Association of Southeast Asian Nations
Chair: Jake Hamel
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Chair’s Letter

Dear Delegates,

Welcome to the 2015 Princeton Model United Nations Conference (PMUNC) for high school students. I am excited to be serving as your Chairman for the Association of Southeast Asian Nations (ASEAN) Summit Regional Committee.

The topics set for discussion for the ASEAN Summit Committee are:

1. Humanitarian Response to Regional Migrant Crisis
2. Territorial Disputes Between Member States and Dialogue Partners

The ASEAN Summit provides a unique forum in which member states can cooperate on regional challenges in order to promote greater economic, political, and social development in the South East Asia region. In preparation for committee, I encourage all of you to conduct your own research on the origins and mandate of ASEAN as an international organization, including the "ASEAN Way" of seeking a consensus rather than simply focusing on achieving quick results. This background guide will provide a basic introduction into the topics for committee discussion as well as a starting point from which to embark on your own research into the state of the region today.

ASEAN is a unique organization that serves a diverse and dynamic region, so I expect that you will find the Summit to be both challenging and rewarding. Finally, it is your preparation that will more than anything else shape the course of this committee. I challenge you all to bring your best.

Sincerely,
Jake Hamel
Chair, Association of Southeast Asian Nations
Introduction

The Association of Southeast Asian Nations (ASEAN) is a regional political and economic organization composed of 10 Southeast Asian nations. Founded in 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand, its membership has since been extended to Brunei, Cambodia, Myanmar, Laos and Vietnam. Though at its founding ASEAN functioned to a large extent to prevent wars and the spread of communism in a region divided by the Cold War, in recent decades, it has sought to create a united regional community based on the principles of economic, political-security and socio-cultural integration.1 The stated goals of ASEAN may be summarized as the promotion of economic, social and cultural development, the maintenance of regional peace and adherence to international laws, and cooperation between member states in matters of mutual concern.

To date, ASEAN has been most effective at promoting economic integration through the elimination of regional tariffs. However, significant disparities between the levels of development of member nations have hindered further economic integration measures, such as the establishment of a common market or an ASEAN credit union. As for political-security and socio-cultural integration, the wide variety of political systems and cultural traditions of the region’s nations has impeded the creation of a functioning supranational political system or a common ASEAN cultural identity.

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However, as an organization cognizant of the disparities between its members, ASEAN has proactively promoted the slogan of “The ASEAN Way,” which calls for members to reach compromise through multilateral negotiations rather than by forcing the decisions of the majority on members of the dissenting minority. While this approach has successfully kept a diverse region united over the years, it has led to the criticisms that ASEAN’s decision-making process is too slow, that too few of its proposals are actually implemented, and that it is too lenient on punishing human rights violations by member states. In this committee, we will try to experience this diverse region and the struggles it currently faces through the issues of the Rohingya migrant crisis and regional territory disputes.

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Topic A: Regional Migrant Crisis

Setting the Stage

In their effort to create a regional identity for all to be proud of, ASEAN member states acknowledge that they must treat all the different peoples within their borders with respect and compassion. However, as sometimes is the case, such flowery language is not reflected in action. The blight of the Rohingya people of Rakhine state in western Myanmar is one of these cases. A Muslim minority living in a country with a Buddhist majority, the Rohingyas have been cordoned off by their neighbors into deplorable ghettos where they cannot work, attend school, or vote. Indeed, the state government does not recognize them as citizens, claiming them to be illegal Bengali immigrants. Over the past nine months, unprecedented numbers of Rohingyas have turned to the sea in search of a better life in neighboring countries.3

However, the traffickers paid to transport them to safety often renege on their promises, leaving ships full of migrants adrift in the waters of other ASEAN nations. The resultant suffering and even deaths of migrants has become the largest

humanitarian crisis in the region in recent years.

**History of Persecution**

It is estimated that Muslims have been living in the territory of modern Rakhine since the eighth century CE when they arrived as merchants. However, a large Muslim minority formed only in the 1600s when the kingdom of Arakan brought back large numbers of Muslim slaves from neighboring territories of what is now Bangladesh. These Muslims were forced to settle in Arakan, becoming part of the indigenous population by the time the Burmese military conquered Arakan in 1785 and turned the region into Rakhine state.

