

**Comparing Regional Organizations in Global Multilateral Institutions: ASEAN,
the EU and the UN**

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Abstract¹

Structural change brought about by the end of the Cold War and accelerated globalization have transformed the global environment. A global governance complex is emerging, characterized by an ever greater functional and regulatory role for multilateral organizations such as the UN and its associated agencies. The evolving global governance framework has created opportunities for regional organizations to participate as actors within the UN (and other multilateral institutions).

This article compares the EU and ASEAN as actors within the UN network. It begins by extrapolating framework conditions for the emergence of EU and ASEAN actorness from the literature. The core argument of this article is that EU and ASEAN actorness is evolving in two succinct stages: Changes in the global environment create opportunities for the participation of regional organizations in global governance institutions, exposing representation and cohesion problems at the regional level. In response, ASEAN and the EU have initiated processes of institutional adaptation.

Keywords: ASEAN, EU, Global Governance, Regional Actorness

Introduction

Regional organizations are emerging as actors in their own right within global governance institutions. The EU is by far the most advanced case of regionalism² and has a long tradition of developing actor capabilities and external foreign policies.

ASEAN too has a long tradition of relations with external actors and global organizations such as the United Nations (UN). Based on the literatures on global

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² Regionalism here is defined as a deliberate strategy cumulating in the creation of institutional and organizational structures at the macro-regional level (Hettne and Söderbaum 2002: 34).

transformation, EU actorness and new regionalism, this article extrapolates an analytical framework to compare the EU and ASEAN as international actors within multilateral organizations. It suggests that the actorness of the EU and ASEAN within international organizations depends on the international context (structural factors enabling the participation and recognition of the EU and ASEAN in multilateral organizations) and regional institutionalization (determining representation, cohesion and capabilities). In recent years, the EU and ASEAN have undertaken institutional reforms, partly driven by the desire to become more relevant as actors within global governance. The article argues that the emergence of regional organizations as actors is part of a double movement, with enhanced institutionalization being the response to structural changes in the international context. The form and direction of institutionalization, however, is largely determined by historical factors and normative priorities.

The EU and ASEAN in global governance institutions: the conceptual framework

The distinction between old and new regionalism as empirical phenomena and as competing analytical approaches is by now well established in the literature.³

European integration theory, in particular neofunctionalism, has been the pinnacle of old regionalism theorizing. New regionalism scholars seek inspiration from global political economy and social theory (see Hettne 2003, Hettne and Söderbaum 2008).

A very special position is held by the Gothenburg School, which employs a dialectical understanding of regionalism and globalization associated with Polanyi (see

³ For more see Hettne (1996).

Söderbaum and Sbragia 2010). Regionalism is part of a double movement with neoliberal/ open regionalism representing the first movement and regulatory/ interventionist/ protectionist/ developmental regionalism the second movement. The first movement supports neoliberal globalization processes; the second can be seen as a societal, political response to the various problems linked to neoliberal globalization. Resistance to mounting inequalities and hardships imposed by economic globalization leads to new forms of regulation and social welfare institutions. One may take protests addressing global and regional issues such as, for instance, widespread unrest in Greece following the severe budget cuts and tax rises and the global spread of the 'Occupy Wall Street' movement to cities across the world as the first part of the second movement, eventually leading to regional discourses on how to better regulate global forces.

In more general terms, new regionalism scholarship seeks to understand how regions are constructed and reconstructed, why and how state- and non-state actors come together in formal and informal regional settings in the context of globalization. One example is the literature on regional actorhood, here defined as the emergence of regional organizations as subjects and actors in their own right within the global governance framework. Two sets of key questions can be asked. Can regional organizations truly become relevant actors at the global level? What are enabling/ constraining conditions?

