work towards recovery from COVID-19, governments must balance between health protection and economic costs, as a long-term recovery plan is vital for the region to build back better and emerge stronger. A sustainable and resilient path to economic and social recovery is thus a key priority for ASEAN as a whole as well as for individual members.

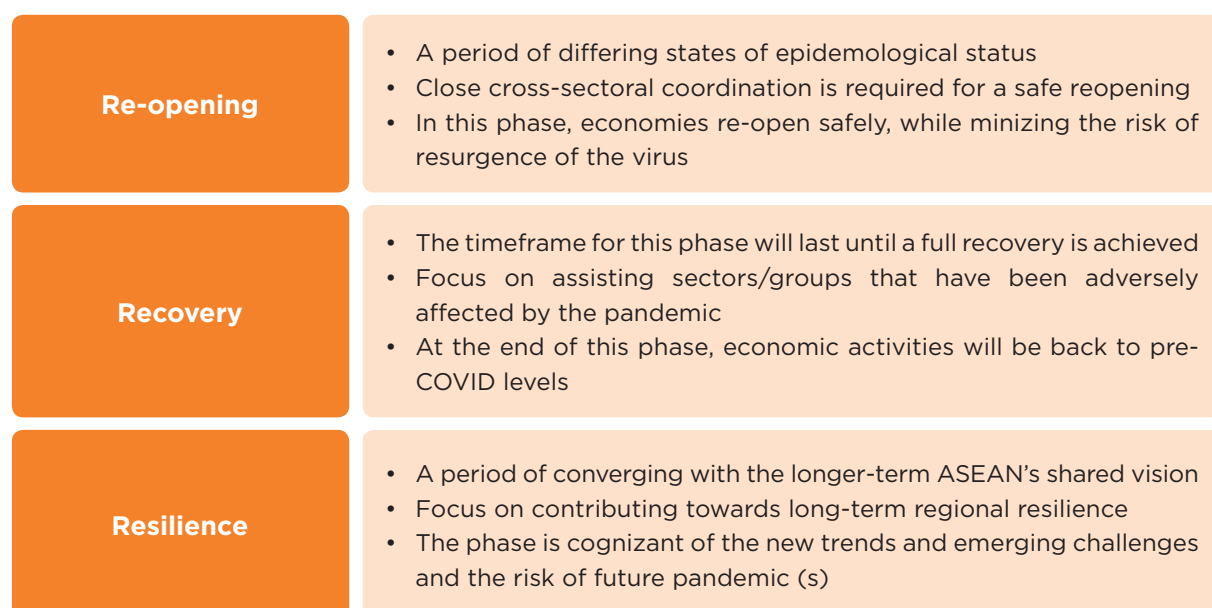
While production activity is resuming as lockdowns are eased and vaccination campaigns are rolled-out in many ASEAN Member States (AMS), uncertainty remains as weak global demand and unemployment are likely to prevail, of particular concern to the informal sector, tourism, and manufacturing where value chains have been highly disrupted. Despite the challenges, the region could seize upon the opportunities that have arisen. For instance, the disruptions may lead to the promotion of skills advancement as economies upgrade toward digitalization, e-commerce and technology creation [33].

It is, therefore, crucial that governments continue to provide support to ensure that businesses are able to return to their pre-crisis production and employment levels while maximizing absorption capacity. There is now an important nexus between production networks, digitalization, skills upgrades, and other cross-cutting issues to be addressed with more resilient and forward-looking policies that will help ASEAN to kick-start the regional economic recovery.

The “ASEAN Comprehensive Recovery Framework”, formed by the mandate of the 37th ASEAN Summit in November 2020, has been developed to lay the foundation for sustainable recovery

[B] [35]. The framework covers a three phase-approach, outlined in Figure 4.1, starting first with “Reopening”, the specifics of which will vary for each Member State, the “Recovery,” when activity picks up and where support is needed for severely affected sectors or groups, and finally

**Figure 4.1: The three phase-approach of the recovery strategy for ASEAN**



Source: ASEAN Secretariat (2020), ASEAN Comprehensive Recovery Framework, p18 [35]

“Resilience”, preparation for emerging trends and future crises towards long-term sustainability.

## IMPLICATIONS FOR ASEAN SUPPLY CHAINS IN ECONOMIC RECOVERY

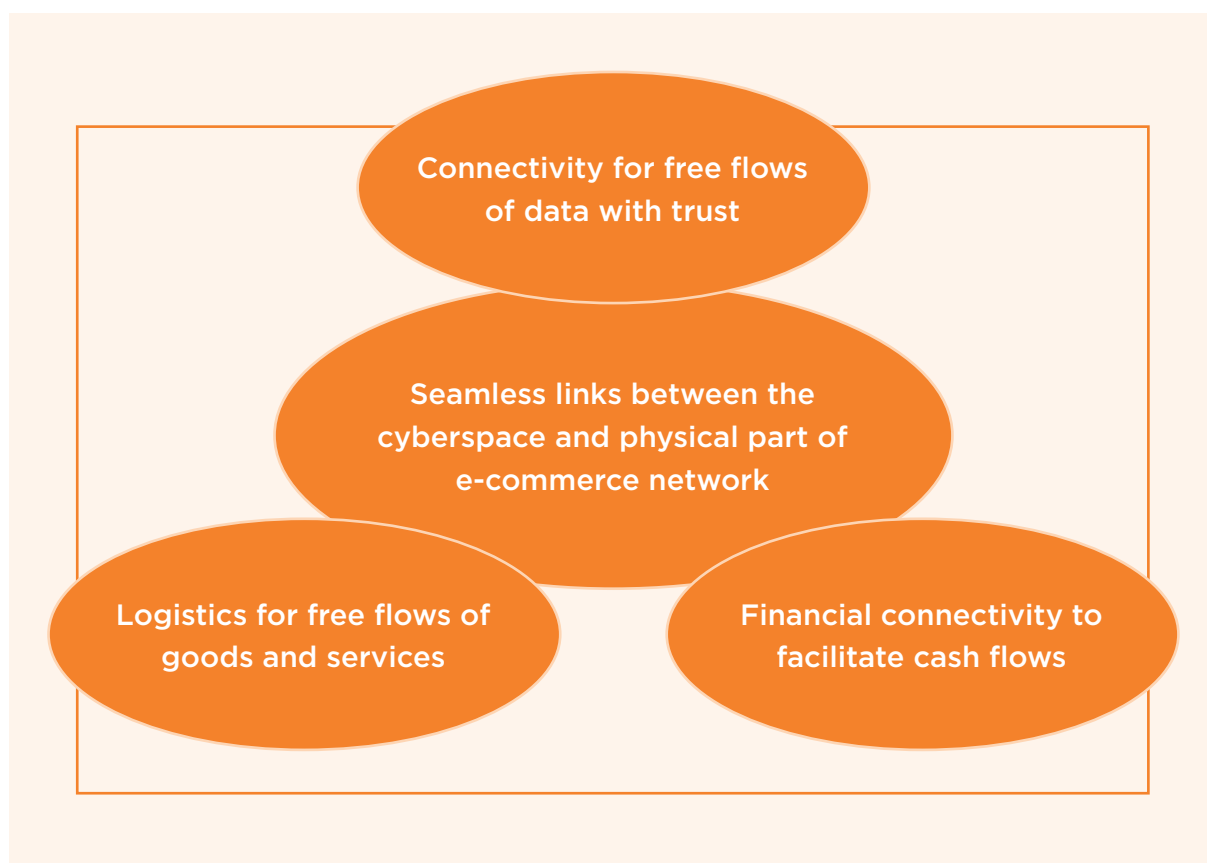
The three-stage approach framework is accompanied by an implementation plan that outlines a series of broad strategies, in which Broad Strategy 3: “Maximizing the potential of intra-ASEAN market and economic integration” focuses on enhancing supply chains and trade facilitation. The overall strategy, consisting of key priorities and initiatives in enhancing manufacturing supply chains in ASEAN, is summarized below.

**Strengthening supply chain connectivity:** It is important for ASEAN to have sustained connectivity across the region given the experience of supply chain challenges. The purposes of sustained connectivity are to maintain regional production networks and to reduce the high dependency of supplies from specific external markets. This can be achieved through resilient infrastructure [36], with priorities on ensuring connectivity of both hard and soft infrastructure to facilitate movement of goods, services and labor, deepening and widening the connection among producers and suppliers to reduce costs of global value chains (GVCs), and promoting public-private partnerships. This priority is compatible with the Master Plan for ASEAN Connectivity 2025, which aims to enhance regional outlets that cover a set of five strategies: sustainable infrastructure, digital innovation, seamless logistics, regulatory excellence, and people mobility [37]. To alleviate governments’ budget pressure after the pandemic, public-private partnerships can help to facilitate infrastructure development through private sector investment [31]. Other initiatives may include supporting

and clustering smallholder businesses to increase productivity and market access (particularly in Cambodia, Laos, Myanmar and Vietnam), connecting small producers and large enterprises, developing trade routes to address key checkpoint barriers, and exploring the possibility of establishing a database for ASEAN manufacturers and exporters for essential goods to avoid delays in the paperwork process [35].

**Diversification of supply networks:** While strengthening regional connectivity is important, this should not limit the opportunity for the region to diversify production networks and expand market potential to scale up trade routes across the GVCs [36]. The pandemic has been a signal for manufacturers and businesses in the region to reduce reliance in sourcing inputs from particular countries, and diversify the supply sources to a range of destinations, taking into consideration geographical locations and costs of distribution. In addition, greater relocation of production away from China to ASEAN is seen in the experience of the US-China trade war, when producers relocated or created new factories in ASEAN to avoid paying higher import tariffs when exporting goods to the US. Analysis of the Production Relocation Index identified Vietnam, Malaysia and Singapore as the countries most benefiting from the diversion of production and FDI from China during the trade war period [38]. The plan to relocate or establish new investment to ASEAN can be repeated as businesses look at diversifying the source of production after the pandemic. Therefore, it is important for ASEAN to identify and reap the advantage of the relocation opportunities and prepare itself to attract new businesses [32].

**Investment in technology and digitalization:** As AMS start to reopen the economy, adoption of new technology particularly as seen in Industrial Revolution 4 (such as artificial intelligence, Internet of Things)



will give firms the opportunity to secure and gradually increase production when demand picks up [39]. Empowering businesses including SMEs to adopt digital connectivity can help set the foundation for longer-term productivity, competitiveness and sustainability [30]. In addition, while companies consider shifting their production back to their countries, reshoring of production might be more economical due to labor and relocation costs, the shifts made possible by technology and automation of manufacturing where people can work remotely without worrying about supply disruptions and health risks [32].

Digital connectivity is essential to facilitate not only e-commerce activity, but also overall economic digitalization. ASEAN as a whole is one of the world's fastest-growing online markets, with e-commerce expected to grow by 25%-35% on average per year during the 2020s [40]. While ASEAN has a generally

satisfactory quality of infrastructure, the development of technological-related infrastructure is uneven, both between and within countries. As digital connectivity is a broad topic, a policy brief by Chen and Ruddy (2020) proposes a framework of three basic components: data, logistics and financial connectivity. Figure 4.2 shows their relationship, suggesting that “how effectively they intersect with one another depends on seamless links between the cyberspace and physical networks, which then determines the overall quality of digital connectivity for e-commerce” [40]. To streamline these connections, the region-wide priorities may include the following efforts [40]:

- Collaborating on national and regional rule-setting for connectivity which covers traditional trade issues and new issues such as cross-border information flow, data localization and protection.

- Enhancing digital-related infrastructure (through public investment and public-private partnership), and establishing a digital-friendly environment to ensure accuracy and fairness of information access, payments and competition.
- Promoting value-added in the service sector to ensure that connectivity is speedy, reliable and transparent, and to support the inclusion of SMEs.

### **Trade and investment facilitation and liberalization:**

Further opening the ASEAN market is important to attract multinational enterprises as they are seeking to relocate their production base given the interruptions of GVCs. Supportive policy actions include minimizing non-tariff measures and reducing market distorting policies (refers to any interventions, such as price ceilings and tax subsidies, imposed by a governing body that constrains the market in reaching optimal market prices) which would contribute to greater intra-ASEAN trade and investment. Establishing a conducive investment regulatory environment is an important instrument to facilitate investment and encourage large enterprises to balance their investment portfolios which could ensure sufficient supply [39]. The ASEAN Comprehensive Recovery Framework also proposes the following initiatives: 1) ensuring smooth customs procedures by leveraging digital technology to keep goods moving while limiting unnecessary human interaction, 2) applying financial technologies to facilitate cross-border trade and transactions, and 3) working towards wider acceptance of digital documents to facilitate seamless trade in the region so that traders do not have to maintain both digital and paper-based documents for customs clearance [33,35].

Building a competitive ASEAN single market: As ASEAN could be seen as potential alternative sites for international firms seeking to diversify their production

base, the region must expedite trade integration and push toward a competitive single market to better compete with the larger markets of China and India. However, it should be recognized that while relocating a final production base, firms themselves may be dependent on raw material supplies and sub-assembly components from those larger markets, which could hinder the relocation process [32]. As such, it is vital that ASEAN collectively coordinate and defend rules-based trading and foster regional trade agreements. For example, the Regional Comprehensive Economic Partnership (RCEP) can serve as a multilateral mechanism to push for outward-looking trade and guard against protectionism, helping to bolster ASEAN and give it stronger negotiation powers [32].

Investment in human capital, skills development and social protection: Investment in human capital is essential to allow citizens to participate in economic activities, move to a more innovative and productive livelihood, and share the full benefits of the recovery process [34]. This inclusive goal can be achieved through strengthening social protection to increase access to better public services including health care and skills enhancement. Funding of social services helps protect the most vulnerable households from falling into poverty while providing support to informal workers. Skills training can be done online within countries as well as across the region on general topics such as communication, or on specific professional skill sets such as accounting [35].

### **PARLIAMENTS' ROLE IN SUPPORTING SUPPLY CHAIN CONNECTIVITY**

Through their functions of legislation, representation and oversight, Parliaments can accelerate and expand regional connectivity



for a resilient recovery from COVID-19. Through legislative power, parliaments can initiate or propose measures necessary to mitigate the impacts of the pandemic on the economy and citizens. Relevant legislation may deal with such subjects as trade and investment agreements, taxation and customs-excise regimes, infrastructure and digital technology projects, all of which would link closely to budget bills. Many parliaments in the region, for example, have adopted emergency stimulus packages for this purpose during 2020. Alternative agreements with external partners could also be sought, such as in the case of the Comprehensive and Progressive Agreement for the Trans-Pacific Partnership [C] and the Regional Comprehensive Economic Partnership [D] in which members of ASEAN have integrated into both cross-regional and intra-regional trade agreements.

Production networks can also be strengthened through digital infrastructure and technology supported by parliaments. For instance, as part of the legislative mandate, the International Trade Committee of the European Parliament has adopted a report on blockchain technology to promote global value chains and trade, as blockchain stimulates collaboration, promotes transparency and reduces the procedural costs of paperwork [42].

Parliaments also play a significant role in overseeing, monitoring and communicating executive actions to help ensure fair and inclusive support for a sustainable re-opening and recovery processes. Parliaments may conduct public hearings and have

discussions with the executive branch on COVID-19 impacts and plans for improved supply chain connectivity. Through this mechanism, parliament can follow up and conduct oversight over the government to ensure the executive's accountability and transparency. For example, Singapore's Members of Parliament questioned the Minister of Trade and Industry in 2020 on how the accelerating shifts of the global supply chain due to supply disruption would affect Singapore's economy and what measures would be taken by the executive branch on this issue [43].

Efforts could also be taken in cooperation with business and citizens to represent and address concerns on employment, skills upgrading and social protection to better enable them to participate and benefit from growth. Research and educational services may be utilized to provide information on relevant industrial sector issues, while outreach and media workshops could be used at the local level to disseminate information on policy actions to the public.

At the regional level, the ASEAN Inter-Parliamentary Assembly (AIPA) as an institution has provided a platform for Member Parliaments to share and discuss collective actions, together with external parliaments such as those from other countries in Asia and the EU [41]. The promotion of regional supply chains is not a new topic for AIPA, which has championed the concept through its support for ASEAN economic integration, ASEAN trade liberalization, ASEAN Connectivity 2025 and ASEAN Economic Community 2025.

## 2.6 EUROPEAN UNION RECOVERY PLAN (NEXT GENERATION EUROPE)

### THE POST-COVID-19 ECONOMY

According to François Villeroy de Galhau, Governor of the Bank of France [44, p.2],

The European economy following the COVID-19 pandemic should integrate three improvements: greener, more digital and more resilient. In so doing, it can contribute to meeting the strong expectations of the rising generations, who vigorously demand an economy with more respect for the planet that is more sensible and ethical, and respects social justice. This challenge is fundamentally very encouraging, and it is our very European values that are driving it. We Europeans can be the champions of a social and sustainable market economy. I write with this conviction - enough of a Europe that lurks in the shadows! The chaotic world of 2021 needs a Europe that leads with its hope and ambition [E].

### THE EUROPEAN RECOVERY PLAN (NEXT GENERATION EU)

The recovery plan decided at the European Council in July 2020 includes €750 billion in loans and grants that will be distributed through the Recovery and Resilience Fund (RRF). To have access to it, States must submit to the Commission national recovery plans presenting the related reforms and public investments. Member countries must have the objectives of creating jobs, supporting growth, increasing economic and social resilience, and promoting digital and green transitions. The European/EU funds will be combined with national plans already established in mid-2020 to alleviate

the recessionary effects of the pandemic crisis.

Recovery plans must also present flagship initiatives in seven areas: clean and renewable energies, building renovation, access to the recharging networks, connectivity, digitalization of the public sector (including health and justice), industrial data storage and digital education. In each, 37% of funds must contribute to the climate transition and at least 20% to the digital transition [44, pp.2-3].

The European Commission has firmly framed the national proposals by indicating its priorities of ecological transition and digitization of activities. Most beneficiary countries rightly emphasize structural reforms (administration, health, education). Their implementation is highly dependent on sustained political support provided to the governments responsible for them. In other countries, the recovery plan provides a fiscal supplement to policies aimed at achieving a low-carbon economy.

At the sectoral level, the renovation of buildings (Germany, France) and transport systems (Belgium, Portugal), the all-out development of alternative energies (hydro-wind, hydrogen, solar), the strengthening of health systems and the immense field of digitization (particularly in education and in SMEs) are clearly shared and sustainable priorities that deserve the attention of investors in the long term [44, p.11].

### Schedule

EU countries have already presented their national recovery plans to the European Commission, in April 2021. After examination

by the Commission, they were submitted to the European Council. Disbursement of funds from the Recovery and Resilience Facility will be spread over three years, between 2021 and 2023, of which 70% will be for the first two years, with 13% of funds available during the summer of 2021.

Over this period, each country will receive a different allowance, defined according to three criteria: population, gross domestic product per capita and unemployment rate over the period 2015-2019. The remaining 30% will be paid in 2023 (with a criterion linked to the decline in GDP observed in 2020 and 2021). By 2023, two new instruments will be introduced: a mechanism for carbon adjustment at borders and a digital tax.