However, tensions began to develop in the region after the British colonized Burma in 1825, combining its administration with that of greater British South Asia. As part of its colonization, the British had hundreds of thousands of Bangladeshi workers move to Rakhine state to work. The native Rakhine people saw this migration as a sign of British oppression and of their own helplessness to control their economy.

Meanwhile, during the Second World War, the British armed Muslims to fight against the majority-Buddhist Rakhine, who sympathized with the Japanese during the war. Following independence, neither the Rakhine State government nor the national government granted the Muslims living in Rakhine State (the Rohingya) citizenship as they regarded them as illegal immigrants brought by the British. The result has been the progressive marginalization of a population of about 1 million people in a nation that they claim as their own on the

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basis of their older Arakanese heritage.

**2012 Incident**

Tensions between the Rakhine and the Rohingya exploded into conflict in 2012 following the rape and murder of a Rakhine woman by three Rohingya men. Some 200 Rohingya were killed, as Rakhine mobs burned Rohingya neighborhoods in Sittwe, the capital of Rakhine State. Following the violence, tens of thousands of Rohingya were forced to live in makeshift shanty communities on the border of Bangladesh, cut off from education and economic activity. Later investigations into the incident found that some of the violence was organized, with Rakhine men being bused into Sittwe to join in the sacking of Rohingya communities.

This violence marked a distinct departure from the tenuous peace that was maintained under Myanmar's military junta up until 2012. However, following president Thein Sein's reforms of the same year, politicians from across the nation have hoped to capitalize on strong national anti-Muslim sentiment for their own gain in elections in late 2015.

**Migration Today**

Since the 2012 incident, between 100,000 and 140,000 Rohingya have tried to escape the desperate economic and social conditions under which they have been living by taking to the sea. Human

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Traffickers take the migrants across the Andaman Sea and deposit them in either Thailand or Malaysia, where they can either try to find work and begin a new life or cross the Malay Peninsula on the way to other destinations.

In the first 3 months of 2015, some 25,000 Rohingya have left Rakhine by sea, double the number that left over the same period last year. The surge of migrants has caused an international humanitarian crisis, as traffickers have begun deserting ships full of migrants in order to return to Rakhine to collect more money from the next group of migrants attempting to leave. As a result, thousands of Rohingya have been set adrift on old ships with little or no food or water. Additionally, traffickers have been known to kidnap Rohingya from both Rakhine and the refugee camps in Bangladesh, threatening to kill them unless a ransom is paid. In the most high-profile case yet, the Indonesian navy apprehended a group of traffickers that had trapped thousands of migrants on a remote Indonesian island where they were being used as slave labor.

**Government Responses**

ASEAN governments have long criticized Myanmar for its poor treatment of ethnic minorities, but, out of respect for the internal affairs of other nations as well as out of leniency in light of the nation's budding democratization, the bloc has not acted on behalf of the Rohingya or other oppressed minorities. In the face of the growing humanitarian crisis, Myanmar's neighbors have mostly turned a blind eye to the suffering of the stranded migrants. Thailand, Malaysia, and Indonesia all originally adopted policies of repulsion towards the migrants, whereby their national navies would actively repel migrant ships from their shores. Instead of helping them to shore, fishermen from these nations have been instructed only to offer food, water and

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technical assistance in case of leaks or malfunctioning equipment on board.

Malaysia and Indonesia have since reversed that policy and agreed to take in a few thousand migrants in an attempt to settle and naturalize them in a year-long process, but observers have said far more must be done by other neighboring countries to address the growing loss of life of migrants at sea.\(^8\)

For its part, the Philippines have declared Manila's support for all migrants that reach its shores as its duty as a signatory to the UN refugee convention;\(^9\) however, due to its greater distance from Myanmar, it is unlikely for the nation to become a major migrant destination for those fleeing Rakhine.

Other ASEAN governments such as Thailand have attempted to stem the tide of migrants by dismantling the networks of the human traffickers. However, a recent crackdown by the Thai navy on trafficking vessels has actually led traffickers to dump their human cargo at sea to avoid apprehension, highlighting the limitations of such a strategy.

