

Peacekeeping in ASEAN and the OAS a Comparative Analysis

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Abstract- The nature of peacekeeping has also changed. Peacekeeping has gone from operations that have involved mediating and observing ceasefires between states, to direct intervention in conflicts where state authority has been overthrown or has collapsed. A corollary to this has been the growing focus on issues that fall outside the realm of traditional military topics but touch on issues of democracy, human rights, economic development and environmental issues. These non-traditional security challenges have redefined the scope of peacekeeping.

The Association of Southeast Asian Nations has in recent years expressed a desire to develop an ASEAN peacekeeping force. This paper addresses the question of whether the Association of Southeast Asian Nations has developed an institutional framework that would lead to an ASEAN peacekeeping or peacebuilding force.

This paper then addresses ASEAN's contemporary peacekeeping dilemma. A comparative analysis of ASEAN with the Organization of American States serves to highlight the ongoing deficiencies in ASEAN. ASEAN has failed to make critical reforms that would enable peacekeeping or peacebuilding. This comparative analysis shows that ASEAN despite its move to create a political-security community with a peacekeeping component lacks the institutional capabilities that the Organization of American States has instituted.

Keywords- ASEAN, the OAS, Peacekeeping, Non-traditional security challenges, Regional organizations, United Nations

I. INTRODUCTION

When compared with other regional organizations ASEAN has not developed an institutional arrangement for peacekeeping. Individual member states have engaged in peacekeeping operations primarily under the auspices of the United Nations but also with ad hoc coalitions, other regional organizations and states including the United States. The reasons for ASEAN's lack of an institutional framework for peacekeeping are primarily rooted in the historical evolution of the organization and the structure of the organization. ASEAN has failed to redress its deficit in peacekeeping and peacebuilding. In spite of recent advances by individual member states and as a regional organization, ASEAN will not alter their policy of non-intervention and non-interference. Individual ASEAN member states will instead rely on selective engagement in peacebuilding operations under the auspices of outside partners such as the United States, Australia, the United Nations, and the

European Union. As has been the case in the past, ASEAN will rely on others to initiate peacebuilding functions in the ASEAN neighborhood. This will curtail the influence of the regional organization and undermine their influence as a partner for peace and stability in the region.

ASEAN's emphasis on post- conflict and civilianized peacebuilding operations faces another impediment. ASEAN has been debilitated by the human rights violations committed by its member states and the lack of democratic governance by member states. The recent efforts to develop a strengthened human rights framework in ASEAN have not been adequate to address the considerable challenges that have proliferated in ASEAN and in the Asia-Pacific. ASEAN has been inhibited in its ability to address the new security challenges due to the lack of political will of member states to coordinate peacekeeping and peacebuilding at a regional level and the lack of democratic reform within the ASEAN states.

A comparative analysis of how peacekeeping has been conducted in ASEAN and the Organization of American States is beneficial in showing how the institutional arrangement of ASEAN precludes a more engaged peacekeeping presence in the region. The comparative analysis will focus on the way that both organizations, similar in many respects, have yet diverged in recent years in their respective approaches to peacekeeping and peacebuilding. ASEAN has not developed a region wide mechanism to facilitate peacekeeping or peacebuilding operations. ASEAN's approach has been a piecemeal one that emphasizes building state peacekeeping capacities for the eventual creation of an ASEAN standby force. This is contrasted with the OAS where the regional organization has developed organizational approaches to peacekeeping and the issues of democracy and human rights.

ASEAN has not yet developed the institutional capabilities for a peacekeeping force. A number of factors have stood in the way of ASEAN developing a peacekeeping force capable of engaging in peacekeeping or peacebuilding missions in ASEAN or in ASEAN's neighborhood. The first as has been addressed above has been ASEAN's emphasis on non-intervention and non-interference in the domestic affairs of member states. This non-interference and non-intervention has been codified through the foundational documents of ASEAN and only slightly modified by the ASEAN Charter. The ASEAN Charter, however, does not provide for any mechanisms whereby ASEAN can engage, as a regional organization, in peacekeeping operations that

would involve any of the scope or breadth warranted by a state collapse.