Other avenues mentioned are the use of the carbon market (trading system of the emissions quotas) possibly extended to air and maritime transport, as well as a tax on financial transactions. In 2028 the European recovery plan loans begin to be repaid, over 30 years, until 2058 [44, p.3].

## THE EUROPEAN UNION INNOVATES: A CARBON TAX AT THE BORDERS

According to Les Échos [45],

The EU wants to put the world's first carbon border tax on track by which the European Commission wants to gradually subject the most polluting imports to the EU to the same rules as those imposed on local producers. The idea had been put forward in France at the end of the 2000s but no country had yet dared to implement it, when the European Commission presented a plan for its major border carbon tax project. More precisely, the EU wants to make this "carbon adjustment

mechanism at the borders" one of the flagship tools in the fight against global warming.

The principle is simple: impose a carbon price on certain imported products manufactured by companies outside Europe, in countries with less stringent environmental standards. A form of customs duty aimed at having the same climate change mitigation cost for national/regional production and imports is a world's first.

The sectors of cement, steel and iron, aluminum, fertilizer and electricity - the most emitting - will be targeted. They represent 170 million tons of imported emissions. Importers to the EU will gradually be forced to purchase "emission certificates", based on the carbon price they would have had to pay if the goods had been produced in the European Union. From 2026, the date of entry into force of the system, importers will have to declare the quantity of emissions contained in the goods received.

The objective is threefold. First, to avoid relocating production and therefore the emission of greenhouse gases, called "carbon leaks", which threaten with the tightening of legislation. Second is to generate income, as the tool could bring in up to €10 billion per year which will go into the EU budget, in particular to finance the post-COVID recovery plan. Third, Europe hopes to encourage countries outside of the EU to reduce their emissions. The Commission's objective is very clear- to put a mechanism in place so that international climate action progresses to the extent that it never needs to be activated.

# PLAN DE RELANCE DE L'UNION EUROPÉENNE EU RECOVERY PLAN (NEXT GENERATION EUROPE)

## L'ÉCONOMIE DU "MONDE D'APRÈS" COVID-19

Selon François Villeroy de Galhau, gouverneur de la Banque de France [44, p.2],

L'économie d'après devrait intégrer trois plus : plus écologique, plus numérique et plus qualifiée. Et ce faisant, contribuer à répondre aux attentes fortes des générations qui montent : partout, elles demandent vigoureusement davantage de respect de la planète, de sens et d'éthique, de justice sociale. Cette contestation est au fond très réjouissante : ce sont nos valeurs européennes mêmes qui l'animent. Nous, Européens, pouvons être les champions d'une économie sociale et durable de marché. J'écris avec cette conviction : assez d'une Europe qui rase les murs ! Le monde chaotique de 2021 a besoin d'une Europe qui porte son espoir et son ambition [ ].

## LE PLAN DE RELANCE EUROPÉEN (NEXT GENERATION EU)

Le plan de relance décidé au Conseil européen de juillet 2020 compte 750 Mds€ de prêts et de subventions qui seront distribués par le canal de la facilité de reprise et de résilience (le sigle anglais est RRF, Recovery and Resilience Fund). Pour y avoir accès, les États doivent soumettre à la Commission des plans de relance nationaux présentant les réformes et les investissements publics afférents. Les pays membres doivent avoir comme objectifs de créer des emplois, de soutenir la croissance, d'accroître la résilience économique et

sociale, de favoriser les transitions digitales et vertes. Les fonds européens seront combinés aux plans nationaux déjà établis à la mi-2020 pour pallier les effets récessifs de la crise pandémique.

Ils doivent également présenter des initiatives phare dans sept domaines : énergies propres et renouvelables, rénovation des bâtiments, accès au réseau de recharge, connectivité, numérisation du secteur public (dont santé et justice), stockage des données industrielles et éducation numérique. 37% des fonds doivent contribuer à la transition climatique et au moins 20% à la transition numérique [44, pp.2-3].

La Commission européenne a strictement encadré les propositions nationales en indiquant ses priorités : transition écologique et numérisation des activités.

Les pays les plus bénéficiaires mettent l'accent à juste titre sur les réformes structurelles (administration, santé, éducation). Leur mise en œuvre dépend fortement du soutien politique durable apporté aux gouvernements qui en ont la charge [...]. Dans les autres pays, le plan de relance offre un complément budgétaire aux politiques visant à atteindre une économie à bas carbone.

Au plan sectoriel, la rénovation des bâtiments (Allemagne, France) et des systèmes de transport (Belgique, Portugal), le développement sous tous azimuts des énergies alternatives (hydro-éoliennes, hydrogène, solaire), le renforcement des systèmes de santé et le champ immense de la numérisation (notamment éducative et dans les PME) sont clairement des priorités partagées et durables qui méritent l'attention des investisseurs dans la durée [44, p.11].



## CALENDRIER

Les pays de l'UE ont déjà présenté en avril 2021 leur plan national de relance à la Commission européenne. Après examen par la Commission, ils ont été soumis au Conseil européen. 13% des fonds sont déjà disponibles.

Sur cette période, chaque pays touchera une allocation différente, définie selon trois critères : population, produit intérieur brut par habitant et taux de chômage sur la période 2015-2019. Les 30 % restants seront donc versés en 2023 (avec un critère lié à la baisse du PIB observée en 2020 et 2021). D'ici 2023 : [instauration de deux nouvelles ressources propres : un mécanisme d'ajustement carbone aux frontières et une taxe sur le numérique. ]

Autres pistes évoquées : l'utilisation du marché carbone (système d'échange de quotas d'émission) éventuellement étendu à l'aviation et au transport maritime, ainsi qu'une taxe sur les transactions financières. 2028 : l'emprunt européen commence à être remboursé, sur 30 ans, jusqu'en 2058 [44, p.3].

## L'UNION EUROPÉENNE INNOVE: UNE TAXE CARBONE AUX FRONTIÈRES

Selon Les Échos [45],

L'UE veut mettre sur les rails la première taxe carbone aux frontières au monde. Via un « mécanisme d'ajustement carbone aux frontières », la Commission européenne veut soumettre progressivement les importations les plus polluantes de l'UE aux mêmes règles que celles imposées à la production locale. L'idée avait été émise en France à la fin des années 2000 mais aucun pays n'avait encore osé. La Commission

européenne a présenté mercredi son grand projet de taxe carbone aux frontières. Plus exactement, un « mécanisme d'ajustement carbone aux frontières » dont elle veut faire un des outils phares de la lutte contre le réchauffement climatique.

Le principe est simple : imposer un prix du carbone sur certains produits importés fabriqués par des entreprises hors d'Europe, dans des pays aux normes environnementales plus souples. Une forme de droit de douane. Avoir un même prix pour la production nationale et les importations, c'est une première mondiale.

Les secteurs du ciment, de l'acier et de fer, de l'aluminium, de l'engrais et de l'électricité - les plus émetteurs - seront ciblés. Ils représentent 170 millions de tonnes d'émissions importées. Ils se verront imposer progressivement l'achat de « certificats d'émissions », basés sur le prix du carbone qu'ils auraient dû acquitter si les biens avaient été produits dans l'UE. A partir de 2026, date d'entrée en vigueur du dispositif, les importateurs devront ainsi déclarer la quantité d'émissions contenues dans les biens reçus.

L'objectif est triple. Primo, éviter les délocalisations de productions émettrices de gaz à effet de serre, appelées « fuites de carbone », qui menacent avec le durcissement de la législation. Secundo, générer des revenus : l'outil pourrait rapporter jusqu'à 10 milliards d'euros par an qui iront dans le budget de l'UE, notamment pour financer le plan de relance post-Covid. Tertio, l'Europe espère inciter ainsi les producteurs de pays tiers à réduire leurs émissions. L'objectif de la Commission est très clair. Il s'agit de mettre en place ce mécanisme et que l'action internationale pour le climat avance tellement bien qu'on n'ait jamais besoin de l'activer.

## FOOTNOTES

- A. BRIC countries (Brazil, Russia, India, and China; i.e. countries on the brink of becoming developed countries)
- B. The objectives of the Framework are: 1) to articulate and guide ASEAN sectors to assess, realign or expedite work and priorities, and 2) to outline a reference for cross-pillar engagement with and contribution from broader stakeholders.
- C. This initiative includes 11 countries: Japan, Malaysia, Singapore, Vietnam, Brunei, Australia, New Zealand, Canada, Chile, Peru and Mexico.
- D. This partnership consists of ASEAN members plus Japan, China, South Korea, Australia, New Zealand, and India.
- E. Retrouver confiance en l'économie, Odile Jacob, 2021

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Wind turbines  
SSUPhotos



## CHAPTER 03

# ADDRESSING THE WATER-ENERGY- FOOD SECURITY NEXUS UNDER CLIMATE CHANGE

P.112	3.1	Food Security and Climate Change: A View from Singapore <i>By Amb. TAN York Chor</i>
P.116	3.2	Cities of ASEAN Facing Environmental Risks and Climate Change <i>By Prof. Michel FOUCHER</i>
P.122	[FR]	Les villes d'Asie du Sud-Est face aux risques d'environnement et du changement climatique <i>By Prof. Michel FOUCHER</i>
P.127	3.3	Climate Change and the Protection of Forest Areas: A Review from Southeast Asia <i>By Dr. Sothorn KEM</i>
P.132	3.4	From Climate Change to Efficient Laws <i>By Hisham MOUSAR</i>
P.139	3.5	European Energy Security: Challenges in Diversifying and Decarbonizing the Energy Fuel Mix <i>By Dr. Lutz MEZ</i>
P.144	3.6	The European Union and the Challenges of Climate Change: A Regulatory Superpower <i>By Prof. Michel FOUCHER</i>
P.147	3.7	Climate Legislation from Asia and Europe: EU Fit-for-55 and the China Carbon Market <i>By Laura KIM YEAT</i>
P.154	3.8	On Biodiversity: Updates on the UN Biodiversity Conference (COP15) <i>By Hisham MOUSAR</i>

## 3.1 FOOD SECURITY AND CLIMATE CHANGE: A VIEW FROM SINGAPORE

Climate change, especially global warming and its disruptive effects, poses a serious challenge for many countries. The rise of sea-levels, in particular, is an existential challenge to small island states like Singapore. Accordingly, Singapore has worked actively for an international consensus, reached in the Paris Agreement, for every party to take “climate action” to reduce greenhouse gas emissions. Singapore is playing its part, working to reduce its carbon footprint and increase sustainability in all areas, from utilities and transport to industries, businesses and households: an endeavor involving every stakeholder. Technology can be a game-changer to help Singapore not only to raise its already high energy-efficiency and its use of renewable energy, but also to move towards a circular economy that strives for zero waste by re-using, whenever possible, all materials and resources.

In successive reports, the International Panel on Climate Change (IPCC) has issued dire assessments on how climate change will affect the planet. Its latest report does not augur well for Southeast Asia, prompting UN Secretary-General Mr. António Guterres to say in his opening remarks at the 10th ASEAN-UN Summit on 3 November 2019 in Bangkok: “[The] climate emergency is the defining issue of our time. Four of the ten countries most affected by climate change are ASEAN Member States. This region is highly vulnerable... to rising sea-levels, with catastrophic consequences for low-lying communities.”

### IMPACT OF CLIMATE CHANGE ON GLOBAL FOOD SECURITY

Various studies suggest that rising temperatures alone may cause rice yields (based on current strains under cultivation) in Indonesia, the Philippines, Thailand and Vietnam to fall by as much as 50 percent from 1990 levels by 2100. Because significant agricultural activity takes place in low-lying areas, such as the rich Mekong Delta and coastal zones, which are vulnerable to flooding and salinity intrusion resulting from the rise in sea levels, the yields in rice and other produce are likely to be further impacted. More generally, the UN Food and Agriculture Organisation (FAO) and IPPC have estimated that climate change may cause a 10-25 percent fall in crop yields by 2050. This considerable decline in crop yields will be a substantial threat to global food security, which is already under pressure from a growing world population that may reach ten billion by 2050, up from 7.3 billion today.

### SINGAPORE’S APPROACH TO FOOD SECURITY

Singapore is a cosmopolitan city and food paradise where one can enjoy cuisine of nearly every conceivable variety and price. The Global Food Security Index, published by the Economist Intelligence Unit, ranked Singapore as the world’s most food secure in 2018 and 2019. Quite understandably, many people in Singapore do not worry much about reliable access to food. However, policy-makers cannot ignore the very real threat to Singapore’s future food security. Having moved away from agriculture a generation ago to allow for

more economically productive uses of its limited land and resources, Singapore is now seriously working on ways to produce food cost-effectively and sustainably, as a city, and to thereby contribute to global food production. At the same time, Singaporean solutions may help half of the world's population now living in urban areas to do their part to alleviate a future global food shortage.

On 1 April 2019, the Singapore Parliament passed an Act to establish a new statutory board, the Singapore Food Agency (SFA), under Singapore's Ministry of the Environment and Water Resources (MEWR). The SFA's mission is to ensure and secure a supply of safe food for Singapore. Bringing together food-related functions that previously straddled various agencies for a more holistic approach to strengthen food safety and security, the SFA now has regulatory oversight across the entire food chain "from farm-to-fork". The agency is also working with partner businesses to transform the national agrifood industry and create good jobs for Singaporeans. To enhance Singapore's food supply resilience, the SFA is pursuing a "30 by 30" goal to locally produce 30 percent of Singapore's nutritional needs by 2030, which will represent a multi-fold increase in local production compared with current levels. To get to 30 by 30, the agrifood industry will need to apply research and development (R&D) to create solutions that overcome resource constraints, raise productivity and strengthen climate resilience.

The SFA encourages existing local farms to innovate and upgrade (e.g., by integrating climate control and automation into their operations) to raise productivity. The SFA encourages state-of-the-art indoor farms that optimize plant growth and increase yields exponentially through high-tech solutions like LED lighting and climate control. These farms, by controlling growing variables,

are climate-resilient and are better at maintaining high quality standards. The SFA similarly encourages more resilient, productive and sustainable fish farming, as traditional fish farms with open-net cage systems are highly susceptible to external incidents such as algae blooms and oil spills. One company using such a closed containment system since 2012, to raise fish like barramundi, sea bass or red snapper, is Singapore Aquaculture Technologies.

## SUSTAINABILITY, THE WAY FORWARD

The SFA is working with several institutes of higher learning to provide knowledge and skills to our young people to become agriculture and aquaculture technicians, urban farming specialists and researchers. It also supports the growing interest in urban farming, using available spaces like balconies and rooftops. Projects like these bring the community together and involve people directly in food production, which increases awareness of food security issues and imparts an attitude that people should value food and minimize food waste. As food is also vulnerable to spoilage, a considerable amount is lost in the global value chain before it reaches the consumer. The FAO has estimated that about a third of food produced is lost or simply wasted in the global agrifood value chain – a proportion that is slowly creeping up at a time when hunger still affects many around the world.

Reducing food loss and food waste is undoubtedly the most effective way to reduce the carbon footprint in the agrifood sector with no downside. Although the proportion of food loss/waste in Singapore is lower than average, estimated at 20 percent, it is still far too high. Consumers are now being encouraged to buy, cook and eat just enough, while food waste minimization guidebooks for food retail establishments, food manufacturing establishments and

supermarkets have been published and made available to the industry since 2014. Efforts are also being made to collect and redistribute unsold or excess food. As for food loss, a study found that 7.2 percent of the food that Singapore imports a year, by tonnage, is lost (i.e., it perishes) on the way to Singapore, with a further 5.5 percent lost during distribution within Singapore. Producing food locally will not only enhance Singapore's food security by providing a buffer in times of crises, but also help to lower food miles for the food consumed inside Singapore. Besides, a short local supply chain from farm-to-fork means that the food items can reach the consumer fresh, avoiding losses that would have arisen in a long import food-value-chain.

Like every sector in Singapore, the agrifood sector is embracing sustainability. Creating the SFA as part of the MEWR facilitates the "environment family" using a holistic approach to manage water, food, energy efficiency and waste issues through identifying and exploiting synergies across the energy-food-water-waste nexus. As the SFA works to enhance food security for Singapore, it will advocate circular economy approaches to agrifood production to make the best use of resources, to reduce loss and waste, and to recycle (i.e., convert) food waste into agricultural feedstock or fertilizers. What is waste to one sector can often be reutilized or transformed for another. Some local farms already apply circular economy principles. One indoor farm, Sustenir, is using carbon dioxide to enhance vegetable yields. One layer farm carries out bio-digestion using its poultry waste to produce energy to dry by-products from the food manufacturing industry to produce chicken feed. The larvae of some insects, like the black soldier fly, feed on agrifood waste to produce fertilizers, while the grown larvae could also serve as feedstock for fish or poultry.

Recent developments in producing novel foods such as plant-based alternative proteins to animal meat, milk and eggs in commercially viable ways, and in farming algae and insects as more sustainable sources of protein, may open another sustainable pathway for Singapore to diversify its sources of protein to meet nutrition requirements for its 30 by 30 goal. Since producing protein-rich food based on soy, pulses, cereals and tubers incurs a lower carbon footprint than meat production from livestock, this may help to revamp the global protein industry which is facing mounting challenges regarding its environmental sustainability.

## R&D IN INNOVATIVE SOLUTIONS AND FUTURE FOODS

To catalyze R&D on technological solutions for tropical aquaculture and urban agriculture in Singapore, with goals like improving disease and health management (e.g., through genetic improvement of key tropical species and varieties with traits adapted for indoor farming), the SFA issued a grant call on 17 December 2019 for relevant research proposals. The goal is to raise the productivity of local food producers beyond what is achievable by current best-in-class technologies, while taking into consideration cost effectiveness, environmental sustainability and climate resilience. At the same time, the Agency for Science, Technology and Research launched a seed grant for research related to the creation of protein-rich foods, to address some of the fundamental challenges in alternative proteins. It is hoped that this will lead to novel R&D approaches and groundbreaking science "to develop evidence-based, proof-of-concept technologies and solutions" with due regard for food safety, nutrition, palatability, scalability and cost-effectiveness, sustainability, and other real-world considerations.



## THE NEW MANUFACTURING: AGRIFOOD PRODUCTION

Whereas agriculture ceded its place to manufacturing in Singapore 30-40 years ago, technology is now enabling farming and food production to return as a different kind of manufacturing, with a new breed of techno-preneur farmers and novel

food innovator-creators. Singapore's accomplishments in this exciting sector to enhance its food security via urban food solutions will no doubt be shared with others, beginning with neighboring cities in Southeast Asia, so that others can experience a similar revolutionary movement to enhance local food security while helping to boost the overall global food supply.



Rooftop garden atop a Housing and Development Board car park in Yishun, Singapore  
Olivia Choong / <https://tendergardener.com>

### CHAPTER

## 03

ADDRESSING THE WATER-ENERGY-FOOD SECURITY NEXUS UNDER CLIMATE CHANGE  
FOOD SECURITY AND CLIMATE CHANGE: A VIEW FROM SINGAPORE

## 3.2 CITIES OF ASEAN FACING ENVIRONMENTAL RISKS AND CLIMATE CHANGE

### FINDINGS

In 2011, the portion of the Chao Phraya River that flows through Bangkok overflowed, flooding 40 percent of the city. Whole neighborhoods were paralyzed for several days, with serious economic consequences. The flood resulted in more than USD 46 billion spent in repairs and rehabilitation, including USD 8 billion for the city of Bangkok alone. Making matters even worse, from 2013 to 2015 the Thai capital could have sunk by 1.8 meters.