Estimates expect the number of migrants to increase in the fall, as the autumn dry season is expected to worsen conditions for the Rohingya remaining in Rakhine.

**Committee Action**

Delegates are encouraged to find solutions to the migrant crisis, potentially through such actions as granting a greater number of migrants asylum, negotiating with Myanmar to improve the conditions the Rohingya are facing, taking concerted efforts against the human trafficking networks, or through some combination of these measures. Delegates are encouraged to remain cognizant of the political, economic and demographic realities facing their own

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ASEAN nation as they negotiate a consensus for the group to follow.

**Some Questions to Consider:**

How should ASEAN address human rights abuses committed by member states?

What responsibilities do ASEAN nations have regarding the citizens of other ASEAN states?

What are some concrete measures to promote unity in an ethnically and politically diverse region?
Topic B: Territory Disputes

Setting the Stage
Generally, during an ASEAN Summit, the first of the three days is devoted to negotiations between the representatives of ASEAN nations only. On the remaining two days, dialogues and discussions between ASEAN nations and Japan, the Republic of Korea and the People's Republic of China (the Plus 3 nations) take place, usually in the form of a group dialogue in which the 10 ASEAN nations and the Plus 3 nations participate to foster greater regional integration beyond just South East Asia. It is within this context that ASEAN nations, either as individuals or as a group, can engage the Plus 3 nations in dialogue about regional conflicts.

Territorial disputes have long existed between ASEAN members with regard to which nations control what parts of the South China Sea. Despite these conflicts, the member states have largely agreed to ignore the disputes for the time being for the sake of regional cooperation and stability. However, within the past few years, Chinese media have begun calling attention to long-standing territorial disputes that China has with a number of ASEAN nations in the South China Sea. China has claimed most of the South China Sea as its territory, including the sea's numerous sandbars, shoals and rocks as well as the territory’s fossil fuels and other aquatic resources. However, a number of other nations also claim parts of this vast territory and have protested the molestation by the Chinese Navy of their fishing vessels in waters that they claim to be their own. The most strident of these nations are Vietnam and the Philippines, both of which have seen significant Chinese naval activity in waters....
as well as around sandbars and shoals that they claim as their territory.¹¹

While multiple ASEAN nations have disputes with China and other ASEAN nations themselves, so far as an organization, ASEAN does not have an official stance on these disputes. However, a number of ASEAN states have called upon the organization to recognize the disputes as a regional problem and for ASEAN nations to act as a block to resolve them.

History of Claims: Nine-Dashed Line and the UN Law of the Sea

Chinese claims to the South China Sea date back to the Ming Dynasty of the early 1400s. Early Ming emperors established a policy of sending huge fleets of merchant vessels on government-sponsored trading missions throughout the South China Sea and the Indian Ocean. The farthest of these trading voyages even reached the east coast of Africa. However, these exploratory voyages ended in 1433, and, by 1500, it became a capital offense to build a sea-going vessel with more than 2 masts.

However, China maintained regional hegemony through trade with, and occasional military harassment of, its neighbors and tributary states. As a result, in Chinese political and nationalist thought, the South China Sea has always been under Chinese jurisdiction. Modern PRC claims to a portion of the sea roughly the size of Kazakhstan are based on a map published by the nationalist KMT government in 1947, two years into the Chinese Civil War.

According to the map, all territory within the

"nine-dashed line" is Chinese territory (see map).

Taiwan, an island state located to the northeast of the South China Sea, has also used the KMT map to claim a large portion of the South China Sea.

Among the other claimants to portions of the sea claimed by China are the Philippines, Vietnam, Brunei, Malaysia and Indonesia. These nations base their claim to the waters and shoals of the sea on the UN Law of the Sea, a UN document that stipulates the rights and parameters to signatories' use of their coastal water (all claimants discussed above except Taiwan are signatories). The Law of the Sea holds that nations enjoy an Exclusive Economic Zone (EEZ) that extends 200 nautical miles (approx. 230 miles) from their coastline. The Philippines, Vietnam, Brunei, Malaysia, and Indonesia have based their claims to portions of the South China Sea off of the Law of the Sea, stating that such territories are within their EEZs.