ASEAN must rely on member states to enact reforms to ensure democracy, human rights and human security. The inability of ASEAN to in anyway influence the behavior of member states means that ASEAN as a regional organization has been paralyzed by the behavior of the member states that comprise the organization. The recent military coup in Thailand, ongoing human rights violations in Myanmar and the imposition of Sharia law in Brunei Darussalam indicate that ASEAN member states violate the principles of ASEAN with impunity. ASEAN's emphasis on creating norms and confidence building measures will not alter the inability to develop peacekeeping or peace building infrastructure in the region. ASEAN relies on member states to implement norms of democracy, human rights and human security which have been identified as crucial components of ASEAN's peacebuilding agenda. Member states have, however, been the most egregious violators of these peace building goals and act with impunity. ASEAN's reluctance to administer the least chastisement to member states bodes ill for the creation of regional mechanisms for peacekeeping or peace building.

The treaties of ASEAN up to the ASEAN Charter do not provide any mechanisms for developing a regional peacekeeping force. This has been true of the ASEAN Political-Security Community Blueprint as well. In spite of the official rhetoric, individual ASEAN states, especially during the Cold War era, engaged in interventions outside their national borders and meddled in the domestic affairs of different states. This was especially apparent during the Cold War era. The rationale for such interventions and peacekeeping missions was to prevent the rise of communist states that threatened the national interests of ASEAN members [1]. These interventions were also conducted with the support of Western powers [1]. This has been clearly demonstrated with interventions in Cambodia and Laos by Thailand which was supported by other ASEAN members as well as the unilateral and illegal annexation of Portuguese Timor by Indonesia [1]. These interventions were conducted with the support of Western powers in general and especially condoned by the United States [1].

ASEAN also lacks the organizational structure allowing it to create operable peacekeeping missions within or without the borders of ASEAN. The deficiencies of ASEAN's organizational structure as it has been constituted become apparent when compared to other regional organizations. One salient comparison is between ASEAN and the Organization of American States. A comparison with the Organization of American States makes clear that the organizational structure of ASEAN as constituted has impeded the creation of a peacekeeping force or peacebuilding operations.

A comparative analysis between ASEAN and the OAS best conveys how ASEAN's goals for peacekeeping and peacebuilding operations are not substantiated by any efforts to change the institutional framework or organizational structure that inhibits the realization of these goals. A comparison between the OAS and ASEAN is salient due to

the similar membership composition of each organization and the remarkably similar histories of the two organizations during the Cold War era. Though the OAS and ASEAN both share these similar membership profiles and historical trajectories in relation to peacekeeping, the two regional organizations show a divergence in the critical area of organizational structure and institutional protocols. These divergences have allowed the OAS to progress in peacekeeping and show how ASEAN has lacked the ability to progress in its agenda to build a peacekeeping force or make substantial contributions to regional peacekeeping or peacebuilding operations. The root causes of the divergence in strategies towards peacekeeping may be attributed to the greater degree of pan-American cooperation and dialogue in the member states of the OAS. This has been facilitated by the use of common languages, political democracy in member states and an intellectual tradition of pan-Americanism stretching back to the independence of Latin American states in the early 1800's.

Both ASEAN and the OAS share similar membership profiles. Although ASEAN lacks a regional hegemon as the OAS has had with the United States of America the scale of the size of the populations are just as great in ASEAN as in the OAS. ASEAN has the fourth largest population in the world with 255,993,674 persons as compared to Brunei Darussalam with a population of 429,646 persons [2]. The OAS has a similar gulf between largest members and smallest members with Brazil, the United States and Mexico all having populations of over one hundred million citizens and with the smallest member Saint Kitts and Nevis having 51,936 [2].

The economic size and gross domestic product per capita adjusted for purchasing power parity also shows a large gulf between ASEAN and OAS members in similar ways. The economy of Indonesia is eighty times the size of Laos [3]. The United States ranked as the largest economy in the world while Dominica was one of the smallest [3]. The GDP per capita (PPP) for Singapore was \$82,763.4 which was much higher than Cambodia, the poorest in ASEAN, at \$3,262.6 [3]. A similar gap in per capita income can be demonstrated in the OAS especially between English speaking and Spanish speaking states [3].

II. Peacekeeping in ASEAN and the OAS

The OAS and ASEAN bear remarkable similarities when their historical peacekeeping trajectories are compared. Both regional organizations were formed following the Second World War in the context of a massive wave of decolonization that enabled states in Africa and Asia to gain independence. The five initial ASEAN states, with the exception of Thailand, gained independence following the Second World War. The 21 states, later to become 35, which signed the OAS Charter in 1948, were independent long before their formation of a regional organization [4]. They were however subject to frequent cases of neo-colonial intervention by the United States. This included the occupation of the Dominican Republic from 1916-1924 [5].