Indonesia's massive capital city, Jakarta, sinks 7.5 to 10 cm per year, and 40 percent of the metropolis is below sea level. This affects the north of the city, its ports, its nautical bases, its fish markets and its gigantic shopping centers. In response, President Joko Widodo initiated a plan in April 2019 to move the capital to the eastern coast of Borneo.

Ho Chi Minh City is sinking by 8 cm per year. In 2009, the Vietnamese Ministry of Natural Resources and the Environment informed the public that 6 percent of the surface of the city was threatened. In the Philippines, a portion of the nearly 13 million inhabitants of metro Manila face impending catastrophe, as the city plunges 4.5 cm per year.

With 54 percent of its population living in areas near or below sea level, and especially in these large cities, Asia appears to be particularly vulnerable to the dual threats of subsidence and rising sea levels.

### THE GROWTH OF METROPOLISES IN SOUTHEAST ASIA

In 2019, Southeast Asian cities with more than two million inhabitants now have a combined population of 167 million out of a total population of 664 million. This amounts to 26.3 percent.

**Table 1:** Metropolises and megalopolises have the following populations:

Jabodetatek (Jakarta, Bogor, Depok, Tangerang and Bekasi)	35 m
Metro Manila	24 m
Bangkok (Krung Thep Maha Nakhon)	18.9 m
Ho Chi Minh City	13.6 m
Bandung	8.7 m
Kuala Lumpur	8.2 m
Singapore	8.1 m
Hanoi	7.4 m
Yangon	7.4 m
Surakarta	6 m
Medan	5.2 m
Yogyakarta	4 m
Phnom Penh	3.3m
Cebu	2.8 m
Malang	2.8 m
Palembang	2.5 m
Cirebon	2.5 m
Johor Bahuru	2.4 m
Denpasar	2.2m
Mandalay	2 m

Map 2: Metropolises and Megacities in Southeast Asia





## AN EXCEPTIONAL COMBINATION OF ENVIRONMENTAL RISK FACTORS IN SOUTHEAST ASIA: SUBSIDENCE AND THE EFFECTS OF GLOBAL WARMING ON SEA LEVELS

The metropolises of Southeast Asia are almost always located in densely populated alluvial zones and deltas, on soft ground and marshy land extending over neighboring rice fields. Rapid urbanization and industrialization in such areas is causing subsidence, the sinking of the ground's surface, which is directly leading to the increased number of floods, especially during the monsoon season.

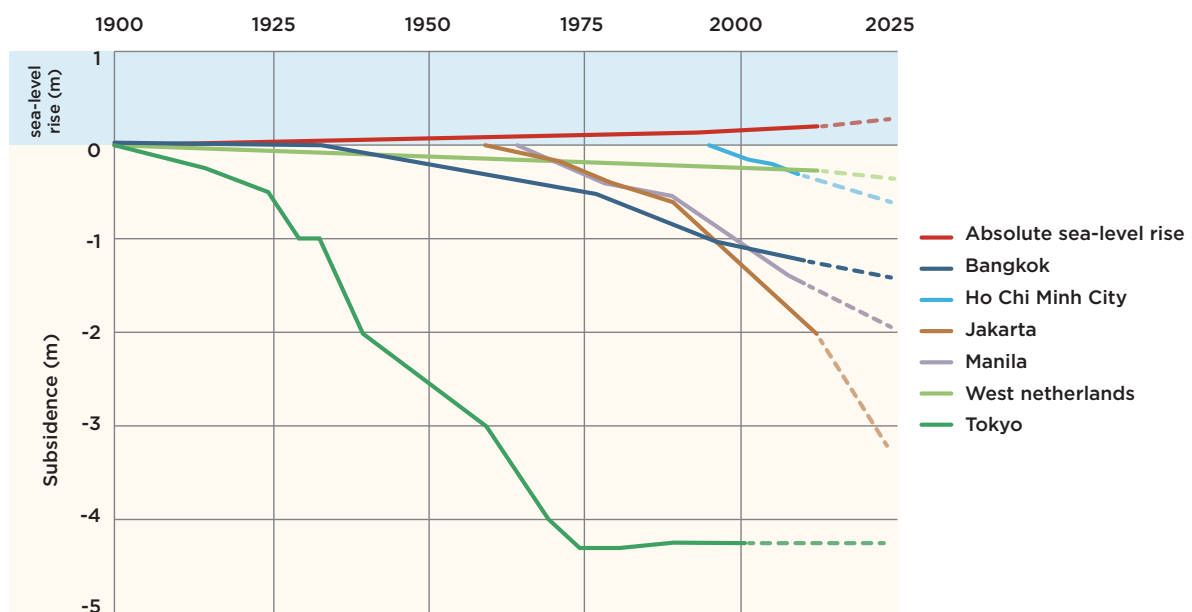
There are a number of reasons for this subsidence. According to specialists from Deltares, an independent institute for applied research in the field of water and subsurface, the largest “remains the pumping of groundwater”. But, they

add, “The weight of buildings certainly contributes to the compression of the thin sedimentary layers. These coastal areas, mainly composed of layers of sand, clay and peat, are particularly malleable.”

Sinking cities are particularly vulnerable to rising sea levels. According to the IPCC Special Report on the Ocean and Cryosphere in a Changing Climate, approved by IPCC member governments on 24 September 2019, sea and ocean levels could rise by as much as 1.10 m by 2100 if nothing is done. The projections below show the consequences of rising sea levels for Asian cities if global warming is contained at 2°C, the limit provided for in the Paris agreements of 2015, and compares them with the case of the warming having reached 4°.

Another risk for these cities is the pollution of surface water and the drying up of groundwater despite an abundance of rain, due to the pumping from

**Figure 2.** Global sea level rise (SLR) and average land subsidence for several coastal cities (please note that subsidence can differ considerably within a city area, depending on groundwater level and subsurface characteristics)



Source: Deltares, 2015



**Table 2:** Current population below the elevation of an average annual flood in 2050, top six countries Moderate emissions cuts

Country	SRTM	Coastal DEM	Change
1. China (Mainland)	29 million people	93 million people	+67 million people
2. Bangladesh	5 million people	42 million people	+37 million people
3. India	5 million people	36 million people	+31 million people
4. Vietnam	9 million people	31 million people	+22 million people
5. Indonesia	5 million people	23 million people	+18 million people
6. Thailand	1 million people	12 million people	+11 million people
<b>Total, global</b>	<b>79 million people</b>	<b>300 million people</b>	<b>+221 million people</b>

Moderate emissions cuts

(RCP 4.5), Kopp et al. 2014. median climate sensitivity, Population exposure estimates do not factor in potential coastal defenses, such as seawalls or levees.

Source: Climate Central, Oct. 2019

underground sources necessary to supply populations with potable water and to the increased presence of concrete roads in place of friable soils and mangroves through which those sources are naturally replenished. There is also an increased risk of cracks in bridges and dikes and of accidents in electrical networks and pipes. Less visibly, but no less worrying, are sagging roads that result in streets with collapsed areas and offset sidewalks, and cracks, sometimes several kilometers long, which threaten power lines and railways. The buildings tilt and their foundations are weakened, leading to the risk of collapse.

## ADAPTATION AND MITIGATION STRATEGIES

Measures to cope with these risks have been successfully initiated in several metropolitan areas.

Tokyo, for example, which had sunk by 4.25m between 1900 and 2013, is no longer sinking. In 1968, in an effort to slow down subsidence, the State put in place regulations that limited the extraction of groundwater and generated other water sources like dammed river basins and treated wastewater. Shanghai, having sunk by 2.5 m since 1920, attempted to

**Climate change**

- Accelerated sea-level rise
- Extreme weather events

**Socioeconomic development**

- Urbanization and population growth
- Increased water demand

**Land subsidence from a multi-sectoral perspective****Source : Deltares, 2015**

artificially recharge its aquifers. Bangkok, built only 1.5 meters above the sea, was sinking by about 10 cm annually until a few years ago. The municipality has managed to slow this process, limiting subsidence to one or two cm today. Also, the creation of large parks, such as Centenary Park, has helped to fight floods and store water in the event of a natural disaster.

While adaptation strategies are sometimes confined to a single metropolitan area, mitigation measures are often part of broader efforts to limit the rise in sea levels through a reduction of greenhouse gas emissions. In order to succeed, these measures require parallel subnational, national, regional and global actions to support more efficient and economical energy policies that give priority to renewable energies when possible, and attempt to reduce the use of fossil fuels.

**THE ROLE OF PARLIAMENTS**

Water management and control is at the heart of the history of State construction in Southeast Asia. What is new is the magnitude of the effects wrought by climate change. To promote adaptation and mitigation strategies, Parliaments can act by bringing forward legislation, raising public awareness, monitoring the effective implementation of laws, and cooperating regionally.

**A) LAWS AND REGULATIONS**

To regulate the use of water in general, and groundwater in particular, and to manage urbanization, laws are needed, especially in the cases where governments have been reluctant to take action.

If inhabitants do not benefit from an effective distribution network for drinking water (which is the case for 65 percent of the

inhabitants of Jakarta), they will continue to pump water from the aquifers, exacerbating the city's subsidence problem. In Jakarta, a city profoundly threatened by the twin specters of sinking land and rising seas, the response has been to build a wall four meters high and 32 km long. The first phase, 8 km in length, started in 2014 and is due to be completed in 2025. The undertaking, widely criticized by environmentalists, involves also constructing a 500 km coastal breakwater designed to protect the metropolis from the Java Sea. The cost of the project, known as the National Capital Integrated Coastal Development Masterplan, is an estimated USD 40 billion, equivalent to the funds needed to build a new capital.

Thailand's approach to dealing with subsidence in their capital has been to adopt tough regulations, emulating the approach taken by the Japanese in Tokyo. Bangkok's Groundwater Act was adopted in 1977 to better manage groundwater, targeting the most vulnerable areas. Since then, the city's rate of subsidence has slowed down but has not stopped: the illegal drawing of water continues, though to a lesser degree.

As governments develop other such policies and adaptation strategies, they must always take climate risks into account when assessing the potential impact on individuals and other stakeholders.

## **B) AWARENESS OF POPULATIONS AND OTHER STAKEHOLDERS**

Parliaments can, by organizing symposia, expert hearings, parliamentary missions and regional field visits, help to raise awareness among their fellow citizens about the challenges and policies required to adapt to and mitigate these challenges. This encompasses the need to:

- identify the vulnerabilities of the region, the economy, the environment and the population to climate change;
- raise awareness of the risks linked to climate change and the need to prepare for them;
- identify possible consequences and classify them in order of importance, probability and urgency;
- monitor and assess whether anticipated changes to the environment are occurring and, if so, at what speed;
- calculate the costs and benefits of the different adaptation strategies (doing nothing, relocating, building infrastructure, transforming the economic activity, etc.);
- analyze the responsiveness of adaptation strategies and their results;
- continuously assess the risks and the strategies employed.

## **C) MONITORING ACHIEVEMENTS**

Ad hoc parliamentary committees should carry out annual audits and inspections assessing the degree to which laws have been implemented.

## **D) REGIONAL COOPERATION**

ASEAN countries share the same types of natural environments, the same intense urbanization processes, the same water challenges and the same climate threats. It is therefore of profound mutual interest, in the spirit of ASEAN, to share experiences and examples of good practice in order to save precious time in this race against calamity.

# LES VILLES D'ASIE DU SUD-EST FACE AUX RISQUES D'ENVIRONNEMENT ET DU CHANGEMENT CLIMATIQUE

## CONSTATS

En 2011, le fleuve Chao Phraya, qui traverse Bangkok, a ainsi débordé, inondant 40 % de la ville. Des quartiers entiers ont été paralysés pendant plusieurs jours, avec de graves conséquences économiques. La capitale thaïlandaise pourrait s'enfoncer de 1,8 mètres d'ici 2025. L'inondation de 2011 a entraîné plus de 46 milliards de dollars en réparations et réhabilitations dont 8 milliards uniquement pour la ville de Bangkok.

Jakarta s'enfonce de 7,5 à 10 cm par an et 40% de la métropole se trouve en dessous du niveau de la mer. Ceci affecte le nord de la ville, ses ports, ses bases nautiques, ses marchés aux poissons et ses gigantesques centres commerciaux. Le Président Joko Widodo a décidé en avril 2019 de déplacer la capitale sur la côte orientale de Bornéo

Ho Chi Minh-Ville plonge de 8 cm par an. En 2009, le ministère vietnamien des Ressources naturelles et de l'Environnement indiquait que 6% de la surface de la ville était menacée. Aux Philippines, une partie des environ 13 millions d'habitants de la ville métropolitaine de Manille fait face à une catastrophe imminente, la ville plongeant de 4,5 cm par an.

Avec 54 % de sa population vivant dans des zones proches du niveau de la mer, et notamment dans ces grandes villes, l'Asie apparaît comme particulièrement vulnérable.

## LA CROISSANCE URBAINE DES MÉTROPOLES EN ASIE DU SUD-EST

Les villes de plus de 2 millions d'habitants concentrent 167 millions habitants, sur un total de 664 millions en 2019 en Asie du Sud-Est, soit 26,3 %. Cette croissance est très rapide.

**Table 1:** Les métropoles et les mégalo-poles ont les populations suivantes

Jabodetatek (Jakarta, Bogor, Depok, Tangerang and Bekasi)	35 m
Metro Manila	24 m
Bangkok (Krung Thep Maha Nakhon)	18.9 m
Ho Chi Minh City	13.6 m
Bandung	8.7 m
Kuala Lumpur	8.2 m
Singapore	8.1 m
Hanoi	7.4 m
Yangon	7.4 m
Surakarta	6 m
Medan	5.2 m
Yogyakarta	4 m
Phnom Penh	3.3m
Cebu	2.8 m
Malang	2.8 m
Palembang	2.5 m
Cirebon	2.5 m
Johor Bahuru	2.4 m
Denpasar	2.2m
Mandalay	2 m



Une combinaison exceptionnelle de facteurs de risques d'environnement en Asie du Sud-Est : subsidence et effets du réchauffement climatique sur le niveau de la mer

Les métropoles du Sud-Est asiatique sont presque toujours situées dans des zones alluviales rizicoles densément peuplées, des deltas et des terrains meubles et marécageux et elles s'étendent sur les espaces rizicoles voisins.

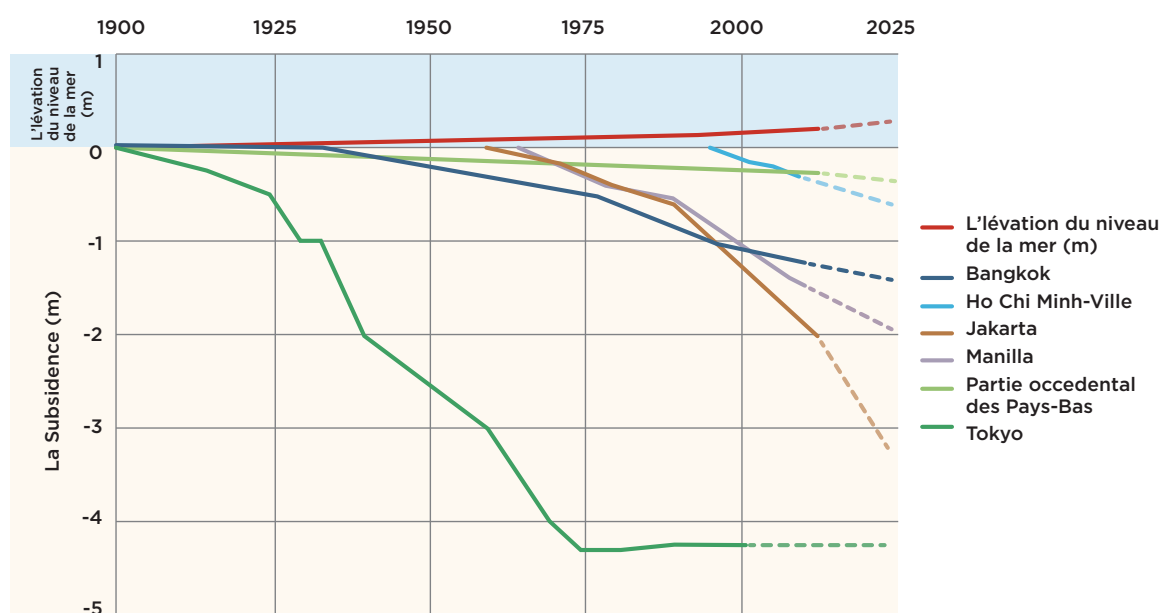
Le premier risque est la subsidence des sols, due à l'urbanisation et à l'industrialisation, qui est la cause directe des inondations qui se multiplient, notamment durant les périodes de mousson.

La subsidence rend ces grandes villes particulièrement vulnérables à la montée des eaux. « La raison principale reste le pompage des eaux souterraines, expliquent les spécialistes de Deltares, un institut indépendant de recherche appliquée dans le domaine de l'eau et du

sous-sol. Mais le poids des immeubles participe assurément à la compression des minces couches sédimentaires. Or, ces zones côtières, majoritairement composées de couches de sable, d'argile et de tourbe, sont particulièrement malléables. »

Or, les villes qui coulent sont particulièrement vulnérables à l'élévation du niveau de la mer. Selon le rapport spécial du Groupe d'experts intergouvernemental sur l'évolution du climat (GIEC) sur l'océan et la cryosphère dans un climat en évolution, approuvé par les gouvernements membres du GIEC le 24 septembre 2019, le niveau des mers et des océans pourrait augmenter de 1,10 m d'ici 2100 si rien n'est fait. Les projections ci-dessous, élaborées par le centre de recherches sur le réchauffement climatique montrent les conséquences de l'élévation du niveau des mers pour les villes asiatiques si le réchauffement planétaire est contenu à 2°C, limite prévue par les accords de Paris de 2015, et le compare avec un réchauffement atteignant 4°C.

Figure 2. L'élévation du niveau de la mer (ENM) et la subsidence moyenne dans plusieurs villes côtières (à noter que la subsidence peut différer considérablement au sein d'une même ville selon le niveau des eaux souterraines et les caractéristiques du sous-sol)



**Tableau 1:** 'Nombre actuel de personnes vivant sous le seuil moyen d'inondation annuel estimé pour 2050, parmi les 6 pays les plus à risque.'

Pays	SRTM	DEM côtier	Changement
1. Chine (continentale)	29 millions de personnes	93 millions de personnes	+ 67 millions de personnes
2. Bangladesh	5 millions de personnes	42 millions de personnes	+ 37 millions de personnes
3. Inde	5 millions de personnes	36 millions de personnes	+31 millions de personnes
4. Vietnam	9 millions de personnes	31 millions de personnes	+22 millions de personnes
5. Indonésie	5 millions de personnes	23 millions de personnes	+18 millions de personnes
6. Thaïlande	1 million de personnes	12 millions de personnes	+11 millions de personnes
<b>Total</b>	<b>79 millions de personnes</b>	<b>300 millions de personnes</b>	<b>+221 millions de personnes</b>

Réductions d'émissions modérées

(RCP 4.5), Kopp et al. 2014. Sensibilité médiane au climat, L'estimation de l'exposition de la population ne prend pas en compte d'éventuelles mesures de protection, comme les digues.