Disputes Today: Litigation, Protest and Island-building

The most visible conflicts between China and other claimant nations on the South China Sea are the Philippines and Vietnam. Following China's submission of the nine-dashed line to the UN as proof of its rights to the South China Sea, including waters and reefs immediately off the Philippine coast, Manila began a litigation process at the UN courts to invalidate China's claims. A decision has yet to be reached, but it is expected to fall in the Philippines' favor. For its part, China has declared the litigation process illegitimate and will likely not

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comply with any ruling from the UN court that is not in its favor. Throughout the entire process, Philippine President Benigno Aquino III has been a vocal critic of what he describes as Chinese territorial expansion into the South China Sea and has reached out to Japan and the United States for support.\textsuperscript{13}

Meanwhile, Vietnam, another chief claimant in dispute with China, has been a center for anti-Chinese protests. May 2014 witnessed widespread violence and looting of businesses in Vietnam that were thought to be Chinese-owned following the placement of a massive Chinese oil rig in Vietnamese territorial waters. Chinese military vessels guarded the rig and repelled Vietnamese naval vessels sent to escort the rig out of contested waters. Chinese agents then removed the rig a few weeks after the protests.

Most claimant nations, in an effort to establish stronger claims to the territories that they contend are their own, have begun land-reclamation projects on various shoals and reefs. This island building activity has drastically increased in the past year, with China quickly constructing airstrips on top of reinforced reefs and shoals evidently with the intention of laying the foundations for projecting military power into what the UN regards as international waters. While most activity has been Chinese, island-building projects by other claimant nations have intensified in response.\textsuperscript{14}

American officials have called for a halt to such land-reclamation projects, stating that they exacerbate tensions in a region through which 1/3 of the world's trade passes and violate freedom of navigation that is enshrined in UN law and international norms.


ASEAN Response and Special Considerations

Throughout the conflict, ASEAN has tried to maintain a policy of non-interference, as promoted most strongly by Malaysia. As a result, China has been able to handle these conflicts largely through bilateral negotiations with each other claimant individually, a format in which the larger nation has the clear upper hand. The Philippines and Vietnam have advocated for multilateral negotiations between all claimant nations, which discussions would provide a more equitable platform on which smaller nations could defend themselves. To this aim, Philippine President Aquino has called on ASEAN to lend its support to the Philippines and Vietnam and other ASEAN claimant nations in their disputes with China. For its part, Indonesia has lent its support to other claimant nations, though Indonesia itself is only in dispute with China over a patch of water north of the Natuna islands.

Other ASEAN nations, however, have been slow to support a confrontational stance against China, the region's largest trade partner and biggest source of foreign investment. The logic behind this reluctance has been reinforced recently due to China's expanding role as a source of foreign aid in the region. Chinese investment serves as the main source of funds in the recently founded Asian Infrastructure Investment Bank, to which all ASEAN members have applied for membership. Furthermore, ASEAN attempts to create a greater Asian economic community through measures such as trade pacts would be compromised by a high-profile dispute with China.

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Outside Actors: Japan, India, and America

In light of only tepid support at best from fellow ASEAN members, Vietnam and the Philippines have turned to other allies for support. The Philippines have reached out to the Abe administration in Japan and the Obama administration in America to sign or renew mutual defense pacts. President Aquino has meanwhile gone to the media to try to advocate for a greater Japanese military presence in East Asia as a counterweight to growing Chinese military ambitions.

Vietnam has meanwhile negotiated with the Indian Navy to lease the rights to oil fields that it claims to Indian companies for development. In response, China has sent vessels to harass Indian naval ships in the disputed waters.

Finally, America has considered sending warships of its own into the contested waters in order to display its commitment to keeping the South China Sea free and navigable to all vessels in accordance with international norms. In response, Chinese state-owned media has claimed that such actions would amount to a declaration of war.

Committee Action

It is up to this committee to decide on ASEAN's formal position with regards to the territorial disputes between its individual members and in relation to disputes between its members and the PRC. Delegates are to keep in mind the special considerations of each nation as well as the shifting geopolitical balance in East and Southeast Asia.