The idea that regions can emerge as actors has a long history. Much of this work focuses on the EC/ EU.⁴ This literature has highlighted several issues. First, there is an underlying emphasis on institutional development as enhancing the visibility, capacity and effectiveness of EU actorness. Institutions are widely understood as sets of formal and informal norms, rules and principles (Kjær 2004: 8). They forge certain types of behavior and instill particular values and cultures, providing the EU with presence and identity at the international level. They are the key to the EU's international capacity, and institutional deficiencies are behind the *capability-expectations gap* identified by Christopher Hill (1993). Sjöstedt (1977: 15-16) emphasizes the importance of internal cohesion and capacity which requires certain institutional prerequisites. In a similar vein, Hill (1993: 15) outlines specific institutional qualifications that enhance actor capacity such as a legal personality, negotiation capacity, resources and instruments.⁵

Some authors, notably Allen and Smith (1991, 1998) have focused on the concept of international presence. Yet presence alone, i.e. economic and geopolitical footprint, is insufficient to transform a regional organization from an object into an active subject. This requires purposive action, which in turn is dependent on institutionalization. Presence, however, does point us in the direction of representation, recognition and autonomy (see Jupille and Caporaso 1998 and Bretherton and Vogler 1999). Another recurring theme is the focus on actor capability providing the ability for purposive action. Sjöstedt (1977:16) defined actorness as the 'capacity to behave actively and

⁴ Examples include the works of Gunnar Sjöstedt (1977), David Allen and Michael Smith (1991, 1998), Christopher Hill (1993), Antje Herrberg (1997), Joseph Jupille and James Caporaso (1998), Richard Whitman (1998), Ian Manners (2002), Charlotte Bretherton and John Vogler (1999).

⁵ References to the link between institutions and actor effectiveness can also be found in Jupille and Caporaso (1998) and in Bretherton and Vogler (1999).

deliberately in relation to other actors in the international system', also echoed by Bretherton and Vogler (1999: 20).

New regionalism scholars like Hettne (1996, 2003, 2010 and 2011) often draw on European Studies to describe the formation of regional actor identities. Hettne describes institutionalization in terms of levels of *regioness* - a process whereby a region emerges as an acting subject with a distinct identity, capability, legitimacy and decision-making structure by enhancing institutional and regional cohesion (Hettne 1996, 2003, Hettne and Söderbaum 2002). Mathew Doidge (2008: 38, 39) identifies *action triggers* (goals, interests and principles as well as emerging situations requiring a response), *policy structures* (ability to take decisions) and *performance structures* (capabilities and resources) as prerequisites for regional actorness.⁶

Internal cohesion, decision-making structures and representation in global governance institutions are ultimately dependent on institutional structures. It is helpful to evoke a spectrum of institutionalization ranging from the informal/ intergovernmental to formal/ legal/ supranational institutions. The position of an organization along this continuum determines to a large degree its effectiveness in international affairs (Doidge 2008: 42). Informal institutionalization, characterized by a preference for informal arrangements premised on convention and mutual understanding rather than formal rules, sets clear limits for potential actorness. Decision-making under such circumstances is drawn out, limited and prone to inefficiency. Unanimity procedures, for example, are arduous and time consuming (Lister 1984: 11-14). Consensus procedures allow for majority voting but allow a minority to block any decision not

⁶ See also Hettne on *actorship* (2007, 2011: 28).

acceptable to them (Rittberger and Zangl 2006: 68). The capacity to act and the capabilities at the disposal of the actor are limited and decisions are often deemed as non-binding. In contrast, more formalized institutionalization enhances internal cohesion and representation in international affairs. Decision-making procedures will typically be very complex, based on strong legal foundations, follow some form of majority voting, creating legally binding outcomes, clearly demarcating external capabilities. Institutionalization, therefore, impacts on the international actorness of regional organizations in three ways: First, it determines issues of representation. Second, it influences internal cohesion through a culture of rules, norms and compliance mechanisms. And third, it defines decision-making processes and the articulation of collective interests.