ASEAN and the OAS were also wracked by the global rivalry between communism and capitalism that came to

define geopolitics from the end of the Second World War until the dissolution of the Soviet Union in 1991. The rivalry between the two global superpowers, the United States and the Soviet Union, were overriding security and peace concerns for the two regional organizations during their formative years. The social and political ills of these regimes were seen through the prism of cold war era ideological tensions between capitalism and communism and national elites were complicit in manipulating superpower rivalry to serve their ends. This was as much the case in the OAS as in ASEAN with the caveat that the power of the United States in the Western hemisphere was far greater due to proximity than it was in ASEAN and Southeast Asia which was more distant. This did not prevent the United States from putting a greater importance on preventing the spread of communism in Southeast Asia than in Latin America due to the People's Republic of China and the need to protect vital shipping lanes.

Starting with the inception of the OAS in 1948 and that of ASEAN in 1967 the dilemma that has manifested itself in both regional organizations was the support of human rights and democracy as against that of non-intervention in sovereign states. The Charter of the OAS, just as the ASEAN Declaration, enshrined the principles of non-interference and non-intervention in the states of the Americas. The Charter was drafted in Bogotá, Colombia on the 30th of April, 1948 and was signed by the 21 member states of the Organization of the Americas [4]. All 35 members of the OAS would later ratify the OAS Charter [4].

The Charter had several historical antecedents that had provided for a framework of regional cooperation in the Americas stretching back to 1826 and the Congress of Panama, and including security components. Article 19 of the Charter of the OAS explicitly stated, "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State" [4]. This included the prohibition, in the OAS Charter under chapter four article 19, against "armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements" [4]. Article 21 of the Charter likewise stated, "The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever" [4]. Like the ASEAN Declaration but in language even more forceful the OAS Charter held up the principles of non-interference and non-intervention.

Critical differences, however, were apparent even in the beginning between ASEAN and the OAS. The most glaring difference was that the OAS began with a stronger mandate in the form of a charter. The charter being signed and ratified by member states endowed the OAS with a stronger legal mandate than the declaration of ASEAN. Also the OAS Charter structured the organization around the principle of representative democracy. This emphasis on democratic governance was a critical difference between the OAS and ASEAN. The OAS Charter stated under Chapter two Article three that, "The solidarity of the

American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy" [4]. Elsewhere under Chapter One Article Two the Charter stated that its purpose was to, "promote and consolidate representative democracy" with the caveat added, "with due respect for the principle of nonintervention" [4].

The OAS Charter also established decision-making to be conducted by a General Assembly where under Chapter nine Article 56, "All Member States have the right to be represented in the General Assembly" and "Each State has the right to one vote" [4]. The OAS Charter calls for decisions to be approved by an absolute majority or by a two-thirds vote under certain circumstances [4]. The other organs of the OAS which serve to consult and implement decisions made by the General Assembly are also subject to two-thirds majority voting to render their decisions legal [4].

The decision making process was made both more efficient for peacekeeping operations and more democratic by these provisions in the OAS Charter. American states were protected, in principle, from undue influence that would threaten their territorial sovereignty or in any way interfere in the domestic operations of their states by Articles 19 and Articles 21 as well as other Articles [4]. It was therefore unnecessary and impractical to have a system of consensus and consultation as had been implemented in ASEAN and continues to the present day. The creation of democratic majority rule also provided a regional model for state governments to follow.

III. OAS Post-Cold War

Following the Cold War the OAS diverged from ASEAN in its willingness to promote democratic governance among its member states. Two key changes made were made to the legal and institutional structure that enhanced the ability of the OAS to promote democratic governance amongst member states. The first of these was Resolution 1080 adopted by the General Assembly of the OAS on the 5th of June, 1991 at the fifth plenary session in Santiago, Chile [6]. Resolution 1080 became known thereafter as the 'Santiago Declaration' [6]. The Santiago Declaration was instrumental after the cold war in setting the OAS on a path of democratic governance.