Source: Climate Central, Oct. 2019

Les autres risques sont la pollution des eaux de surface, l'assèchement des nappes phréatiques malgré l'abondance des pluies, en raison de la multiplication des routes bétonnées à la place des mangroves et des sols friables et du pompage pour alimenter les populations en eau potable. On note également les risques de fissure de ponts et de digues, des incidents sur les réseaux électriques et les canalisations. Moins visible, mais pas moins inquiétant, les routes s'affaissent provoquant des rues aux zones effondrées, des trottoirs décalés mais aussi des fissures, parfois de plusieurs kilomètres de long, qui menacent les lignes d'électricité et les voies ferrées. Les bâtiments s'inclinent et leurs fondations sont fragilisées, entraînant des risques

d'effondrement.

## STRATÉGIES D'ADAPTATION ET D'ATTÉNUATION AUX RISQUES D'ENVIRONNEMENT

Des mesures d'adaptation à ces risques ont été engagées avec succès dans plusieurs métropoles.

Ainsi, Tokyo, qui s'était enfoncée de 4,25 m entre 1900 et 2013 ne s'enlise plus. L'Etat a décidé à partir de 1968 de mettre en place des régulations pour limiter l'extraction des eaux souterraines et ralentir la subsidence et trouver d'autres sources, par des barrages sur les bassins fluviaux et en traitant les eaux usées.

## Le changement climatique

- L'élévation accélérée du niveau de la mer
- Les phénomènes météorologiques extrêmes

## Le développement socio-économique

- L'urbanisation et la croissance démographique
- L'augmentation de la demande en eau



La subsidence des terres dans une perspective multisectorielle

Source : Deltares, 2015

Shanghai, qui s'était enfoncé de 2,5 m depuis 1920, a agi sur la recharge des nappes phréatiques, méthode jugée moins efficace par les experts car la subsidence a des effets visibles sur les infrastructures.

Bangkok n'est construite qu'à 1,5 mètre au-dessus de la mer. Alors qu'il y a quelques années, elle s'enterrait d'environ 10 cm par an, la municipalité a réussi à ralentir le phénomène pour restreindre la subsidence à un à deux cm aujourd'hui. Par ailleurs, la création de vastes parcs, comme Centenary Park, permet de lutter contre les inondations et de stocker les eaux en cas de catastrophe naturelle.

Alors que les stratégies d'adaptation se limitent parfois à une seule zone métropolitaine, l'objectif des mesures dites d'atténuation est de réduire les émissions des gaz à effet de serre. Cela suppose une politique énergétique infranationale, nationale, régionale et mondiale efficace et économe, qui donne la priorité aux énergies renouvelables quand cela est possible, ainsi que la réduction de l'utilisation des

combustibles fossiles.

## RÔLE DES PARLEMENTS

La maîtrise des eaux est au cœur de l'histoire des constructions étatiques en Asie du Sud-Est. Ce qui est nouveau est l'ampleur des phénomènes, en raison du changement climatique.

Pour promouvoir ces stratégies d'adaptation et d'atténuation, les Parlements peuvent exercer un quadruple rôle de législation, de sensibilisation de la population, de contrôle de la mise en œuvre effectives des lois et de coopération régionale.

### A) LOIS ET RÈGLES

Pour réguler l'usage de l'eau et des nappes phréatiques et pour maîtriser l'urbanisation, il faut des lois, surtout lorsque les gouvernements sont réticents à prendre les mesures qui s'imposent.

Si les habitants ne bénéficient pas d'un bon réseau de distribution d'eau potable (cas de

65% des habitants de Jakarta), ils continuent de pomper dans les nappes en exacerbant le problème de subsidence de la ville. À Jakarta, une ville profondément menacée par le double spectre de la subsidence et des mers montantes, le choix a été fait de construire un mur de 4 mètres de haut et de 32 km. La première phase, pour une longueur de 8 km, a débuté en 2014 et devrait s'achever en 2025.

Ce projet, dit Plan directeur national d'aménagement côtier intégré de la capitale, très critiqué par les écologistes et qui implique aussi une digue côtière de 500 km, devrait protéger la métropole de la mer de Java (coût estimé à 40 mds\$, équivalent à celui d'une nouvelle capitale).

Ainsi, à Bangkok, l'expérience japonaise a été suivie par le vote de réglementations plus sévères. La loi « The Groundwater Act » a été adoptée en 1977 pour une meilleure gestion des eaux souterraines, en ciblant les lieux les plus vulnérables. La subsidence a ralenti dans être arrêtée car le puisage illégal des eaux continue.

Pour être efficace, une stratégie d'adaptation doit inclure le risque climatique comme un phénomène ordinaire dans l'élaboration des politiques afin que les gouvernements, les communautés d'affaires et les individus soient pleinement conscients de ce risque potentiel comme ils le seraient d'autres types de risques dans l'évaluation de leurs plans.

## B) SENSIBILISATION DES POPULATIONS ET DES ACTEURS

Les Parlements peuvent, par l'organisation de colloques, d'auditions d'experts, de missions de parlementaires et de visites régionales de terrain, contribuer à sensibiliser leurs concitoyens sur les enjeux et les politiques requises dans les deux domaines de l'adaptation et de l'atténuation des défis cités :

- identifier la vulnérabilité de la région, de l'économie, de l'environnement et de la population face au changement climatique ;
- identifier des impacts possibles et classer ces derniers par ordre d'importance, de probabilité et d'urgence ;
- surveiller pour évaluer si les changements climatiques anticipés sont en train de se produire et auquel cas, à quelle vitesse ;
- calculer des coûts et des bénéfices des différentes stratégies d'adaptation (ne rien faire, relocaliser, construire des infrastructures, transformer l'activité économique, etc.) ;
- analyser la réactivité des stratégies d'adaptation et leurs résultats ;
- faire prendre conscience aux intéressés des risques dus au changement climatique et la nécessité de s'y préparer ;
- évaluer de façon continue les risques et les stratégies employées.

## C) CONTRÔLE DES RÉALISATIONS

Les commissions parlementaires ad hoc devraient réaliser chaque année des audits et des missions d'inspection sur le degré d'application des lois votées.

## D) COOPÉRATION RÉGIONALE

Les pays de l'ASEAN partagent, depuis toujours, les mêmes types d'environnement naturel, les mêmes processus de métropolisation, les mêmes défis hydrauliques et les mêmes menaces climatiques. Il s'agit donc d'un intérêt partagé et des échanges d'expériences et de bonnes pratiques dans l'esprit de l'ASEAN sont donc précieux pour faire gagner du temps dans cette course de vitesse.



### 3.3 CLIMATE CHANGE AND THE PROTECTION OF FOREST AREAS: A REVIEW FROM SOUTHEAST ASIA

#### CONTEXT

Climate change is exerting a profoundly negative impact on ecosystems, agricultural production and economies [1, 2, 3]. It is likely to prolong the dry season, increase temperatures and modify the frequency of extreme events relating to rainfall and floods [4, 5]. These changes have already started undermining world food production systems, with impacts varying by region [5].

Deforestation is a major cause of climate change, resulting in the loss of land cover and triggering a reduction of evapotranspiration and cloud cover. This, in turn, contributes to changing climatic conditions. It also exacerbates global warming by adding CO<sub>2</sub> to the atmosphere [6]. Land conversions for agriculture and commercial timber-logging are the leading causes of deforestation, as seen most noticeably in the Amazon basin and other tropical regions, including Southeast Asia [7, 8]. The change in land use patterns in the tropical region between 2000-2007, for example, contributed 14-20 percent to the level of global greenhouse gas emissions [7]. Soaring global demand for food and agricultural products has necessitated the intensification of farm production and the need for clearing still more forest for farmland [9].

Reducing deforestation and promoting afforestation are cost-efficient options to decelerate global warming and help to mitigate climate change [6, 9]. This text provides an overview of the state of tropical forests in Southeast Asia, highlighting the impact of deforestation and climate change

and summarizing the policies that countries in the region are using to combat the issue.

#### STATE OF FOREST AREAS IN SOUTHEAST ASIA

Forest areas in Southeast Asia have been reduced mainly as a result of the expansion of agricultural land [10, 11]. The region has experienced a rapid agricultural transition since the Green Revolution, driven by soaring global demand for agricultural products [12], and can be seen most clearly in Southeast Asia in the surge of commercial crop production [13, 14]. The data shows a reduction in forest areas for most countries in the region, with the exception of Vietnam, Lao PDR and the Philippines, where there is an increase (Figure 1). In Lao PDR, a policy to reassign land use, reducing slash-and-burn agriculture and designating reserved forest areas, has contributed significantly to the reduction of forest clearance for farming [15].

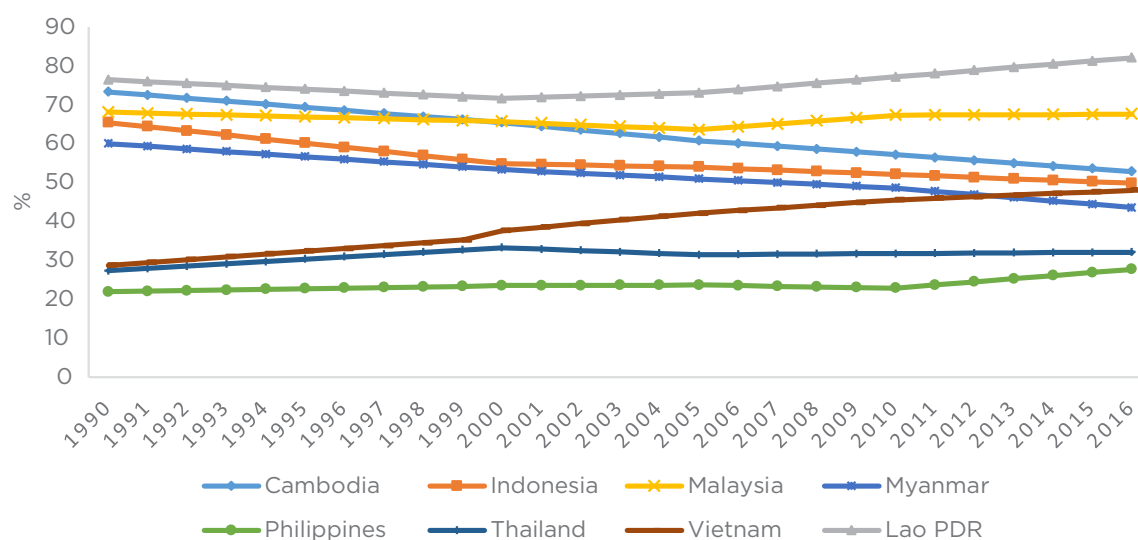
Farmland in Thailand increased from 23 to 42 percent between 1960 and 1993, while the increase was 11 percent for Malaysia during the same period [16]. Driven by the global demand for vegetable oil and biofuel, oil palm cultivation increased exponentially in both Malaysia and Indonesia [17] between 1990 and 2007, when an estimated eight million hectares of forest were cleared to make way for the farming of these trees, with millions more reserved for future expansion [18]. Around 85 percent of the world supply of palm oil was produced in the two countries in 2004 [13]. In 2014, land under oil palm cultivation reached 15 million hectares [19].

The decrease in the size of forest areas appears to be most significant in Cambodia, Indonesia and Myanmar from 1990 to 2016. Forest cover declined from 73 to 52 percent in Cambodia, from 65 to 49 percent in Indonesia, and from 60 to 43 percent in Myanmar. Cambodia and Indonesia have experienced the region's fastest expansion in land used for cultivation over the last two decades [16]. Apart from clearance for farming, commercial logging has been the main cause of forest degradation in Myanmar [20]. In Cambodia, Lao PDR and Myanmar, increased investment from China together with an abundance of inexpensive forest land have driven a boom in commercial crop production, especially rubber and cassava [21, 22]. By 2050, the land used for growing rubber will quadruple, much of which will involve forest clearance [23].

## IMPACT OF FOREST DEGRADATION AND CLIMATE CHANGE

As mentioned earlier, the reduction in forest areas has stimulated global warming and accelerated climate change [6]. As a result, Southeast Asia is now experiencing phenomena such as rising sea levels and more extreme weather events, particularly floods, heatwaves, droughts, forest fires and tropical cyclones. By 2100, the temperature in Indonesia, the Philippines, Thailand and Vietnam is expected to increase by 4.80C with sea levels rising by 70 centimeters [24]. The increase in temperature will trigger changes in monsoon rainfall including delayed rainy seasons and more intense monsoon flooding [25]. Since 2009, mainland Southeast Asian countries, including Cambodia, Thailand, Vietnam, Myanmar and Lao PDR, have experienced rainfall that is lower than the long-term average, while in the Philippines, the impact of El Niño has resulted in delayed and shorter rainy seasons [24].

**Figure 1: Trend of Forest Cover**



Source: World Development Indicators 2018

Changing rain patterns, an increase in temperatures, and more frequent extreme weather events - such as droughts and floods - severely impact crop yields, making agriculture one of the sectors most vulnerable to climate change. Increased temperatures have been associated with a reduction in crop productivity [26, 27]. According to a recent study, rice production in the region could drop by as much as 10 percent for every 10°C increase in temperature. Under the current climate change scenario, and without adaptation and technical improvement, the study's model estimates a 50 percent drop in rice yield in the Philippines, Thailand and Vietnam and a 34-75 percent drop in Indonesia by 2100 [24]. Exacerbating the problem, recent droughts in Thailand and the Philippines have triggered alarm related to water shortages for agriculture [24, 28].

Erratic rainfall, rising sea levels salinity have put the delta regions of Vietnam and Myanmar at risk of water logging, stagnant floods and soil salinity [24]. In Indonesia, floods have impacted 268,823 hectares, resulting in the loss of 1,344 million tons of rice [24]. Submergence could potentially affect 15-20 million hectares of rice fields across Southeast Asia, threatening the countries' food production and food security [24]. A 40 cm rise in sea level could potentially displace a population of 21 million who live along the coastal and delta regions of Southeast Asia. About 11 percent of Vietnam's population, for instance, would be affected if the sea level increased by one meter [29]. Many parts of Jakarta are already below sea level, while Bangkok and Manila are being threatened by a rising sea, heavy and sustained rainfall and tropical cyclones [30].

Climate change, along with dam construction along the Mekong River, has modified monsoon patterns, increasing temperatures in the basin and affecting the hydrological flow of the river and its

characteristics [24, 31]. The water level in the Mekong River reached its lowest point for 60 years in 2019, according to the Mekong River Commission. A major forthcoming impact will be on the ecological productivity of the Tonle Sap Lake in Cambodia, leading to a decline of its ecosystems services [32]. Prolonged droughts, increased temperatures in the atmosphere and the change in land use are conditions conducive to another major problem - increased forest fires [33]. This has been seen, for example, in Kalimantan and Sumatra in Indonesia, where forest fires have diminished the ecological services provided by the forest including the maintenance of biodiversity, water cycling and climate regulation [33]. Climate change and increases in temperature are also likely to undermine the regeneration of some forest species such as pine and mangrove [34, 35]. Similarly, climate change can modify both the chemical and physical properties of the sea, altering the seasonality and distribution of fish stock. The impact could result in a ten percent decrease in Southeast Asia's fish catch by 2050 [36].

## POLICY ON PROTECTION OF FOREST AREAS

Protection of natural forests is central to the environmental and climate change policy in most Southeast Asian nations [37]. Various legal frameworks and approaches have been implemented [38]. At the regional level, the Association of Southeast Asian Nations (ASEAN) has established two working groups - (1) on Nature Conservation and Biodiversity (AWGNCB) and (2) on Water Resources Management (AWGWRM) - both of which are part of ASEAN efforts to combat deforestation and boost afforestation and reforestation. Apart from this, ASEAN has initiated several strategic frameworks on forest conservation and climate change, for example, the ASEAN Multi-Sectoral Framework on Climate Change, the ASEAN strategic approach to address issues in the agriculture, forestry and fisheries sectors,

and the Heart of Borneo Initiative [39]. An ad hoc working group was established in 2002 to develop a pan-ASEAN timber certification scheme. [40] The Declaration on Environmental Sustainability was endorsed by ASEAN in 2007; one of its objectives was to strengthen law enforcement combatting illegal logging and the illicit trade in forest resources. The declaration gave rise to the ASEAN Regional Knowledge Network on Forest Law Enforcement and Governance. [40] Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines and Thailand are currently members of the International Tropical Timber Organization (ITTO) [37].

At the national level, Sustainable Forest Management (SFM) has been at the core of forestry policy [37]. Under SFM, a Code of Practice (COP) was developed to regulate forest management and to reduce the potential environmental and social impact of deforestation. ASEAN endorsed this COP in 2001. In 2009, Cambodia, Indonesia, Lao PDR, Malaysia and Myanmar produced their own COP [37]. A major reform of the forestry sector began earlier - in 1999 - for Indonesia, the Philippines and Thailand, then later for Cambodia and Vietnam [38]. Thailand banned forest logging in 1988. Under the Bali Declaration, similar actions against illegal logging and trading were implemented in Indonesia, Malaysia and the Philippines [40]. Indonesia has passed several legislative provisions aiming to preserve the forest [41]. Cambodia, like some of its ASEAN neighbors, has developed a comprehensive set of biodiversity guidelines for timber concessions [37].

In response to the UNFCCC and Kyoto protocol, Southeast Asian nations have shown commitment to climate change mitigation by actively designing and implementing a number of REDD and REDD+ programs, many of which focus on forest preservation and promoting sustainable land use [42, 43, 44]. Under the National

REDD+ Strategy, the Philippines, for example, has been diligently implementing forest protection mechanisms in protected areas. The program is having a strong effect in boosting the country's carbon stock, though it has blocked local people from an important source of income. Similar results can be seen in Thailand's implementation of the Protected Forest Conversion Program [44]. The Forest Protection Program in Indonesia has had a strong positive impact on both emissions reduction and local livelihoods because the incentives from forest management have been allocated to the local people [44]. Myanmar is using Community Forestry as an integral part of its forest management program [45]. In Lao PDR, successful policies have been implemented to control land use in order to reduce forest clearance for farming and to preserve the forest [15]. Cambodia has been implementing a REDD National Program since 2011 in an effort to promote sustainable forest management and to market carbon credits. The program aims to support Community Forestry and enhance the management of protected areas [46].

## ROLE OF PARLIAMENTS

Despite efforts, the natural forest areas in the ASEAN region continue to decrease while the impacts of climate change are mounting. Facing these rising concerns, the role of Parliaments is vital to ensure effective law and policy implementation. Within its oversight role, Parliaments could conduct regular meetings with relevant ministries, identifying key challenges in implementation and enforcement in order to provide timely feedback before approving laws and allocating funds.

Parliament can consider adding amendments to existing legislation and policies related to forest management by providing concrete inputs during the formulation stage, ensuring that their implementation will help address the key



issues. Review of ministerial progress reports could help provide a comprehensive picture regarding the development of the sector. Other inputs and good practices could be drawn from the integration of voices from civil society and research institutions that work on climate change, forest conservation and agricultural development. Integrating these voices might also help to ensure that the issues and impacts of deforestation and climate change happening at the local level are being transmitted to the Parliament. Members of Parliament can then serve as a bridge, sharing what they learn with other national leaders. In their representative

function, Parliaments might consider organizing field visits and public hearings to raise awareness among their citizens about the effects of deforestation and climate change.