Much of the current literature on new regionalism strongly focuses on the linkages between regionalism and globalization and structural change (Hettne 1996, 2002, 2010, 2011, Söderbaum and Sbragia 2010: 568). Since the 1990s, the exogenous dimension has received more attention within European Studies too (Hill and Smith 2005, Telò 2005 and 2009, Wunderlich and Bailey 2011). Various authors point to the importance of external factors in the construction of regional actorness (see Bretherton and Vogler 1999 and Hettne 1996, 2002, 2010, 2011, Doidge 2008). Based on this, we can extrapolate that the emergence of regional organizations as actors in global governance institutions depends on the interplay of exogenous and endogenous factors: (a) developments in the external environment and (b) regional institutionalization. Indeed, new regionalism scholars strongly maintain that globalization and structural change trigger regional developments (Söderbaum and

Sbragia 2010). In this way, regional actorness emerges as an institutional response to changes in the external environment.

The external context: globalization and global governance

The broader global political constellation emerges as a structural factor determining and shaping the relevance of the EU and ASEAN within global governance institutions (Jørgensen et al 2011: 614-15). Formal and informal rules and procedures of global governance institutions frame the significance of EU and ASEAN participation as actors. For instance, by not providing for membership of regional organizations, the UN Security Council constrains the options of recognition and representation of the EU and ASEAN. The global governance framework, therefore, conditions the participation of regional organizations.

Much has been written on the impact of globalization on transforming global governance. There are several recurring themes in the multiple definitions of globalization such as enhanced cross-border flows, accelerating transaction speeds, the shrinking of time and space as constraining factors and increasing integration, interconnectivity and interdependence (see Ritzer 2007: 1).⁷ The transformalist globalization literature (see Scholte 2000, Held et al. 1999, Held and McGrew 2002, Rosenau 2003 and 2005) maintains the position that contemporary globalization is distinct from previous periods, involving more than the intensification of economic exchanges. Globalization is operating across several domains, including the economic but also the cultural, the political and the social. Increasingly, all societies are facing similar problems such as boundary control, financial crises and global warming. The

⁷ See also Scholte (2000: 46), Held (1997: 3) and Giddens (1990: 64).

separation between domestic and international spheres for policy and governance purposes becomes increasingly difficult (McGrew 2007: 36).

The broad structural consequences of globalization have implications for global governance (see Koenig-Archibugi 2007: 46-47). The transformalist global governance literature rejects state-centric conceptions of geopolitics. Its analytical core is a concern with understanding and explaining global, regional and transnational structures of regulatory decision-making and implementation (Held and McGrew 2007: 9). The creation and maintenance of institutions at the local, the regional and global level is, therefore, associated with the management of globalization (see Krasner 1983, Keohane 1984, Rosenau and Czempiel 1992, Young 1989, 1999 and 2005, Rosenau 2003 and 2005). The focus is on the evolving system of political and economic coordination reaching across multiple levels from the local to the global. This is an evolving multi-actor system where public and private actors seek to realize common purposes and resolve collective action problems. In short, the transformalist literature on globalization and global governance maintains that we are witnessing the transformation of world politics away from state- and security-centered geopolitics to a complex relocation and dispersion of authority between various layers of regulatory decision-making.

The organizing principle of this global governance system is multilateralism (Thakur and Van Langenhove 2008: 22). The international institution that has become synonymous with multilateralism is the UN system and its related agencies. The UN Charter retains the possibility for the UN to establish partnerships with regional

organizations (UN Charter, Chapter VIII).⁸ The end of the Cold War released the UN from the straightjacket of superpower conflict. Acceleration of globalization and the growth in regionalism worldwide have led to a significant increase in UN interactions with regional organizations. In 1992, the UN General Secretary's Report, 'An Agenda for Peace', called for greater cooperation between the UN and regional arrangements and organizations (see UN Secretary General 1992, VII). Throughout the last two decades the UN worked gradually to deepen its contacts with regional organizations. Several regional organizations, such as the African Union and the Arab League, now have the status of permanent observers at the General Assembly. Beginning in 1993, the UN General Assembly convened several high-level meetings with regional organizations to discuss global challenges (Thakur and Van Langenhove 2006: 236). Following the first high-level meeting between the UN and regional organizations, the General Assembly adopted the Declaration of Enhancement of Cooperation between the UN and Regional Organizations in the Maintenance of International Peace and Security (UN General Assembly 1995).