The Santiago Declaration made provisions for:

The Secretary General to call for the immediate convocation of a meeting of the Permanent Council in the event of any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government in any of the Organization's member states. [6]

The Santiago Declaration further called for the Permanent Council of the OAS to convene an ad hoc meeting of the Foreign Ministers Meeting or of a special session of the General Assembly within ten days of the occurrence in question [6]. The Santiago Declaration left it at the discretion of the Foreign Ministers or the General Assembly

as to what actions to take though whatever these actions were they had to be in accordance with the Charter of the OAS and international law [6]. The purpose of the Santiago Declaration as stated was to, “to preserve and strengthen democratic systems, based on international solidarity and cooperation” [6].

The Santiago Declaration was a powerful mechanism to support democracy in OAS member states [7]. In the event of a coup d'état or the overthrow of a democratically elected government the Permanent Council of the OAS was mandated to respond within ten days and to decide upon a course of action [6]. This amounted to the first steps to creating a regional organization with a solid grounding in representative democratic governance and an emphasis on the rights of the populations rather than a sole focus on state rights.

The Santiago Declaration was followed up with further reforms leading to an organization more responsive to democratic governance. A key provision of this was the protocol of amendment made to OAS Charter in Washington D.C., signed on the 14th of December 1992 at the sixteenth Special Session of the General Assembly, which became known as the Washington Protocol [4]. The Washington Protocol went into effect after its ratification on the 25th of September 1997 [4]. The Washington Protocol under Chapter Three Article nine called for the suspension of any member state whose:

Democratically constituted government has been overthrown by force may be suspended from the exercise of the right to participate in the sessions of the General Assembly, the Meeting of Consultation, the Councils of the Organization and the Specialized Conferences as well as in the commissions, working groups and any other bodies established. [4]

The Washington Protocol made participation in the OAS contingent upon each member state being a democratically elected government. A state could be suspended by a two-thirds vote if the democratically elected government were to be overthrown.

This resolution, although not strictly a form of peacekeeping is consonant with the more broadly defined nature of peacekeeping and peacebuilding that has been prevalent from the end of the cold war. It also helps to create peace and security in the region by making isolating states that overthrow legitimate democratic governments. A critical problem facing peacekeeping and peacebuilding today has been the risk of state collapse or state failure and the ills that accompany this. In the case of the OAS the Washington Protocol by insisting that governments in the region have been democratically elected reduces the risk of conflict in these states. If the governments of the OAS are democratically elected then there is less likelihood that they will be seen as illegitimate and their rule contested through violence.

ASEAN stands in stark contrast to the mechanisms implemented by the OAS. In ASEAN there remains no mechanism to ensure the democratic legitimacy of the governments of member states. Such a mechanism would

constitute a volte face for the organization and has been inconceivable as ASEAN is constituted at the present time. The 2014 Coup d'état in Thailand illustrates the lack of any mechanism to censure or chastise ASEAN members for violations of democratic governance [8]. In 2014 the elected government of Prime Minister Yingluck Shinawatra was overthrown by a military coup d'état and replaced with a transitional government that eventually was replaced with military rule led by General Prayuth Chan O Cha [9]. ASEAN was unable to muster an effective response to this removal of a legitimate government.

Part of the difficulty lies in the number of non-democratic regimes that make up ASEAN at the present including some of the least democratic regimes in the world including Laos, Vietnam, Myanmar and Cambodia which were ranked as the 155th, 128th, 114th, and 113th least democratic regimes globally [10]. Even the more prosperous states of ASEAN, however, are considered flawed democracies, at best, by global standards including Singapore, Malaysia and Brunei Darussalam [10].

The fundamental problem, however, is not that ASEAN includes states that are not democratic. The OAS also includes states that are not democratic by global standards including Cuba which ranked as the 129th least democratic country in the world [10]. The problem has been that ASEAN has no institutional, legal means of helping member states improve democratic governance. The ASEAN Charter while stressing the importance of peace, stability and security as well as the importance of legitimate governments has no mechanism to ensure that governments in the region are democratically elected or adhere to democratic standards.

The Santiago Declaration has been employed in four occasions where the legitimate democratic government of an OAS member state was overthrown or replaced through coercive and illegitimate means [7]. The first case where the Santiago Declaration was utilized was in Haiti in 1991 [7]. During this instance the OAS supported the reinstatement of the democratically elected government of President Jean Bertrand Aristide after he was overthrown by unelected Joseph Raoul Cédras [7].