ASEAN Parliaments can also work together to share good practices and lessons learned about how best to cope and adapt to the impacts of climate change. Large scale challenges like deforestation, prolonged droughts, floods, rising temperatures, and the successful implementation of the REDD and REDD+ program, are best dealt with under a multilateral framework.



Logging of rain forest to clear land for palm oil plantations in Khao Lak, Phang-nga, Thailand  
Rich Carey

## 3.4 FROM CLIMATE CHALLENGES TO EFFICIENT LAWS

### IMPLEMENTATION OF ENVIRONMENTAL LAW IN ASIA, WITH A FOCUS ON SOUTHEAST ASIA

The impact of climate change on water, food and energy differs between regions and countries for geoclimatic as well as demographic and socio-economic reasons.

Asia, particularly Southeast Asia, is, according to the United Nations, the region of the world most threatened by climate change. However, integrated initiatives at the regional level in Asia to respond to the threat seem underdeveloped, particularly in the framework of ASEAN. The Southeast Asian sub-region, with a population of more than 620 million, is well aware of the links between the climate crisis, sustainable development and human security, since four of the 10 countries in the world most affected by climate change - Indonesia, Myanmar, the Philippines and Vietnam - are ASEAN Member States [47]. These countries, like the whole of Southeast Asia, are regularly confronted by cyclones and floods. According to the United Nations an expected 70 percent of the world's population that will be most affected by sea-level rise lives in ASEAN countries [48].

ASEAN has expressed its collective concern about climate change in numerous declarations, and has adopted sector-specific action plans and regional decisions to address transboundary pollution [49] and the protection of biodiversity [50]. However, a regional plan addressing environmental issues as a whole has not yet been agreed up on by the Association. Nevertheless, it has been announced that an ASEAN strategic plan on the environment is currently being drawn up, known as the ASEAN Strategic Environmental Plan [A] [51].

This more detailed action plan is intended to serve as a guiding document for ASEAN to promote environmental cooperation among its Member States until 2025. It should be noted, however, that while the United Nations asserts that the link between water, food and energy is at the heart of sustainable development [52], and the UN's Food and Agriculture Organization (FAO) refers to the water-food-energy nexus as something to always take into account when considering options for adapting to climate change [53], this nexus does not seem to be explicitly part of the seven priorities included in the framework of this strategic plan [54]. For its part, the European Union, in collaboration with other partners, has developed an online resource that precisely illuminates this concern [55].

Climate change, quite clearly, must be addressed at the multilateral level [B]. However, while the most prominent global multilateral agreements tend to receive the most attention, there is a growing interest in the value of those that are regional and sub-regional, directing attention to the most relevant environmental issues, and applying local knowledge to inform potential solutions and increase incentives to cooperate with neighbors [54, p.35]. In some cases, such as trafficking in hazardous waste and smuggling of wildlife products, it is difficult to see how implementation can even be envisaged without regional, subregional or bilateral cooperation and information sharing [56].

However, individual States can implement strategies to mitigate the effects on their respective territories, economies and populations. As of 2017, 176 countries have adopted environmental framework laws, 150 countries have enshrined environmental protection or the right to a



healthy environment in their constitutions, and 164 countries have established government-level bodies responsible for environmental protection [57, pp.4-5]. These environmental laws, rights and institutions have contributed to slowing, and in some cases reversing, environmental degradation and to achieving the public health, economic, social and human rights benefits that often accompany environmental protection [57, p.8].

Too often, however, the implementation and enforcement of environmental laws and regulations are far from sufficient to address environmental challenges. Laws sometimes lack clear standards or necessary mandates. Others are not properly adapted to national and local contexts and therefore face unforeseen challenges due to conditions on the ground. Many developing countries give priority to macroeconomic and economic development when allocating public funds and setting priorities. [C] As a result, environment ministries are under-resourced and politically weak compared with ministries responsible for economic and natural resource development [57, p.8]. While international technical and financial assistance has helped many countries to develop environmental framework laws, neither the national budget nor international assistance have been sufficient to create the strong environmental agencies needed to adequately build the capacity of agency staff and national judges in environmental law, or to create sustainable education on laws and their implementation [57, p.3].

Gaps in the implementation of environmental law are by no means limited to developing countries. Many developed countries have adopted aggressive and comprehensive environmental laws, but their implementation has stalled, according to the results of biennial reviews by European Union Member States, published in 2017 by the European Commission [D][58, p.13].

Finally, taking a comprehensive inventory of national legislation and regulations is a fool's errand as the environment is a cross-cutting issue covering multiple sectors (agriculture, urban planning, transportation, energy, consumption, food, irrigation, industry, training, etc.). Environmental law also overlaps with many forms of law and standards (from the social and customary norms of villages to the statutory laws of nations, not to mention the voluntary standards adopted by companies and organizations). It also extends across many levels of governance (from customary governance among indigenous peoples and rural populations to sub-national and national governance, regional and international government regulations). Moreover, it is often the responsibility of more than one agency or department at several levels of government.

## ASIA, THE REGION MOST EXPOSED TO CLIMATE CHANGE

The list of climatic hazards to which Asian countries are exposed is long. According to the Germanwatch Global Climate Risk Index, six of the 10 countries most affected in the last 10 years were Asian (Burma, the Philippines, Bangladesh, Pakistan, Vietnam and Thailand). Making matters worse, many Asian metropolises are coastal cities, such as Bombay, Manila, Jakarta, Shanghai, Bangkok and Singapore. Some, such as the Indonesian capital, are already below sea level. According to the World Bank, the expected rise in ocean waters in East and Southeast Asia would, depending on its magnitude (1 to 3 meters), affect between 37 and 90 million people, especially in Vietnam, China and Indonesia. South Asia is even more exposed, particularly Bangladesh and India.

As for the rise in temperatures, this will markedly affect South Asia. By 2050, one third of India's population could be exposed

to extreme temperatures (above 35°C) for at least three months per year. Warming is expected to affect crop yields in significant proportions, particularly on the Indian subcontinent (in the order of 8 to 10 percent, depending on the type of seed). The issue of food self-sufficiency is becoming a burning issue in a region in which population growth will remain the highest in Asia.

Another type of devastating climatic hazard - typhoons - are hitting Asian coasts with increasing magnitude, particularly the Philippines, Japan, China and Indonesia. There is a growing awareness of these multiple risks, and the corresponding shifts in public opinion could lead to new and more proactive political decisions [59].

Among the world's regions suffering from water scarcity, Asia faces a lack of human, institutional and financial capital that limits access to water, despite its natural abundance. This limited access to water has severe effects on agricultural production [60, p.36]. Less than 25 percent of river water is withdrawn to meet the needs of the inhabitants, and malnutrition is rampant. In contrast, there is an increase in access to water resources in Northern Europe, Russia, and North America, which allows for higher agricultural production [60, p.36].

## ASIA, THE SOURCE OF HALF THE WORLD'S GREENHOUSE GAS EMISSIONS

Asia accounted for almost half of global greenhouse gas emissions in 2018 and two-thirds of the increase in CO<sub>2</sub> emissions in 2017, a proportion that could continue over the next decade. Asians have made massive investments in renewable energy and energy efficiency, but their current commitments remain insufficient to reverse the trend. Additional actions, like slowing

down deforestation and forest degradation in Asia, particularly in Indonesia, are also crucial to reducing global emissions [61].

The explosion in emissions is mainly due to the formidable economic catch-up process - which the region has been undergoing over the past 50 years - that is based on industry, infrastructure and exports, accompanied by an over-consumption of energy. Although per capita emissions in some Asian countries such as India and Indonesia remain well below the global average, they are still much higher than the average in developed countries in the region such as China and Malaysia [63]. Asia is, however, also a continent that is particularly exposed to the consequences of climate change, which might jeopardize future growth prospects.

Moreover, by 2100, heat could make South Asia uninhabitable, according to a recent study by the Massachusetts Institute of Technology (MIT), published in the journal *Sciences Advances*. If no action is taken to reduce greenhouse gases, "the increase in summer temperatures and humidity could reach levels exceeding the capacity of the human body to survive without protection", the scientists warn.

The countryside is more affected than the cities, even though it is the cities (with their high population concentration) that produce most of the pollution. The most intense risk of future extreme heat waves is concentrated around the densely populated agricultural regions of the Ganges and Indus basins. South Asia, a region inhabited by about one-fifth of the world's human population, faces a unique risk from unmitigated climate change due to an unprecedented combination of severe natural hazards and acute vulnerability [62].



## ASIA, THE REGION WITH THE GREATEST FOOD NEEDS

It is predicted that, by 2050, the world will have about nine billion people, and, on a global scale, food will be a major problem. Today there are already 850 million people who do not receive enough for their basic needs, so food production has to increase significantly by that time [E][63].

Food needs are greatest on the Asian continent, ahead of Africa. To feed a growing population, the efficiency of agricultural practices needs to be considerably improved, both for rain-fed and irrigated agriculture, but this is not enough, as fertilizers are likely to become much more expensive (nitrates follow the price of oil and phosphate, and reserves may be depleted). However, it appears that some regions do not have enough arable land, in particular Asia and the Middle East/North Africa, with a population that represents more than half of the world's total. In Asia, 75 percent of arable land is already exploited. This scenario demands significant technological changes in order to improve efficiency (+50 percent of rain-fed and irrigated agriculture in Asia), with a controlled and limited investment in irrigation [60, p.20].

## FINANCING AND PROSPECTS IN ASIA

Data from the Climate Fund Update shows that for 18 Asian countries, [64] a total of USD 4.5 billion for 453 projects and programs has been granted by 18 multilateral climate change programs and funds. However, significant amounts of funding have flowed to fast-growing economies such as India and Indonesia, mainly for mitigation, not adaptation projects. On the other hand, a number of countries with considerable climate change risks, such as Sri Lanka, have received relatively little.

In 2019, USD 749 million in new approvals were recorded, more than half of which are reserved for mitigation, mainly through the Green Climate Fund [65]. However, the Green Fund approved one adaptation project for the region and four multi-household projects in addition to these five mitigation projects, for a total of USD 619 million in 2018 [F][66].

Bilateral funding is also channeled to Asia to complement the flow of multilateral climate funds. This includes the bilateral climate funds of Australia, Germany and the United Kingdom, which are active in the region [G] [66]. A Treaty of Friendship and Cooperation in Southeast Asia was signed between Germany and ASEAN on 2 November 2019. At the core of this common commitment is a conviction to jointly address the major global challenges - the management of globalization, climate change and trade issues.

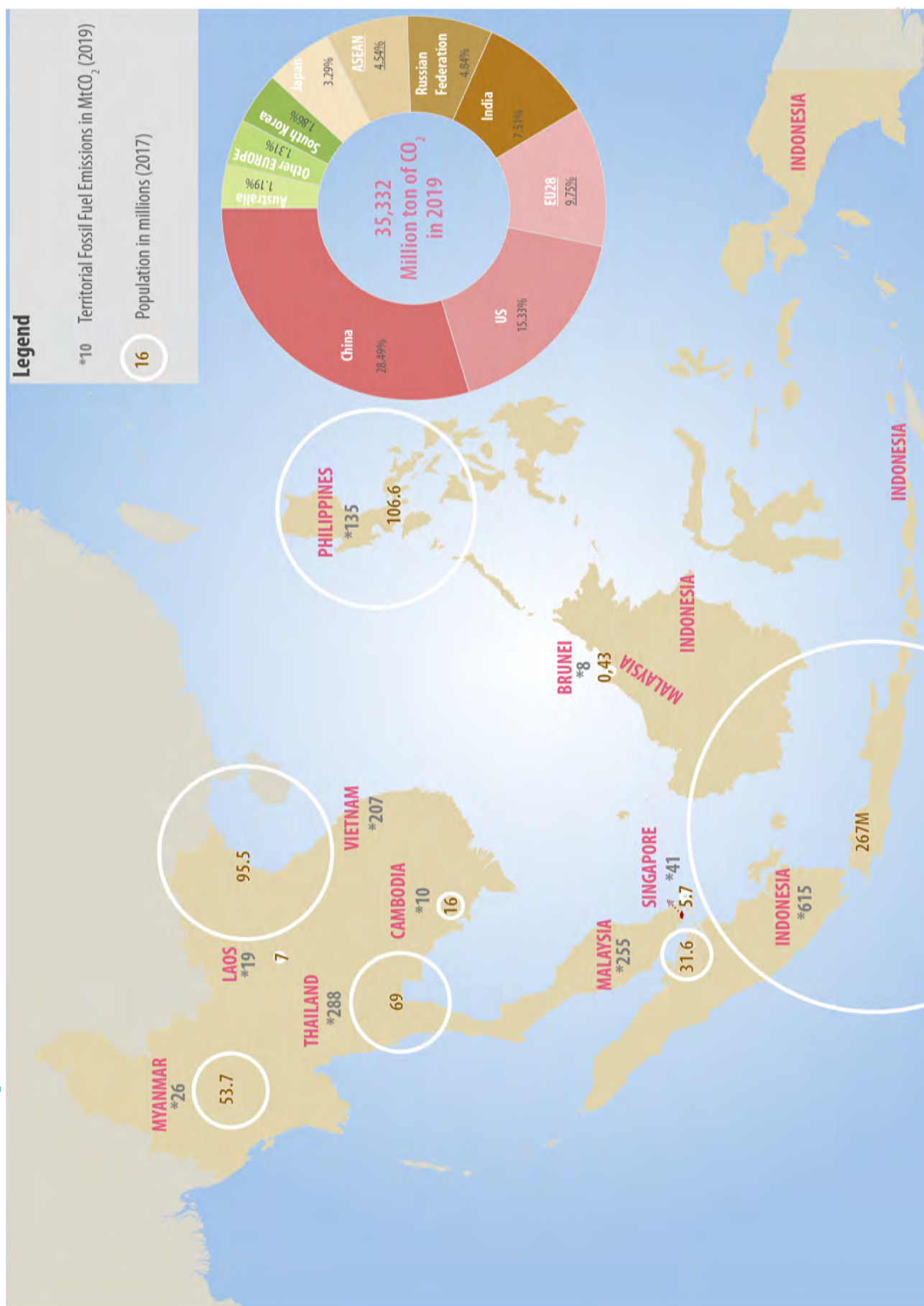
Moreover, as Asia is home to the world's largest urban population, and its cities and towns are growing at an unprecedented pace, it is understandable that more than USD 300 million in climate finance has been approved for the region on projects to support various aspects of low-carbon and climate resilient urban development [66].

The challenge seems to be twofold for Asia. On the one hand, in order to comply with the Paris Accords in 2015, Asian greenhouse gas emissions need to be reduced so that the global community can contain the temperature rise to below 2°C. On the other hand, Asian countries need to develop strategies to ensure the prosperity and security of the region.

## WHAT ROLE FOR PARLIAMENTS AND PARLIAMENTARIANS?

Parliaments and their members have a dual role to play. Because climate change

**Map 3:** Fossil Fuel and CO<sub>2</sub> Emissions by Country



issues go beyond national borders, it comes within their remit to put it on the agenda for discussions at the national level and for inter-parliamentary meetings. Parliaments need to, alongside the other constitutional powers, provide elements of effective responses to the challenges of climate change and water-food-energy security within their national territory.

## AT THE REGIONAL LEVEL

With regard to parliamentary diplomacy at the regional level, ASEAN parliamentarians could devise a regional plan to address environmental issues as a whole. It would then fall upon them to expand their approach to consider the water-food-energy nexus when shaping this ASEAN strategic vision. The benefits of establishing an effective plan is evident, as Asia is the region most exposed to climate change.

From an inter-regional point of view, dialogue between regional organizations (ASEAN, EU, etc.), in particular between regional parliamentary organizations (AIPA, European Parliament, etc.), as well as those during inter-parliamentary meetings organized in preparation for inter-regional summits (such as ASEP), are crucial moments for exchange that can be used to advance inter-regional solidarity agreements. In these settings, fresh solutions can emerge. For example, Europe could help Asia to address its agricultural production deficit and food needs by providing technological support in the agri-food sector, and Asia, in turn, could emit less greenhouse gases, which is a major priority for the EU.

## AT THE NATIONAL LEVEL

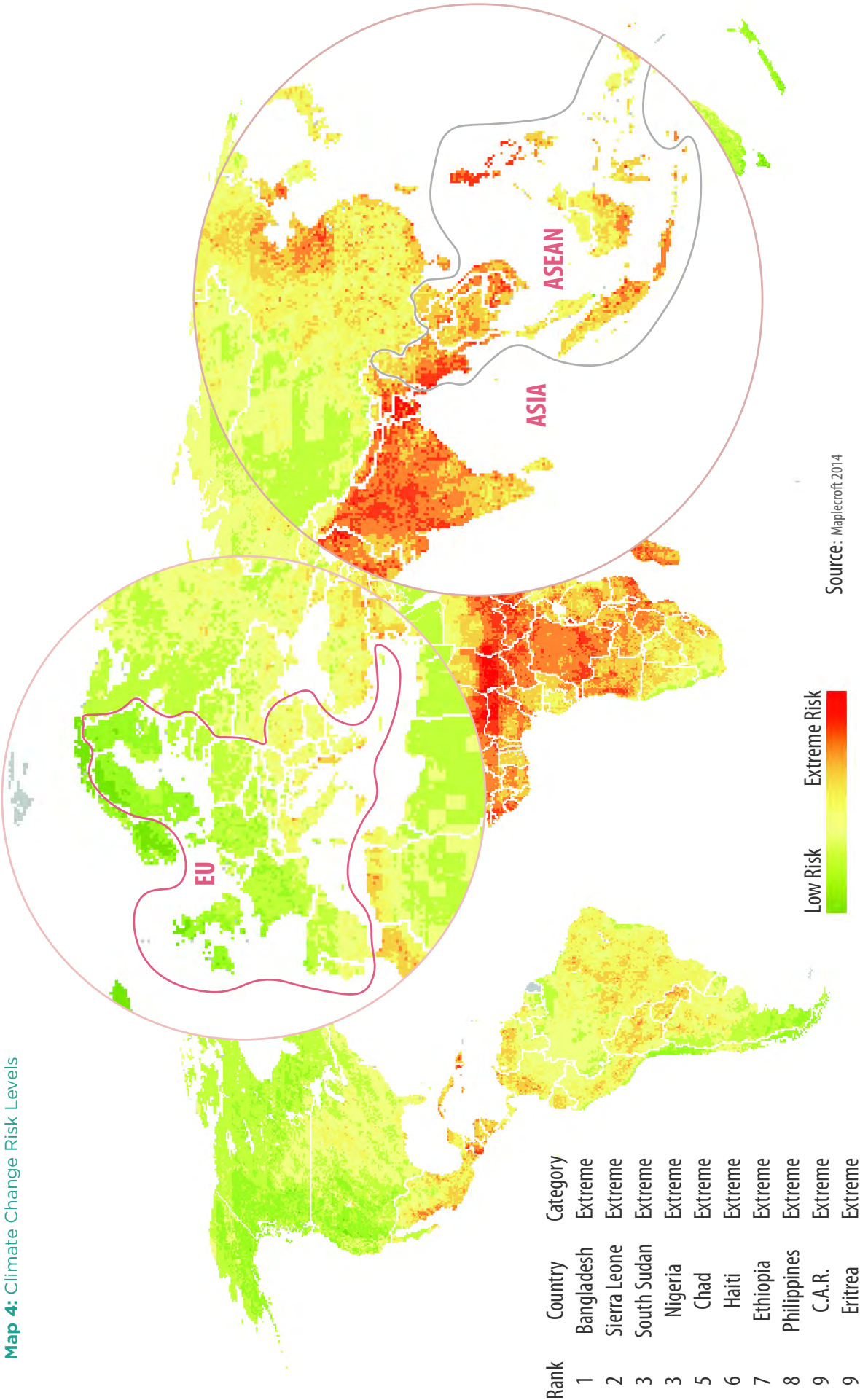
While climate change is clearly a global challenge, the approaches taken by each country's Parliament need not be the same. Today, funding coming to Asia from Europe tends to support efforts towards mitigation over adaptation. Asian parliaments should not overlook policy options that consider adaptation intended to solve problems in a sustainable manner, taking into account their own particular circumstances.