Some Questions to Consider:

To what extent should ASEAN represent the interests of individual member states in international conflicts? To what extent is it able to do so?

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How should internal disputes be resolved for the best interest of the region? How can one balance the needs and desires of individual member nations with those of the group as a whole?

How should ASEAN seek economic development without relying excessively on foreign aid?

To what extent can ASEAN members turn to non-member nations, such as India or the United States, for support and assistance in resolving these territorial disputes?
Positions:

Truong Tan Sang: President of Vietnam. Since rising to power through the Vietnamese Communist Party, Sang has taken an assertive role in foreign policy as president. He has advocated for stronger bilateral trade ties with the U.S. as well as an economic and infrastructural modernization plan to help Vietnam modernize by 2020. He has also been a strong advocate of Vietnamese territorial integrity in the face of Chinese interference, though he advocates for a diplomatic solution to the conflict. As President, his powers include influencing domestic politics and representing Vietnam in international settings.

Thein Sein: President of Myanmar. Seen by many as a reformer, Sein has taken efforts to dismantle the country's military junta and begin democratic reforms. However, he has been criticized for his failures to address the blight of the Rohingya peoples of Rakhine state. As head of state and head of government, he is responsible for overseeing Myanmar's internal policies as well as representing Myanmar in international settings.

Joko Widodo: President of Indonesia. Recently elected Widodo is somewhat of an anomaly in Indonesian politics in that he is the first president not to come from the Jakarta political elite. His domestic policies of infrastructure investment, education reform and anti-corruption are widely popular. However, his foreign policy has been criticized as being too forceful in disputes with neighboring countries. As head of state, Widodo influences and oversees the implementation of domestic policy, as well as representing Indonesia in international settings.

Hassanal Bolkiah: Sultan of Brunei. As the Sultan, prime minister and president of Brunei, Bolkiah's individual influence on Brunei's political apparatus is immense. Under the constitution, he also enjoys the position of chief of Brunei's armed forces and inspector general of the police force. His powers include dictating domestic and foreign policy as well as oversight of the military and police.

Hun Sen: Prime Minister of Cambodia. Hun Sen has filled various high-level posts in the Cambodian government for the past 25 years, all the while maintaining firm control of the state in his own hands. As the nation's de facto dictator, his powers include setting Cambodian domestic policies as well as representing Cambodia in international settings.
Lee Hsien Loong: Prime Minister of Singapore. As the head of state of the highly developed city-state, Lee enjoys strong authority in shaping domestic policies. He is a vocal advocate of increased ASEAN-China cooperation, particularly in the field of trade, and has at the same time maintained Singapore's good relationship with the U.S. His powers include influencing domestic policies and representing Singapore in international settings.

Beningno S. Aquino III: President of the Philippines. During his presidency, Aquino has done much to alleviate poverty among the Philippines’ 100 million strong population through education and economic reforms. He is also a strident critic of Chinese territorial aggression in waters recognized by the UN as Philippine. Aquino has also looked into defense pacts with Japan and has strengthened military ties with the U.S., its strategic treaty partner. His powers include influencing domestic policy and representing the Philippines in international settings.

Najib Razak: Prime Minister of Malaysia. During his presidency, Razak has enacted many reforms to promote economic growth and develop more transparent civil society. Very active in foreign policy, Razak is a strong supporter of greater South-East Asian integration and is a vocal advocate of resolving conflicts through multilateral diplomatic discussions. His powers include influencing domestic policy and representing Malaysia in international settings.

Prayut Chan-o-cha: Prime Minister of Thailand. Since staging a coup against the former democratically elected Thai government in November 2014, General Prayut has both consolidated political power around himself while at the same time presenting an increasingly eccentric public image. He enjoys complete power over domestic and military affairs and represents Thailand in international settings.
Choummaly Sayasone: President of Laos. As both the president and the Secretary General of the Lao People's Revolutionary Party, Choummaly enjoys enormous influence on the domestic policies of Laos. As a comparatively poor and landlocked nation (the only one in ASEAN), he has directed Laos's economy to focus on exports to other ASEAN nations. His powers include setting domestic policies and representing Laos in international settings.