The Third Summit of the Americas in 2001 in Quebec City, Canada made a comprehensive declaration of support for democratic governance in the Americas [11]. The Summit called for the OAS to strengthen democracy, human rights and fundamental freedoms and justice, rule of law and security of the individual [11]. A key feature of the Third Summit of the Americas was:

A democracy clause which establishes that any unconstitutional alteration or interruption of the democratic order in a state of the Hemisphere constitutes an insurmountable obstacle to the participation of that state's government in the Summits of the Americas process. [12]

This clause was consonant with the previous Santiago Declaration and Washington Protocol in institutionalizing mechanisms to safeguard democracy in the OAS.

The Third Summit of the Americas also called for the strengthening of those instruments already in existence

especially the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights [11]. The Third Summit reinforced the commitment the OAS had made to democratic governance in the Americas and detailed how the OAS was to promote democracy through various measures [11]. The promotion of democracy was divided into ways to support reforms of electoral processes and procedures, transparency and good governance, media and communications, fighting against corruption and empowering local governments [11].

The emphasis on the promotion of democracy, human rights and the security of individuals, among other things, was affirmed by the Third Summit of the Americas and had antecedents in the Santiago Declaration as well as the OAS Charter itself and various amendments including the Washington Protocol. The provisions made in the Third Summit also reflect a move away from the emphasis on state rights to a broader emphasis on the human rights of individuals [11]. This reflects the shift in theoretical foundations for peacekeeping and peace building that had been gaining momentum from the end of the cold war. States have greater responsibilities to provide their citizens with democratic rights, access to legal institutions, greater media access and freedom and the right to self-governance [11]. Far less emphasis was placed on the rights of states to be free from intervention from external threats or the right to non-intervention and non-interference [11]. The right to state sovereignty and non-intervention are enshrined in the OAS Charter but the emphasis in the Third Summit of the Americas was placed on the rights of individuals not the state and urged states to protect the rights of their citizens [11].

There occurred the same year of the Third Summit of the Americas the enactment of the Inter-American Democratic Charter in Lima, Peru on the 11th of September, 2001 [12]. As with the Third Summit of the Americas the Inter-American Democratic Charter reaffirmed the commitment of the OAS to strengthening democracy in the Americas. The Inter-American Democratic Charter under Chapter four legally implemented the provisions declared at the Third Summit of the Americas which called for the suspension of membership of any OAS state where the legitimate democratic government had been overthrown [12]. The state in question if it felt its democratic government was under threat could request help from the Permanent Council of the OAS or the Secretary General in facilitating democratic governance [12].

Under Chapter four Articles 20 and 21 of the Inter-American Democratic Charter any interruption or alteration to a democratic state or its constitution can warrant the Secretary General or any member state to call a meeting of the Permanent Council [12]. The Permanent Council is to undertake diplomatic actions including mediation and good offices [12]. Should these measures fail to suffice then the Permanent Council is to convene a Special Session of the General Assembly who are to undertake the restoration of democracy through whatever measures are at their disposal consonant with the Charter of the OAS [12]. The General Assembly can suspend the state in question should all of

the efforts entailed above fail to restore democracy to the state in question [12]. A two-thirds vote is required to suspend the state whose legitimate democratic regime has been usurped by an illegitimate or unconstitutional entity [12]. The state may rejoin once they have returned to democracy and a vote is undertaken by the General Assembly to allow them to resume their membership activities [12]. During the time of suspension diplomatic activities are to take place to help democratic governance be resumed [12].

The Inter-American Democratic Charter can be seen as a clear contrast to the ASEAN Charter which makes no provisions for the restoration of democracy if this should be threatened in member states [13]. The ASEAN Charter does say that it adheres to, "the principles of democracy" but goes no further in elaborating how democratic governance might be implemented in ASEAN [13]. ASEAN has also not developed a coherent approach to the restoration of representative democracy should it be threatened in a member state. ASEAN remained silent during a coup d'état on the 20th of May 2014, when the government of Prime Minister Yingluck Shinawatra was deposed by a military-led regime which sought to redraft the constitution without democratic participation [8]. ASEAN did not put pressure on the military led regime to restore democracy or to carry out elections that met with international standards of transparency [8].