At the moment, laws sometimes lack clear standards or necessary mandates or are not suitably adapted to the challenges on the ground. This can have considerable consequence insofar as the environment is a cross-cutting issue covering multiple sectors (agriculture, urban planning, transport, energy, consumption, food, irrigation, industry, training, etc.).

The effects of a changing climate are vast, and so the implementation and enforcement of environmental laws and regulations are often insufficient to address environmental challenges. Budgetary constraints are a constant, and so trade-offs are always necessary. Therefore Parliamentarians in their function of representation, law-making (passing new laws after a proper impact assessment or amending laws to adjust them) and oversight have a crucial role in ensuring solutions are effectively designed and implemented to bring maximum benefit to those being affected by climate change.



Map 4: Climate Change Risk Levels





## 3.5 EUROPEAN ENERGY SECURITY: CHALLENGES IN DIVERSIFYING AND DECARBONIZING THE ENERGY FUEL MIX

### THE ENERGY MIX

The term “energy security” embraces a wide range of issues. These include global climate change, the finite nature of fossil fuels and the anxieties surrounding the production of nuclear energy. Additional challenges arise from disruptions of the energy supply, particularly when used as a weapon, and the high costs of energy imports. While the focus has traditionally been on supply, the demand for energy must also be considered, especially given the emergence of energy “prosumers” who both consume and produce.

After China and the USA, the European Union has the third largest gross domestic energy consumption worldwide and faces numerous policy challenges regarding its future energy supply. These include the changing energy market and energy demand structures, as well as the diversification and decarbonization of the energy fuel mix towards a cleaner and more sustainable energy system. New technology is also needed to help to address changing economic, social and demographic development, for ways to limit greenhouse gas (GHG) emissions and to dispose of nuclear waste.

The energy mix of the 28 EU countries [H] is dominated by oil and gas. Since 1980, Europe has not been self-sufficient in the supply of crude oil. The picture has been similar in the natural gas sector since the mid-1990s. In 2017, the EU’s energy import dependency reached 55.1 percent (natural gas, coal and oil combined). The countries of origin for imports has changed in recent years, but Russia has maintained its position as lead supplier of crude oil and natural gas,

and is now also the main provider of solid fuels. However, since 2004, new partner countries have emerged, in the first instance from the Caspian region.

The EU’s energy supply security has become a major geopolitical and geo-economic issue. Crucial to European energy supply security, outside actors such as Russia, China and the United States are also eyeing the region with geopolitical interest. The region’s potential is huge once it is integrated into the world market, yet its historic path has greatly hindered an easy transition.

The EU has agreed to a comprehensive update of its energy policy framework to facilitate the transition away from fossil fuels towards cleaner energy and to deliver on its Paris Agreement commitments for reducing greenhouse gas emissions.

Production of primary energy, or energy in its natural and un-engineered form, in the EU totaled 758 Mtoe [I] in 2017. When viewed over a longer period, this production was 12.1 percent lower in 2017 than it had been a decade earlier. The highest level of primary energy production among the then EU Member States was in France (17.4 percent), followed by the United Kingdom (15.6 percent) and Germany (15.3 percent).

Primary energy production in the EU-28 is spread across a range of different energy sources. In terms of the size of its contribution, the most important are from renewable energy sources, with 29.9 percent of the EU-28’s total production in 2017.

Nuclear heat was second at 27.8 percent of total primary energy production. In France it accounted for almost 79 percent of the

national production of primary energy. In Belgium and in Slovakia the share was more than half, and in 11 other Member States nuclear heat was less than half of the total primary energy production. In 14 EU Member States there is no nuclear energy production.

The 2017 share of solid fossil fuels was 16.4 percent and the share of natural gas was 13.6 percent. The crude oil share was 8.8 percent.

Renewable energy sources had a relatively uniform growth rate during the period 2007-2017 and exceeded the growth of all other energy types combined. The production of renewables increased by 65.6 percent during this period. The production levels for the other primary sources fell. For example nuclear energy production dropped by 12.8 percent.

## ENERGY DEPENDENCE

The downturn in the primary production of energy has led to a situation where the EU has become increasingly reliant on imports of primary energy, and on secondary derived products (e.g. gas/diesel oil). The EU-28's imports of energy exceeded exports by 948 Mtoe in 2017. The largest net importers in absolute terms were Germany, Italy, France and Spain. In the past, Denmark and the United Kingdom were both net exporters of energy, but today no EU Member State can make this claim. Since 2013, when Danish energy imports first began to exceed exports, all EU Member States have been net importers of energy. Relative to population size, the leading net importers in 2017 were Luxemburg, Malta and Belgium.

The main origins of EU energy imports have changed to some extent. Russia maintained the position as the leading supplier of

primary energy to the EU throughout the period 2007-2017, and that country was the principal supplier of crude oil in 2017 with a share of 30.3 percent. The second largest supplier was Norway (11.4 percent). Crude oil supplied from Iraq and Kazakhstan increased significantly, reaching 8.2 and 7.4 percent, respectively, becoming the EU's third and fourth largest suppliers, surpassing Saudi Arabia.

EU imports of natural gas came from Russia (38.7 percent) and Norway (25.3 percent). The share of the third largest supplier, Algeria (10.6 percent), has declined since 2007, while the share from Qatar has more than doubled (5.2 percent).

In 2017 the main share of the EU's hard coal imports came from Russia (38.9 percent). The second largest supplier was Columbia (16.9 percent). The United States became the third largest supplier in 2017 with 16.9.

The security of the EU's primary energy supply is jeopardized because the imports are concentrated among just a few partners. Nearly three quarters (74.6 percent) of the EU-28's imports of natural gas came from Russia, Norway and Algeria, and 72.7 percent of hard coal imports originated from Russia, Columbia and the United States. Imports of crude oil were less concentrated among the main suppliers Russia, Norway and Iraq (49.9 percent in total).

EU dependency on energy imports increased from 44 percent in 1990 to 55.1 percent in 2017, the highest level to date. Since 2004, net imports of energy have been larger than the primary energy production of the EU. Looking in more detail, 2017 saw the highest rates yet recorded for crude oil (86.7 percent) and natural gas (74.3 percent). The rate for solid fossil fuels reached 43.9 percent.

## ADDRESSING THE CHALLENGES

More than half of the EU-28's energy comes from countries outside of the EU, and the share has been rising over the last decade. The main share of imported energy comes from Russia, whose disputes with transit countries has led to disrupted supply in recent years. Concerns about the security of supply were further heightened by the conflict involving Russia and Ukraine. New pipelines to secure additional supply are Nord Stream 1 and Nord Stream 2. The Nord Stream pipelines go from Russia via the Baltic Sea - avoiding transit - to the EU. The Trans Adriatic Pipeline is connecting Turkey with Italy through Greece and Albania, bringing gas from the Caspian Sea region to the EU. And new measures for oil and gas markets were designed to prevent disruptions of supply.

The regional geopolitical complexities, resulting from the competing interests of actors, hinder a smooth integration of the South Caucasus and the Caspian region into the world market. The region's dependence on transit countries for the marketing of hydrocarbon production leads to the question whether political factors even allow a diversification of the transport routes and a production increase. At the beginning of the 1990s, Russia, Kazakhstan, Turkmenistan, Azerbaijan and Uzbekistan understood that their considerable hydrocarbon deposits could be a good basis for their future competitiveness in a world where growth still depends on the supply of fossil fuels.

The Energy Community was set in motion in October 2005, integrating neighboring countries into the internal energy market. A broad mix of energy sources and diversity of suppliers, transport routes and mechanisms plays a role in securing a supply of energy. In May 2014 the European Commission released its Energy Security Strategy which aims to ensure a stable and ample energy supply.

Beside the supply side view on energy security, demand side measures, e.g. energy saving and energy efficiency, play a decisive role for the EU's Energy Security Strategy.

The 2012 Energy Efficiency Directive (2012/27/EU) established a set of binding measures to help the EU reach its 20 percent energy efficiency target by 2020. This means that overall EU energy consumption should be no more than 1,483 Mtoe of primary energy or 1,086 Mtoe of final energy. Under the directive, all EU countries are required to use energy more efficiently at all stages of the energy chain, including energy generation, transmission, distribution and end-use consumption.

In the context of the 2012 directive, several important measures have been adopted throughout the EU to improve energy efficiency in Europe, including:

- an annual reduction of 1.5 percent in national energy sales
- energy efficient renovations to be made by EU countries to at least 3 percent per year of buildings owned and occupied by central governments
- national long-term renovation strategies for the building stock in each EU country
- mandatory energy efficiency certificates accompanying the sale and rental of buildings
- the preparation of national energy efficiency action plans (NEEAPs) every three years
- minimum energy efficiency standards and labelling for a variety of products such as boilers, household appliances, lighting and televisions (energy label and eco-design)
- the planned rollout of close to 200 million smart meters for electricity and 45 million for gas by 2020
- obligation schemes for energy companies to achieve yearly energy savings of 1.5 percent of annual sales to final consumers

- energy audits to be conducted by large companies at least every four years
- protecting the rights of consumers to receive easy and free access to data on real-time and historical energy consumption.

The Commission also published guidelines on good practice in the field of energy efficiency. The completion of this new energy rulebook – called the ‘Clean energy for all Europeans package’ – marks a significant step towards the implementation of the energy union strategy, adopted in 2015.

The changes will bring considerable benefits from consumer, environmental, and economic perspectives. It also underlines EU leadership in tackling global warming and provides an important contribution to the EU’s long-term strategy of achieving carbon neutrality by 2050.

Buildings are responsible for approximately 40 percent of energy consumption and 36 percent of CO<sub>2</sub> emissions in the EU, making them the single largest energy consumer in Europe. By improving energy performance in buildings, the EU can more readily achieve its energy and climate goals. The energy performance in buildings directive (EPBD) outlines specific measures for the building sector to tackle challenges, updating and amending many provisions from the 2010 EPBD.

Putting energy efficiency first is a key objective in the package, as energy savings are the easiest way for consumers to save money and for greenhouse gas emissions to be reduced. The EU has therefore set binding targets of at least 32.5 percent energy efficiency by 2030, relative to a ‘business as usual’ scenario. The amending

directive on energy efficiency has been in place since December 2018.

To meet the EU’s energy and climate targets for 2030, EU Member States need to establish a 10-year integrated national energy and climate plan (NECP) for the period from 2021 to 2030. The NECPs were introduced by the Regulation on the Governance of the Energy Union and Climate Action (EU/2018/1999). The national plans outline how the EU Member States intend to address:

- energy efficiency
- renewables
- emissions reductions
- interconnections
- research and innovation.

This approach requires a coordination of purpose across all government departments. It also provides a level of planning that will ease public and private investment. The fact that all EU Member States are using a similar template means that they can work together to make efficiency gains across borders.

In the face of the 21st century’s global energy challenges, the EU is leading the clean energy transition, striving for a more secure, competitive and sustainable energy system which will address the existential challenge of our time – climate change. By setting ambitious energy and climate targets for 2030, the EU is giving a clear sense of direction; in addition to these targets, it provides a stable legal framework to foster the necessary investment. But this is not the end of the road: with its 2050 long-term climate neutrality strategy, the EU is also looking further ahead than 2030 and setting the foundations for what a cleaner planet will look like by the middle of the century and beyond.





Dukovany solar and nuclear power facility in Czech Republic  
Martin Lisner

#### CHAPTER

## 03

ADDRESSING THE WATER-ENERGY-FOOD SECURITY NEXUS UNDER CLIMATE CHANGE  
EUROPEAN ENERGY SECURITY: CHALLENGES IN DIVERSIFYING AND DECARBONIZING THE  
ENERGY FUEL MIX

## 3.6 THE EUROPEAN UNION AND THE CHALLENGES OF CLIMATE CHANGE: A REGULATORY SUPERPOWER

There is no longer any doubt among scientists that the world's climate is changing. To contain the rise in global temperatures this century below two degrees Celsius from pre-industrial levels, world carbon emissions must fall by 25 percent by 2030. Alarming, figures show that carbon emissions grew by 1.5 percent in 2017 and 2018 [67]. Coordinated global action is needed.

### THE EU TRACK RECORD

Over the last few years, the European Union has become a global leader in the fight against climate change. Some major recent actions include:

- the Paris agreement adopted during the UN Climate Change Conference (COP) 21, a major political step whereby countries committed to reduce emissions in an effort to keep below a two degree global temperature increase,

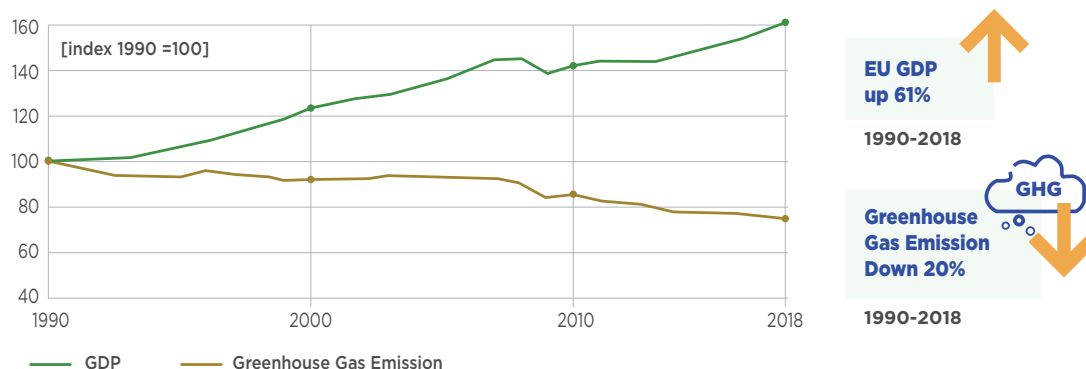
*“The EU is aware that tackling climate change will require an unprecedented collective political effort.”*

- the UN Climate Change Conference, or Conference of the Parties (COP) 23 in Bonn (Germany, 2017), COP 24 in Katowice (Poland, 2018), COP 25 in Madrid (Spain, 2019) and COP 26 in Glasgow (UK, 2020).

Accordingly, the EU has had success in decreasing greenhouse gas emissions while still maintaining a healthy rate of economic growth [68].

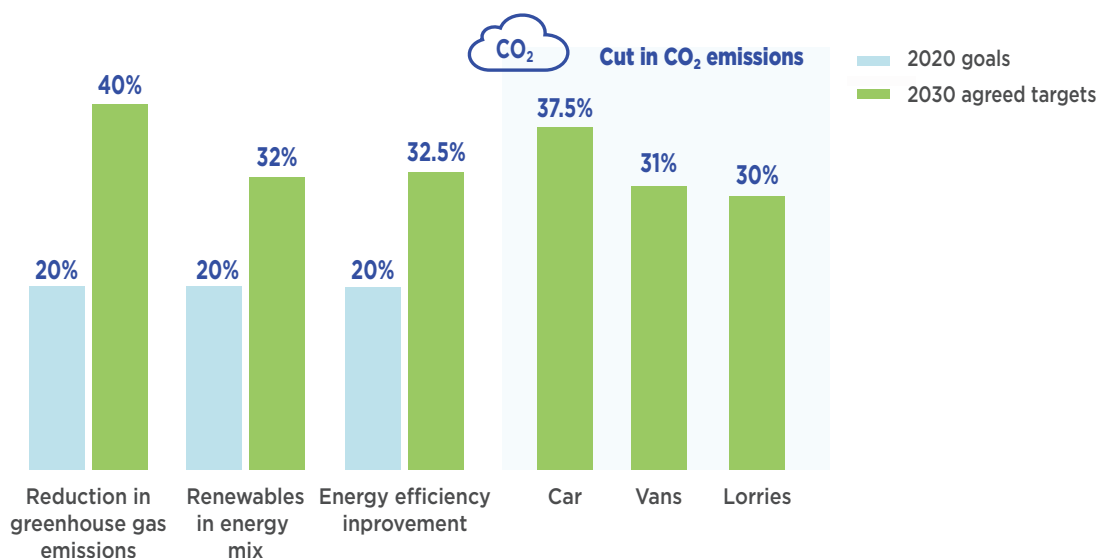
The EU is aware that tackling climate change will require an unprecedented collective political effort: the investment needed to limit the rise in temperatures to two degrees is considerable. For its part, the EU has been

**Figure 1:** Between 1990 and 2018, greenhouse gas emissions decreased by 23% while the economy grew by 61%





**Figure 2:** Targets to fulfill EU's commitments under the Paris Agreement



**The EU is the only major economy of the world to have put in place legislation covering all sectors of the economy to cut greenhouse gas emissions, in line with the Paris Agreement.**

able the get the Emissions Trading Scheme working again after a decade of underpricing carbon, and has been relatively successful at reducing emissions from electricity generation. But decarbonising transport, buildings and agriculture will be much harder, and many believed that it can only be done through a carbon tax that penalizes all forms of emissions. Political consent can only be achieved if revenues from a carbon tax are distributed effectively and fairly. Some participants believe that the EU should impose penalties on carbon-intensive imports from the rest of the world to compel global action.

“ *Another major impediment to a comprehensive solution to the climate crisis has been the failure to reach a consensus on new rules governing carbon trading.* ”

## THE CHALLENGES OF CONSENSUS

As observed during COP 25 in Madrid, the fight against climate change faces a major threat from the US commitment to withdraw from the Paris Agreement in 2020. Another major impediment to a comprehensive solution to the climate crisis has been the failure to reach a consensus on new rules governing carbon trading. Obstacles include the disinterest of China and the US, and the resistance of countries like Brazil and Australia to an outcome they consider overly robust.

The Paris Agreement operates by consensus, which is a task made more complicated by fraying multilateralism and increased US opposition. Reflecting on these difficulties, UN Secretary-General António Guterres observed at the close of COP 25 that, “The international community lost an important opportunity to show

increased ambition on mitigation, adaptation and finance to tackle the climate crisis". The EU delegation said it was disappointed by the lack of agreement on carbon markets, and that it was "deeply concerned" that countries' existing climate targets were far off track from what was needed to achieve the goals of the Paris accord [69].