The Inter-American Democratic Charter also established missions for democracy and electoral observations under Chapter five [12]. Chapter five the Inter-American Democratic Charter called for the establishment of political missions to help states observe free and fair elections [12]. These electoral observation missions can be requested by the member state of the OAS in order to help observe and monitor elections in the state [12]. The OAS cannot impose electoral observation missions on member states whose elections may be contested [12]. In spite of this the electoral observation missions do facilitate the promotion of democracy as states that want to have their elections certified as transparent and democratic may avail themselves of the electoral observation missions of the OAS [12]. This would lead to enhancing the promotion of democracy by enhancing the legitimacy of the regimes that avail themselves of the OAS electoral observation missions [12]. The OAS provides both incentives for the promotion of democracy by allowing states to request electoral observation missions and by penalizing regimes who flout the democratic will of their people through non-democratic or unconstitutional seizures of the state apparatus [12].

The electoral observation missions fall under the authority of the Secretariat for Strengthening Democracy (OAS SSD) which falls under the General Secretariat of the OAS [14]. The OAS SSD was established as one of six entities to help the General Secretariat of the OAS implements the decisions of the General Assembly [5]. The goal of the OAS SSD was, "to contribute to the strengthening of political processes in the OAS member states and in particular to support democracy as the best option to ensure peace, security, and development" [14]. The OAS SSD itself consists of three departments that undertake missions that

include election monitoring, helping states implement democratic reforms, assisting in legal reforms, and helping reinforce government bureaucracies [14]. The OAS SSD has three departments which include the Department of Electoral Cooperation and Observation (DECO), the Department of Sustainable Democracy and Special Missions and the Department for Effective Public Management [14]. These three departments are overseen by an Executive Office who is responsible for coordinating the actions of the departments [14].

The Department of Electoral Cooperation and Observation monitored elections in OAS beginning in 1962 in Costa Rica and the Dominican Republic [15]. As of 2016 the OAS has monitored 188 elections in 26 member states [15]. These missions included monitoring of municipal, national assembly, general, presidential, constituent assembly, legislative, and other elections [15]. The number of missions proliferated during the period from 1991 to 2016 during which there was not a single year in which multiple electoral observation missions were not dispatched to member states [15]. The number of states that requested electoral observation missions during a single year was also higher on average from 1991 to 2016 than at any time prior to this [15]. This indicated that the electoral observation missions, which are voluntarily requested by member states, have been an increasingly utilized peacebuilding instrument and have helped to promote the democratic legitimacy [15].

The OAS SSD also conducts two special missions through the Department of Sustainable Democracy and Special Missions (OAS SSD, n.d.). One of these missions was the Mission to Support the Peace Process in Colombia [16]. This mission was initiated with the solicitation of the government of Colombia in the 23rd of January 2004 to help facilitate the peace process in areas of Colombia that had previously been engaged in a long standing civil war [16]. The mandate for the mission was signed between the government of Colombia and the Secretary General of the OAS [16].

The mission had several mandates including to formulate recommendations for security, prevention, risk mitigation and new approaches to crime [16]. The mission was also tasked with monitoring the ceasefire and demobilizing combatants, as well as bringing to justice members of organized crime groups [16]. Several other peacebuilding mandates included the return to civilian life of those persons who had been deprived of liberty, preventing the recruitment of minors for combat and supporting local initiatives aimed at creating governance [16]. The MAPP is comprised of 20 civilian specialists from the OAS [17]. The mission has been ongoing and the goal has been to help rehabilitate those civilians in areas where illegal armed groups have waged civil war against the government of Colombia [16].

ASEAN has failed to keep pace with the changes in security that threatens to make the organization irrelevant. ASEAN has not developed an institutional or legal framework that would provide for peacekeeping or peacebuilding in the region. The issue of democratic governance is not incidental to the issue of peacekeeping in the twenty first century. The movement away from state centered conflict

has led to a broader realm of issues that can be considered threats to peace and security. In this new framework of 'securitization' the rights of citizens to elect a representative democracy has been considered paramount. The principles of non-interference and non-intervention are still in force but they are slowly being eroded by the growing threat of state failure and state collapse that looms in many areas. ASEAN faces the unsavory prospect of supporting dictatorial regimes and states rather than implementing democratic reforms and governance. Before ASEAN can embark upon building a peacekeeping force it must make comprehensive reforms to the structure of the organization itself.