## THE EUROPEAN GREEN DEAL

The European Green Deal (EGD) was presented on Wednesday, 11 December 2019 in Brussels by the European Commission before the COP 25 meeting [68]. The plan is ambitious and necessary. With it, Europe takes a leading position in the urgent fight against climate change, a sweeping step to meet its objective of no net emissions of greenhouse gases by 2050 [69]. As yet, no other advanced economy has acted in such bold fashion to face climate challenges. Ursula von der Leyen, the European Commission's president, likened the mission to "Europe's man on the moon moment" [69].

The main objective of the EGD is to achieve carbon neutrality within three decades. This means rethinking policies on clean energy, industry, infrastructure and transport, food and farming [69]. All available policy instruments will need to be deployed and substantial public and private finances tapped "to shift to a model where economic growth is decoupled from resource use" [69]. Details, deadlines and policies are yet to be decided, although Brussels planned to introduce legislation in March 2020 to enshrine the 2050 target [69]. The EGD will be financed using a mix of public funds,

***"The main objective of the EGD is to achieve carbon neutrality within three decades. This means rethinking policies on clean energy, industry, infrastructure and transport, food and farming [69]."***

private contributions and loans totalling between €180 billion and €300 billion annually [69]. The EU will piece together a fund worth €100 billion over several years to help coal-dependent and heavily industrial former communist countries to adapt, but Poland, Hungary and the Czech Republic, while generally supportive, are said to be counting on further benefits from the next multiyear EU budget before giving their full backing [69].

Looking in more detail at how aspirations of the Green Deal could be met, the EU will likely need to set tougher environmental standards over a broad range of categories, from auto emissions, car batteries and recyclable packaging to financial products [69]. But the fact that the burden of emissions reduction will also fall on the EU's trading partners might not go down too well. Brussels is said to be extending its emissions trading system to shipping and aviation, drawing up plans in 2021 for a "carbon adjustment mechanism to ensure the cost of imports reflects their carbon input", amounting to a levy on imports from countries that are failing to do their bit [69].



### 3.7 CLIMATE LEGISLATION FROM ASIA AND EUROPE: EU FIT-FOR-55 AND CHINA’S CARBON MARKET

Ahead of the 26th United Nations Climate Change Conference of the Parties (‘COP26’) in Glasgow, November 2021, two major milestones for environmental protection and worldwide carbon neutrality were brought forward: the “Fit for 55” package proposal, the world’s biggest and most detailed plan to reach carbon neutrality, and the launch of the Chinese Carbon market, the biggest national market of its kind.

These proactive decisions were taken in a context that we now understand is more than alarming. Even more so after reading the first part of IPCC Sixth Assessment Report which reveals the Paris agreement’s goal of not exceeding +1.5°C by the end of the century is now nearly unreachable without substantial cuts in global emissions. The worst scenario could lead up to a +5.7°C increase by the end of the century.

#### 1. THE EU “FIT FOR 55” PACKAGE

Two years after the presentation of the European Green Deal (EGD) by the

European Commission (December 11, 2019), the latest concrete and detailed plans to realize its ambitious goals were made public on July 14, 2021 with the launch of the “Fit for 55” package which includes revisions and proposals of legislation and regulations. As European Commission President Ursula von der Leyen explained on Twitter, “Now Europe is the 1st continent to present a comprehensive architecture to meet our climate ambitions [and] the Climate Law makes our climate targets legal obligations”.

The legislative plan is a milestone towards the EU’s carbon neutrality 2050 goal. The European Commission aims for a net emissions cut of at least 55% by 2030. The package explains “the transformational change needed across [the European] economy, society and industry” [71] required to do so. Knowing that this goal has been revised upward (previous goal: 40%) shows Europe’s increased ambition towards the matter. It also updates the “Renewable Energy Directive [which] proposes to increase the overall binding target from the current 32% up to a 40% of renewables in the EU energy mix”.

	Near term, 2021–2040		Mid-term, 2041–2060		Long term, 2081–2100	
Scenario	Best estimate (°C)	Very likely range (°C)	Best estimate (°C)	Very likely range (°C)	Best estimate (°C)	Very likely range (°C)
SSP1-1.9	1.5	1.2 to 1.7	1.6	1.2 to 2.0	1.4	1.0 to 1.8
SSP1-2.6	1.5	1.2 to 1.8	1.7	1.3 to 2.2	1.8	1.3 to 2.4
SSP2-4.5	1.5	1.2 to 1.8	2.0	1.6 to 2.5	2.7	2.1 to 3.5
SSP3-7.0	1.5	1.2 to 1.8	2.1	1.7 to 2.6	3.6	2.8 to 4.6
SSP5-8.5	1.6	1.3 to 1.9	2.4	1.9 to 3.0	4.4	3.3 to 5.7

[J] [70]

Even though Europe has already reduced up to 24% of its global emissions [71] through 2019 (mainly due to the cut of coal power), the biggest and most dramatic transition is still ahead for the continent. We should also remember that Europe is still one of the top resource consumers in the world.

### Details and challenges

Of course, the “Fit for 55” package still needs the approval of the 27 member states and the European parliament. This is a challenging task. The proposals are ambitious and are already facing criticism, not only from the decision makers but also by influencing parties such as powerful lobbies, green activists, the European population itself,

and countries all around the world. A two-year-negotiation is estimated, and could be even more challenging with the increase of national disasters, the socio-economic crisis, the rise of extremist parties, and in the context of presidential/federal elections and France assuming the European Council presidency in January 2022. It also has to align with the European Recovery Plan from the pandemic crisis with the EGD. The Commission has already advised countries to use the EU COVID-19 recovery fund for the EGD plan (insulating homes, creating new and innovative jobs, etc.) [72]. The EGD is also financed by one third of the €1.8 trillion from the NextGenerationEU Recovery Plan, and a significant portion of the EU’s seven-year budget [73].



The Fit for 55 package covers several fields such as renewables, energy efficiency, building, land use and emissions trading schemes.

Among the proposals, the most consequential and debated are:

- The revision of the long-criticized and biggest carbon market worldwide, the European Emissions Trading System (EU ETS): Changes aim to influence industrial innovation, cleaner mobility and fuel, and reduce energy consumption.

First the pace of annual emissions cap reduction will be increased (from 2.2% to 4.2%) to accelerate decarbonization. The current sectors covered by the ETS [K] will pay more and more, and the ETS will extend to other fields, including marine transports and a separate fuel ETS for transports (naval and land) and buildings by 2026 [74]. This will result mainly in burdens placed on producers, but on consumers too, through higher bills and/or investments such as better home isolation. While some are skeptical of the actual results of such expansions against the cost to society, others believe it will encourage major emission cuts, knowing that the current sectors covered by the EU ETS account for only 40% of the EU's greenhouse gas emissions [75] and that transport "represents almost a quarter of the EU's greenhouse gas emissions and is the main cause of air pollution in cities" and that "a 90% reduction in overall transport emissions by 2050 will be required to reach climate neutrality" [71]. Member states are already setting renovation subsidies, recognizing that the EU target for energy efficiency will be binding.

A new instrument will also be implemented to address carbon leakage - the Carbon Border Adjustment Mechanism (CBAM). Making companies which import polluting goods [L] from economies with lower environmental standards pay a carbon

price for those goods will help prevent any carbon leakage and unfair advantages for non-European exporters (e.g. USA, Russia, China). While European rivals scream against protectionism, the "Fit-for-55" package plans, in compensation, to phase out (from 2026 to 2036) the free emission allowances that were given to European heavy industry and aviation to adapt to the ETS [71]. On the other hand, postponing the ending of the allowance implies the EU will still allow polluters to postpone their green transition.

- Aiming for cleaner transport and fuel through not only carbon pricing, but other measures, such as a ban of internal combustion engines for cars by 2035. In addition to this, there will also be new requirements for ships and planes, and new taxes to increase fairness among industries (e.g. aviation polluting fuels tax, the ReFuelEU Aviation/Maritime to promote sustainable aviation/maritime fuel, etc.).

This worries eastern member states which have limited access to alternative energy and are afraid the cost will place a heavy burden on its population and economy. More developed countries are also hesitant because of the costly transition process. France, among others, is already asking to postpone the limit to 2040. Each member wants to protect its industries, but also its international relations. Europe represented 21% of the global importation of crude oil in 2019 [76]. Changing the legislation affecting, for example burning fuel in cars, will impact the demand, the price, and thus the countries whose economies rely highly on fuel consumed in Europe (Russia, Iraq, Saudi Arabia, Norway, Kazakhstan...), and even other producers.

- The promotion of natural carbon sinks through forests and grasslands: The updated Land Use Land Use Change and Forestry (LULUCF) Regulation aims to set higher ambitions, by increasing the



quality and quantity of natural carbon sinks, with a "target of net greenhouse gas removals in the LULUCF sector of 310 million tons of CO<sub>2</sub> equivalent by 2030" [71]. Environmentalists are afraid this decision will only slow or even substitute the shift to cleaner energy. This could also be an obstacle to the EGD goal to decouple growth from resource exploitation. On the other hand, the plan will take into account by 2035 the non-CO<sub>2</sub> agricultural emissions (e.g. from cattle or fertilizers) which also highly impact the climate.

### The Commission's Case

Europe is currently responsible for only "8% of the global emissions [but] recognizes its responsibility for a higher share of cumulative emissions" [71] (previous emissions, production outside of the EU, importation, etc.). With the "Fit-for-55" package, it presents the most ambitious plans for any continent and wants to be seen as a leader in the meeting of the Paris Agreement. The critics of "Fit for 55" are thus being countered and reluctant parties reassured that the goal of this project is "ensuring a fair, competitive and green transition by 2030 and beyond" [71]. For instance, the revised Effort Sharing Regulation (ESR) aims to set new emission reduction national targets [ ] while taking the differences of "GDP per capita, [...] national circumstances and cost efficiency into account" [71].

Europe insists that the reasons behind the CBAM aren't financial but to encourage their neighbors to speed up their shifting to cleaner energy as the +1.5-2°C goal can only be achieved through global climate action, especially with the effort of the top-two emitters, China and the US. This is why approximately 25% of expected revenue from the emission trading covering

buildings and roads [71] will be dedicated to a new Social Climate Fund (starting in 2025) in order to support vulnerable populations and micro-enterprises into investing and/or having access to low-emissions alternatives and tackle energy poverty.

Proponents also insist that ETS can be an effective tool to encourage both industries and individuals to shift to cleaner alternatives and innovations. Even though the costs of innovation will be high at first, it will also allow European industries to be more competitive in the international arena. Several funding programs will be used to support innovation, such as the EU ETS new "Innovation Fund". The Commission will provide higher carbon prices to industrial innovators with "carbon contracts for difference", meaning they will earn more money when selling their ETS allowance and will be able to invest more in decarbonization [71]. Another new fund linked to the ETS is the "Modernization Fund [which will] support investments in modernizing energy systems and improving energy efficiency".

### Conclusion

In order for the "Fit for 55" to be an efficient means to achieve a green inclusive transition, decision makers need to set realistic goals ; low enough for them to not burden the economy, especially during the current health and socio-economic crisis, but still high enough to positively affect our climate.

The European Commission needs to respond to criticism which is mostly driven by the cost of transition. As it has explained, "the cost of non-action is clearly higher than the cost of fulfilling our climate ambitions" [71]. It must create an environment that encourages low-carbon innovations, especially through enhanced multilateral cooperation.



However, it also must not forget that vulnerable populations and businesses cannot share the same costs for the plan to be socially fair. They are, and will be, affected in fundamentally different ways by climate change and by environmental policy. Further discussions must take place on how to distribute both the costs and the impacts of Europe's green transition in order to integrate aspects of social justice. Moreover, the ETS should be more stable and predictable, now that it will directly affect the population, a concern factored into the Market Stability Reserve (MSR) reform proposal.

Finally, it will be interesting to test the public opinion on such an ambitious climate plan and see how much individuals are willing to contribute for the future of our planet and future generations. It is also a chance to see for the first time if a continent is truly able to put in place cross-cutting legislation that will mobilize actors with divided interests towards the same goal - carbon neutrality.

## 2. CHINA'S CARBON MARKET

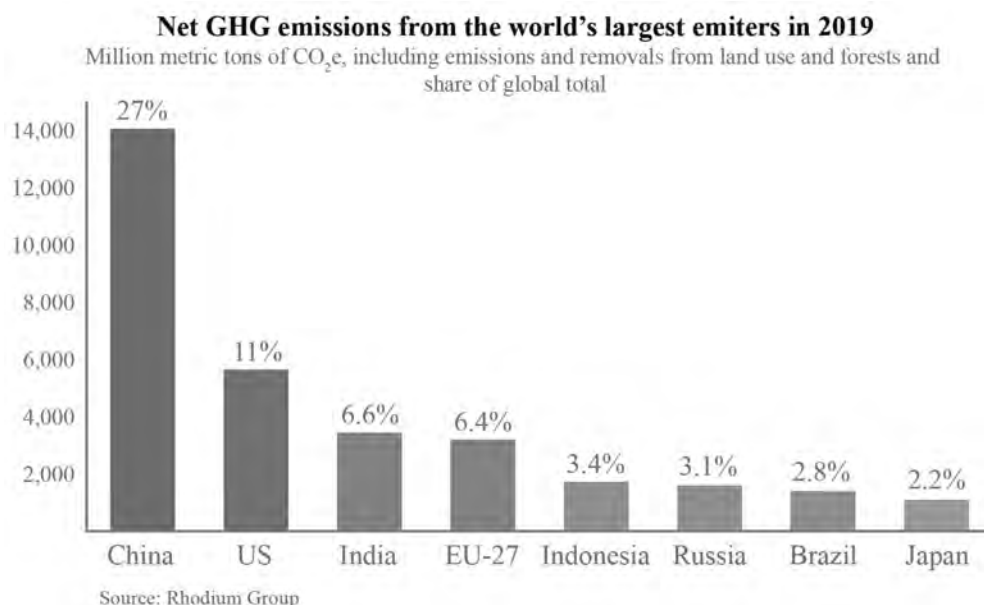
China is facing international and internal pressure as we approach the increasingly

dire consequences of climate change. As a consequence, just days after the announcement of the European "Fit-for-55" package, China launched its carbon market.

### China's climate policy

The new carbon market is consistent with China's rising awareness and the nation's "much more prominent role in global climate governance" [77]. China's government publically puts climate and environment as one of its top priorities, especially with the signing of the Paris agreement and during the 75th Session of The United Nations General Assembly (October 22, 2020) when President Xi Jinping made the largest single national commitment ever made on climate, through which "China aim(s) to have CO2 emissions peak before 2030 and achieve carbon neutrality before 2060" [78].

Even though the CO2 emissions peak more or less matches the nation's expected peak of economic growth, and that the Chinese government hasn't provided much detail on how it is going to reach its goals, this shift of policy is good news for the climate. Without China's cooperation the possibility of reaching the Paris agreement goal of



+1.5-2°C would be even more difficult than it already is. Because China has been the world's largest emitter of greenhouse gases since 2006 [79], an improvement in its climate policy can significantly help reduce global emission, and thus global warming.

### Emission trading systems (ETS), a tool to reach China's pledge/goal

On July 16 2021, its carbon market opened up after a decade of ETS pilot programs in several provinces and cities, and is now the world's largest market (based on the amount of greenhouse gas emissions covered). A carbon market aims to reduce carbon emission by each year setting a lower limit of carbon dioxide emission per company, and allowing them to sell their pollution allowance to other firms if they don't use or exceed them. In the case of China, the trades take place on the Shanghai Environment and Energy Exchange. Managing the national carbon emission through trading allows the central government to motivate every level of its nation in being more energy efficient, important in China where subnational authorities often have local priorities that don't align with the national strategy. Policymakers thus see the ETS as a tool to reach China's climate goals and be recognized as an environmentally responsible actor on the international scene.

### China's ETS specificity & criticism

China's ETS is different on several levels from the EU ETS (which opened more than 15 years ago). First of all, the emissions are rated depending on their "intensity (the amount of emissions per unit of energy generated) rather than absolute emissions" [82], meaning that the energy efficiency may improve but the absolute emissions can still increase. This decision allows companies to adapt to the system, and helps to ensure that the carbon market won't interfere with the economic growth which, according to the economist Yan Qin, is still "expected to

grow by 4-5% per year [which requires] a significant increase in power consumption, and therefore emissions" [82].

An ETS's effectiveness depends on the capacity to monitor, report and verify (MRV) the system (i.e. the companies and their emission data), how non-compliance is dealt with, and the prices of carbon credits. The opening of China's ETS was delayed several times because of concerns over the accuracy and transparency of emission data [83]. China is aware of the difficulties behind monitoring its still-rising-industry and decided, among other reasons such as economic growth and lobbying, to narrow the program to the coal and gas power sector where data is more easily accessible. The market currently covers 2,225 power plant operators "that account for 40 percent of China's total annual CO<sub>2</sub> emissions", and will expand to "petroleum refining, chemicals, non-ferrous metal processing, building materials, iron and steel, pulp and paper, and aviation" in the future (no official timeline has been set) [81]. "Zhang Xiliang, chief designer of the scheme, said [...]"the goal is to expand the market to cover as many as 10,000 emitters responsible for about another 5 billion tons of carbon a year" [84].

Some experts claim that China's ETS still needs to evolve in order to contribute significantly to the country's emission reduction. Their concerns are related to the low initial allowances and their low prices, but also that the penalties for failing to comply are not severe enough. At the opening, the carbon price was around "USD 8 a ton, (...) far below the average EU price of USD 49.40 per ton" [84]. According to The International Monetary Fund, the price of carbon credits should reach around USD 50/CO<sub>2</sub> ton to "effectively drive down carbon emissions in China" [81], while it is now estimated to reach only USD 30 by the end of the decade [85].

## Conclusion

Despite the current limited impacts of China's carbon market, the system can - and will be - expanded and improved in the future. We cannot forget that China's ETS is still in the trial phase and needs time for its companies to adjust. The EU ETS faced some of the same critiques during its early stage (such as the oversupply of allowance). Hopes are that the market will quickly open to other key polluting sectors, such as steel, and move away from free allocations in order to raise the prices and truly motivate companies to shift to more efficient and cleaner technologies. Meanwhile and less encouraging, China's priorities of continued

economic-growth (boosted after the pandemic) and its plans to develop a new Silk Road have slowed down the government's ambitions towards reducing its emission, and increased the uncertainties about the future of our planet. China's strategies can have a big impact on our environment, but to continue its progress it is important that China intensifies its efforts, including with a focus beyond the development of its carbon market. For instance, it can take steps to better manage the country's different flows (energy, information, resources) while also reducing its reliance on coal (as the world's top producer), for its strategy to be more consistent with the Paris Agreement.



Coal mining in South China  
Tanes Ngamsom

## 3.8 ON BIODIVERSITY: UPDATES ON THE UN BIODIVERSITY CONFERENCE (COP15)

With the twenty-sixth Conference of the Parties (COP26) of the United Nations Framework Convention on Climate Change (UNFCCC), which will be held in Glasgow in November 2021, the other major environmental event of the year is the fifteenth meeting of the Conference of the Parties (COP15) to the Convention on Biological Diversity (CBD). This meeting will take place one month before the COP26 on climate change and will consider the progress and results of the implementation of the Strategic Plan 2011-2020 for biological diversity.

### WHAT IS BIOLOGICAL DIVERSITY?

The 1992 Earth Summit in Rio adopted the Convention on Biological Diversity (CBD), which defines biological diversity - or biodiversity - in the following terms:

“[Biodiversity] means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems.

For decades, human activity has contributed to the degradation of biodiversity, even though biodiversity provides humanity with countless goods and services. States and other international actors have therefore deemed it important to adopt texts and progressively take concrete multilateral steps to stop its degradation, conserve it and restore it.

The 1992 CBD represents one important step forward on a global scale for the protection and conservation of biodiversity. The text of

the Convention recognizes for the first time in international law that the conservation of biodiversity is a common concern for all humanity and is consubstantial with the development process.

### CONVENTION ON BIOLOGICAL DIVERSITY OF JUNE 5, 1992

After being opened for signature at the Earth Summit in Rio in 1992, the Convention on Biological Diversity (CBD) entered into force on 29 December 1993. To date, it has 196 Parties. This Convention has three objectives:

- (1) The conservation of biological diversity
- (2) The sustainable use of the components of biological diversity
- (3) The fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

China, as well as all ASEAN Member States, are Parties to the Convention. While the European Union as such is also a party, ASEAN is not. The United States of America, which signed the Convention on June 4, 1993, has not yet ratified it and is therefore not a Party.

To implement the CBD, the Conference of the Parties (COP), the governing and decision-making body of the Convention, meets

“*For decades, human activity has contributed to the degradation of biodiversity, even though biodiversity provides humanity with countless goods and services.*”



every two years. COP15 will take place in Kunming, China, from 11 to 24 October 2021.

The CBD establishes a number of international obligations for biodiversity conservation, as well as providing guidance to decision-makers based on the precautionary principle not to postpone necessary measures needed to avoid or reduce significant threats to biological diversity.

## PROTOCOLS TO THE CONVENTION

Two protocols have been agreed under the Convention. The Cartagena Protocol on Biosafety governs the transboundary movement of living modified organisms resulting from modern biotechnology. The second is the Nagoya Protocol on Access and Benefit Sharing.

### The Cartagena Protocol on Biosafety:

The Cartagena Protocol on Biosafety, which entered into force on 11 September 2003 and has 173 ratifications, is the first international environmental agreement on genetically modified organisms (GMOs) [86]. It aims to provide States with legal means on a global scale to prevent “biotechnological risks”, proven or potential, induced by biotechnology or its products or by-products. Within the WTO framework, this is one of the few ways for a State to limit the introduction into a country of genetically modified species likely to pose ecological, invasiveness, genetic pollution, ecotoxicological or human health problems.

### The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising out of their Utilization:

Entering into force on 12 October 2014 and with 132 ratifications to date, its

objectives include [86]:

- (1) improved access to genetic resources and more equitable sharing of the benefits arising from their use
- (2) the adoption of a strategic plan 2011-2020, with twenty quantified sub-targets (Aichi Targets)
- (3) agreement to establish the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)
- (4) mobilization of financial resources to implement this strategy

## THE CHALLENGES OF COP15

The stakes of the next COP15 are based in particular on the adoption of the new global biodiversity framework for the post-2020 period, a roadmap for the 200 members of the CBD to better protect ecosystems over the next decade. Indeed, as a new decade begins, the 2011-2020 strategic plan has come to an end without concrete results, with most of the “Aichi Targets” for conservation still not being achieved. This year will therefore be an opportunity to take stock of what has been done and what has not been done in order to better prepare for the coming decade to achieve the SDGs while reversing the loss of biodiversity in the world.

Finally, efforts towards sustainable biodiversity will be represented in two new “decades” for the period 2021-2030: the UN Decade of Ocean Sciences for Sustainable Development and the UN Decade of Ecosystem Restoration.

## THE NEGOTIATIONS

Negotiations to develop the post-2020 global biodiversity framework, prior to its adoption at COP15, have already begun and are being conducted by an open-ended intersessional working group of CBD parties and a range of stakeholders, under the leadership of its two co-chairs, Mr. Francis

Ogwal (Uganda) and Mr. Basile van Havre (Canada), and under the oversight of the COP Bureau. They are structured around two key documents, which highlight the opportunities needed for biodiversity conservation:

- The updated zero draft of the post-2020 global biodiversity framework
- The fifth edition of the Global Biodiversity Outlook.

## RECOMMENDATIONS

Both of the above documents call for an integrated approach using “nature-based solutions” to ensure that action is taken to reverse biodiversity loss and its impact on ecosystems, species and people. Key actions to support this approach include protecting critical habitats, improving water quality, and controlling invasive species. Specifically, the draft post-2020 global biodiversity framework includes:

- “protect sites of particular importance for biodiversity through protected areas and other effective area-based conservation measures” covering “at least 30% of terrestrial and marine areas with at least 10% under strict protection” by 2030, with these percentages to be negotiated.”
- “reduce pollution from excess nutrients, biocides, plastic waste and other sources of pollution by at least 50% by the end of the decade.”

## EXAMPLES OF REGIONAL AND NATIONAL STRATEGIC PLANS

Many signatory countries have already established national action plans to implement the convention.

- Europe has created the “Natura 2000” network of protected natural sites
- France adopted in 2004 and revised in 2011 its National Strategy for Biodiversity
- The United Kingdom, New Zealand and Tanzania have developed responses to conserve specific species and habitats
- Australia has established a climate corridor, the conditions of which should help ensure the survival of wildlife species by allowing their natural migration to escape the effects of global warming.

These national plans will probably have to be reviewed and updated with the new recommendations and provisions of the new post-2020 global biodiversity framework. Some countries have still not ratified all the protocols, such as the United States, because of its opposition to the provisions regulating intellectual property rights, particularly on biotechnology and GMOs. The experts plead for a global, concerted and multilateral response in order to successfully face the environmental crisis in the making.

## FOOTNOTES

- A. At the last ASEAN summit in Bangkok (November 2019), only a few sessions and a lunch were dedicated to the fight against global warming, in the shadow of discussions around the Free Trade Treaty (RCEP). Announcements were made, but deemed insufficient by environmental protection associations.
- B. Il existe aujourd'hui, à l'échelle mondiale, de nombreux accords internationaux sur l'environnement : plus de 1 100 accords multilatéraux et plus de 1 500 accords bilatéraux.
- C. There is often a perception that environmental rules will slow down or impede development, with too little consideration of the ways in which environmental rules contribute to sustainable development over the long term. As a result, environmental ministries are often marginalized and underfunded.
- D. In particular, the review found that Member States suffered from: ineffective coordination between local, regional and national authorities; a lack of administrative capacity and funding; a lack of knowledge and data; insufficient compliance assurance mechanisms; and a lack of policy integration and coherence.
- E. Le tableau 6 donne l'augmentation nécessaire de la production alimentaire en tenant compte des changements anticipés des régimes alimentaires (voir Tableau 10) et de la distribution des âges dans la population.
- F. India, Indonesia, Vietnam and China have received 58% of approved funding for Asia since 2003 (Chart 2). There are also 15 regional and multi-country projects that account for 2.2% of total approved funds. Most of the mitigation funds support large-scale projects in the areas of renewable energy, energy efficiency and transport. The CTF, Green Fund, GEF and SREP are the largest donors for mitigation in the region. They have approved USD 2.8 billion for mitigation projects since 2003. While adaptation projects and programs in the region receive only about one-third of the amount of mitigation funding, the largest amounts for adaptation projects are provided by the Pilot Program on Climate Resilience (PPCR) to support programs in Bangladesh, Cambodia and Nepal with a total approved amount of USD 269 million and the Least Developed Countries Fund with a total approved amount of USD 204 million.
- G. En 2014, la dernière année durant laquelle le CFU a été en mesure de suivre les fonds climatiques bilatéraux, ces flux bilatéraux cumulés vers l'Asie depuis 2008 comprenaient 263 millions US\$ de l'Initiative climatique Internationale de l'Allemagne, 130 millions US\$ de l'Initiative internationale climatique et forestière de l'Australie et 109 millions de USD du Fonds internationale climatique du Royaume-Uni.
- H. Because this article (chapter 4.5) primarily relies on data from 2019 and earlier, the United Kingdom is included in figures when discussing the European Union.
- I. Millions of tonnes of oil equivalent (Mtoe) is a unit of energy used to describe the energy content of all fuels, typically on a very large scale. It is equal to  $4.1868 \times 10^{16}$  Joules, or 41.868 petajoules which is a tremendous amount of energy.
- J. the very low, low, intermediate, high, very high GHG emissions scenario (SSP1-1.9 ; SSP1-2.6 ; SSP2-4.5 ; SSP2-4.5 ; SSP3-7.0 ; SSP5-8.5)
- K. Electricity and heat generation ; energy-intensive industry sectors including oil refineries, steel works, and production of iron, aluminium, metals, cement, lime, glass, ceramics, pulp, paper, cardboard, acids and bulk organic chemicals ; commercial aviation within the European Economic Area
- L. cement, iron and steel, aluminum, electricity and fertilizers
- M. 40% emission reduction by 2030 (compared to 2005) in the buildings, transport, agriculture, waste and small industry sectors

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## LIST OF ACRONYMS AND ABBREVIATIONS

<b>4IR</b>	Fourth Industrial Revolution
<b>ACAP</b>	ASEAN Competition Action Plan
<b>ADB</b>	Asia Development Bank
<b>ADMM</b>	ASEAN Defense Minister's Meeting
<b>ADSOM</b>	ASEAN Defense Senior Officials' Meetings
<b>AFPPD</b>	Asian Forum for Parliamentarians on Population and Development
<b>AFTA</b>	ASEAN Free Trade Area
<b>AI</b>	artificial intelligence
<b>AIIB</b>	Asian Infrastructure Investment Bank
<b>AIPA</b>	ASEAN Inter-Parliamentary Assembly
<b>AIPO</b>	ASEAN Inter-Parliamentary Organization
<b>AIPR</b>	ASEAN Institute for Peace and Reconciliation
<b>ALDE</b>	Alliance of Liberals and Democrats for Europe
<b>AMECS</b>	Ayeyawady - Chao Phraya - Mekong Economic Cooperation Strategy
<b>AMS</b>	ASEAN Member States
<b>APA</b>	Asian Parliamentary Assembly
<b>APF</b>	Asia Pacific Forum
<b>APPF</b>	Asia Pacific Parliamentary Forum
<b>APSC</b>	ASEAN Political-Security Community
<b>APF</b>	Assemblée Parlementaire de la Francophonie
<b>APT</b>	ASEAN Plus Three
<b>ARF</b>	ASEAN Regional Forum
<b>ASCC</b>	ASEAN Socio-Cultural Community
<b>ASCF</b>	ASEAN Smart City Framework
<b>ASCN</b>	ASEAN Smart Cities Network
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASEM</b>	Asia-Europe Meeting
<b>ASEP</b>	Asia-Europe Parliamentary Partnership Meeting
<b>AVI</b>	Asian Vision Institute
<b>AWGNCB</b>	ASEAN Working Group on Nature Conservation and Biodiversity
<b>AWGWRM</b>	ASEAN Working Group on Water Resources Management
<b>AWPR</b>	ASEAN Women for Peace Registry
<b>BRI</b>	Belt and Road Initiative
<b>BRIC</b>	Brazil, Russia, India and China
<b>CBD</b>	Convention on Biological Diversity

<b>CEDAW</b>	Convention on the Elimination of Discrimination against Women
<b>CEMAC</b>	Economic and Monetary Community of Central Africa
<b>CLM</b>	Cambodia, Lao PDR and Myanmar
<b>CLMV</b>	Cambodia, Lao PDR, Myanmar and Vietnam
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>COP</b>	code of practice
<b>COP</b>	Conference of the Parties (UN Climate Change Conference)
<b>CPA</b>	Commonwealth Parliamentary Association
<b>CPC</b>	Commonwealth Parliamentary Conference
<b>CPTPP</b>	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
<b>CWPC</b>	Cambodian Women Parliamentarians Caucus
<b>DDA</b>	Doha Development Agenda
<b>DSS</b>	World Trade Organization Dispute Settlement System
<b>EAS</b>	East Asia Summit
<b>EBA</b>	Everything but Arms
<b>ECOWAS</b>	Economic Community of West African States
<b>EE&amp;C</b>	energy efficiency and conservation
<b>EEC</b>	European Economic Community
<b>EEZ</b>	Exclusive Economic Zone
<b>EGD</b>	European Green Deal
<b>EU</b>	European Union
<b>EP</b>	European Parliament
<b>EPBD</b>	Energy Performance in Buildings Directive
<b>EWG</b>	Expert Working Group
<b>FACT</b>	PIC Fiscal Analysis Capacity Training
<b>FAO</b>	United Nations Food and Agriculture Organization
<b>FDI</b>	foreign direct investment
<b>FTA</b>	free trade agreement
<b>GATT</b>	General Agreement on Tariffs and Trade
<b>GDP</b>	gross domestic product
<b>GEI</b>	Global Entrepreneurship Index
<b>GEM</b>	Global Entrepreneurship Monitor
<b>GHG</b>	greenhouse gas
<b>GIEC</b>	Groupe d'experts intergouvernemental sur l'évolution du climat
<b>GII</b>	Gender Equality Index
<b>GMO</b>	genetically modified organism
<b>GMV</b>	gross merchandise value
<b>GSP</b>	General System of Preferences
<b>HLPF</b>	High Level Political Forum for Sustainable Development

<b>HDI</b>	Human Development Index
<b>ICAO</b>	International Civil Aviation Organization
<b>ICPD PoA</b>	Programme of Action of the International Conference on Population and Development
<b>ICT</b>	information and communications technology
<b>IoT</b>	Internet of Things
<b>IMD</b>	International Institute for Management Development
<b>IMF</b>	International Monetary Fund
<b>IORA</b>	Indian Ocean Rim Association
<b>IPBES</b>	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
<b>IPCC</b>	International Panel on Climate Change
<b>IPU</b>	Inter-Parliamentary Union
<b>IRASEC</b>	Institute for Research on Contemporary Southeast Asia
<b>ITTO</b>	International Tropical Timber Organization
<b>KIT</b>	Kirirom Institute of Technology
<b>MBps</b>	megabytes per second
<b>MEP</b>	Member of the European Parliament
<b>MEP</b>	marine environmental protection
<b>MERCOSUR</b>	Southern Common Market, a South American trade bloc with Argentina, Brazil, Paraguay and Uruguay as full members
<b>MEWR</b>	Singapore Ministry of the Environment and Water Resources
<b>MFF</b>	Multiannual Financial Framework
<b>MIT</b>	Massachusetts Institute of Technology
<b>MoWA</b>	Cambodian Ministry of Women's Affairs
<b>MPAC</b>	Master Plan on ASEAN Connectivity
<b>MTJA</b>	Malaysia-Thailand Joint Authority
<b>NAFTA/USMCA</b>	North American Free Trade Agreement / United States-Mexico-Canada Agreement
<b>NAP</b>	National Action Plan
<b>NCOP</b>	Thailand National Council for Peace and Order
<b>NECP</b>	National Energy and Climate Plan
<b>NEEAP</b>	National Energy Efficiency Action Plan
<b>NGO</b>	Non-Governmental Organization
<b>OECD</b>	Organization for Economic Cooperation and Development
<b>PAF</b>	Parliamentary Assembly of la Francophonie
<b>PAP</b>	Pan-African Parliament
<b>PCAsia</b>	Parliamentary Centre of Asia
<b>PIC</b>	Parliamentary Institute of Cambodia

<b>PISA</b>	Programme for International Student Assessment
<b>RAP</b>	Regional Action Plan
<b>RCEP</b>	Regional Comprehensive Economic Partnership
<b>RE</b>	renewable energy
<b>PRC</b>	People's Republic of China
<b>SADC</b>	Southern African Development Community
<b>SBF</b>	Singapore Business Federation
<b>SCW</b>	Save Cambodia's Wildlife
<b>SDC</b>	Swiss Agency for Development and Cooperation
<b>SDGs</b>	United Nations Sustainable Development Goals
<b>SFA</b>	Singapore Food Agency
<b>SFM</b>	Sustainable Forest Management
<b>Sida</b>	Swedish International Development Cooperation Agency
<b>SKRL</b>	Singapore-Kunming Rail Link
<b>SME</b>	small and medium enterprise
<b>SOP</b>	standard operating procedures
<b>TPP</b>	Trans-Pacific Partnership
<b>TTIP</b>	Transatlantic Trade and Investment Partnership
<b>UN</b>	United Nations
<b>UNCLOS</b>	United Nations Convention of the Law of the Sea
<b>UNDRR</b>	United Nations Office for Disaster Risk Reduction
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme
<b>UNSC</b>	United Nations Security Council
<b>UNSDGs</b>	United Nations Sustainable Development Goals
<b>UPR</b>	Universal Periodic Report
<b>USD</b>	United States Dollar
<b>VNR</b>	voluntary national review
<b>WAEMU</b>	West African Economic and Monetary Union
<b>WAIPA</b>	Women Parliamentarians of AIPA
<b>WEF</b>	World Economic Forum
<b>WPFSD</b>	World Parliamentary Forum on Sustainable Development
<b>WB</b>	World Bank
<b>WHO</b>	World Health Organization
<b>WLB</b>	Women's League of Burma
<b>WPS</b>	women, peace and security
<b>WTO</b>	World Trade Organization



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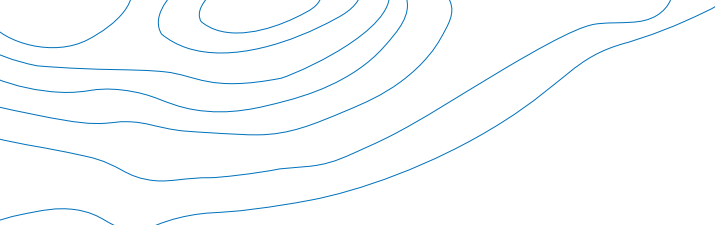
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# PROACTIVE PARLIAMENTARY DIPLOMACY

ASEP 11 SPECIAL EDITION

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**"This Special Edition has been produced for the occasion of the Eleventh Asia-Europe Parliamentary Partnership Meeting hosted by the Parliament of Cambodia."**

The Eleventh Asia-Europe Parliamentary Partnership meeting (ASEP 11) is an opportunity for proactive parliaments from each continent to introduce their views, and the views of their respective constituencies, into the international discussion on some of today's most pressing issues. Taking place in a world heavily impacted by the COVID-19 pandemic, the first of its kind online ASEP meeting will discuss transnational challenges that can only be overcome together, using a multilateral approach. Utilizing the tools of parliamentary diplomacy, participating parliamentarians will work together with their international peers to offer concrete recommendations to those at the ASEM meeting to follow.

Building on the legitimacy of Parliaments, such suggestions can help to reduce the democratic deficit in decisions made in international forums, and bring a welcome dose of reality to the new globalized world. Contributing to these discussions, this Proactive Parliamentary Diplomacy ASEP 11 Special Edition presents a variety of individual perspectives from experts and citizens from both Asia and Europe on the issues affecting the people and Parliaments on both continents. Readers can reflect upon these perspectives when discussing legislation and government action intended to address some of today's most pressing issues.

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