Scholars who contend that ASEAN has made progress in establishing a security framework that would encompass peacekeeping and peacebuilding fail to make a comparative analysis that if done would show the extent to which ASEAN has been surpassed by other regional organizations. The OAS, as demonstrated above, has made progress in implementing legal mandates that reinforce the organizations commitment to representative democracy as enshrined in the Charter of the OAS. The Santiago Declaration and the Washington Protocol are two such steps that have been taken. These instruments have also been applied to member states where the rule of law and democratic governance where threatened as was the case in Haiti, Peru, Guatemala and Paraguay [7]. ASEAN signed its first Charter in 2007 and implemented the Charter in 2008 [13]. The Charter does not, however, strengthen ASEAN as a regional organization to undertake peacekeeping or peacebuilding missions. The ASEAN Charter did not provide a mechanism whereby ASEAN states would be required to uphold representative democracy in their states [13].

The decision making provided in the ASEAN Charter also follows a non-democratic procedure. The emphasis on consultation and consensus although seemingly enabling a more democratic result is both impractical and is non-democratic when the states in question are themselves not democratic. Under Chapter Seven Article 20 of the ASEAN Charter it states, "As a basic principle, decision-making in ASEAN shall be based on consultation and consensus" [13]. The emphasis on consultation and consensus makes it difficult for ASEAN states to establish a peacekeeping or peacebuilding agenda at the regional level. The divergent interests of member states are not mitigated through ASEAN but reemerge in other venues.

The OAS has been able to make progress by insisting that member states are representative democracies and have the support of their populations as conveyed through electoral mechanisms established by their constitutions. Efforts to support democracy have been instantiated in the OAS through several measures including the Santiago Declaration, the Washington Protocol to the OAS Charter, the Third Summit of the Americas and the Inter-American Democratic Charter.

IV. Conclusion

As to why ASEAN has not progressed in developing stronger regional frameworks for either peacekeeping or peace building, as compared to the OAS, it could be posited

that the OAS has a longer history of regional integration. Not only has the OAS had historical antecedents in various forms of pan-Americanism, especially in the Latin American countries, but there has been a greater movement towards developing a theoretical framework for pan-Americanism by thinkers including politicians, writers, scholars, and artists. The Americas have a far longer and deeper history of regional thought than ASEAN has had. Due to the imposition of colonialism in ASEAN the states that have emerged do not, by and large, share a common cultural or intellectual tradition of regionalism. Constructivists have argued that regionalism by definition has to be constructed and that ASEAN has in fact been in the process of building a sharing and caring community. If this were so then ASEAN would not be in the predicament it now faces of gross human rights abuses occurring regularly in member states and a regional organization which has offered only the mutest criticism of member states.

ASEAN member states, as they are comprised, have little history of regional cooperation. There has been no 'tradition' of regionalism in ASEAN and few intellectual forebears of ASEAN regionalism to shape a regional identity that would form a structural foundation for regionalism. The lack of regional identity cannot be fabricated at the elite level as has been attempted in ASEAN. ASEAN's shift to a people-centered organization shows that even ASEAN leaders have felt that the organization as it has been comprised feels contrived.

This has a direct contrast with the OAS whose lengthy history of regionalism has shaped the dynamics of peace-keeping, peace building, security and non-intervention in the Americas for the last two hundred years. The OAS was an evolution of Inter-American cooperation that reached its apex with the Charter of the OAS. The earliest manifestations of pan-Americanism in the Americas began shortly after the independence of most of Latin America from Spain.

Regional cooperation has been an endeavor that has had few successes due to the relative insularity of ASEAN member states. This can be contrasted with the OAS which has had a pan-American movement from at least the early 1800's when most Latin American states achieved independence from Spain. The OAS has been conscious of the common identity of the community of states that form the OAS. The movement for independence in the Americas was from an early date marked by a movement towards regional integration. The Spanish Americas, although administered as separate colonies, shared a common provenance with each other; that of Spain. Exceptions were of course Brazil, the United States of America and Canada, which at the time was still ruled by the United Kingdom.

The antecedents for the OAS therefore stretch back further than ASEAN's and also have enabled a greater sense of regional identity and fostered greater cooperation among member states. The political trajectory of member states of the OAS has also been one that may have helped to create a region more open to peacekeeping and peace building including representative democracy. The independence of many states of the OAS has been plagued by autocracies and brutal dictatorships and a prolonged struggle between

liberal and conservative factions. This however has created a dynamic of political debate and an experience of political representation. These political traditions often crossed boundaries in the Americas with political thinkers travelling widely between member states and not only to Europe. The result has been a fostering of representative democracy, an appreciation for human rights and a longer tradition of political reforms.

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