In 2005, the formalization of relations between the UN and regional organizations reached an entirely new level following several commitments at the World Summit, the sixth high-level meeting between the UN and regional organizations and the Security Council (UN General Assembly 2005; UN Secretary General 2005; UN Security Council 2005). There is explicit support for a stronger relationship between the UN and regional organizations through formalized agreements and, where appropriate, involvement of regional organizations in the Security Council. An important step in this direction was the 2010 debate of the Security Council on

⁸ See also Van Langenhove (2011: 94).

cooperation with regional organizations on international peace and security matters (UN Security Council 2010).

The challenges of globalization and post-Cold War restructuring have created opportunities for regional organizations to participate in global governance within the UN alongside states. This raises the question as to whether regional actors such as the EU and ASEAN have the necessary capacities to effectively operate within the UN system, bringing us right to the core of regional actorness and the second part of this article: *institutionalization* of regional organizations.

The internal context: institutionalization and regional actorness

The literature for analyzing the behavior of the EU within the UN framework tends to be sparse, diffuse and is scattered across a variety of perspectives and issue areas in International Relations (Bretherton and Vogler 1999, Laatikainen and Smith 2006, Blavoukos and Bourantonis 2011, Koutrakou 2011). The Treaty on European Union (1993) incorporated EU foreign and security policy coordination into the treaty framework. EU external policy-making is divided between the Community and Union methods. Community policy-making refers to the competencies of the European Community (EC), encapsulated in the Common Commercial Policy (CCP) and other parts of the Treaty of Rome, dealing with the negotiation and conclusion of international agreements. The Commission is initiator of most legislation proposals which have to be passed by the Council of Ministers by qualified majority voting and be approved by the European Parliament. This pillar is clearly supranational. Union policy-making, on the other hand, is the mode of decision-making for common

foreign and security affairs consisting of the extensive coordination of national policies among member-states (Smith, 1996: 258). European Political Cooperation (EPC) and its successor the Common Foreign and Security Policy (CFSP) and European Security and Defense Policy (ESDP), are two examples. The European Council, composed of the heads of state, sets broad guidelines; the Council of Ministers takes decisions to implement them (Farrell 2006: 29).

The external role of the EU evolved from the 1990s to 2011 as a response to structural change and globalization. The EU has emerged as a very important partner for the UN across a broad range of areas such as development, climate change, peace-building, humanitarian assistance, health concerns and the promotion of good governance. Like the UN, the EU is committed to multilateralism. The EU (and its member-states) is also amongst the biggest contributors to the UN budget (see Koutrakou 2011: 211). However, there are also serious questions regarding external representation, internal cohesion and consistency.

The persona of the EU within the UN is a complicated matter. The EU is indirectly represented via its own member states. As such, it is 'represented' even within the Security Council where two EU member states, France and the United Kingdom, hold permanent seats and veto powers. As an organization the EU has only permanent observer status in the General Assembly.⁹ However, in May 2011 the UN General Assembly upgraded the status of the EU by adopting a resolution granting the EU the right to reply and the ability to make oral amendments (UN General Assembly 2011). The EU now has its own voice within the UN General Assembly. Further

⁹ It is a full member of the Food and Agricultural Organization only (see Taylor 2006: 135).

complicating the EU representation issue are the different Commissioners (External Relations, Development and Aid), Directorates-General, the High Representative, various European Parliament and other Committees, the Presidency and the General Affairs and External Relations Council (Koutrakou 2011: 213).

The organizational and institutional structure is responsible for a capability-expectations gap the EU suffers within the UN (and in its external relations in general). Given its size, potential and its normative priorities, the EU might be expected to be a 'leader' or 'frontrunner' within the UN on, for instance, human rights issues.¹⁰ However, as Taylor (2006) found, this is far from being the case. The EU is more often responsive than being proactive. Its organizational structure implies that the EU often lacks internal cohesion, with individual member-states but also different EU institutions following their own agendas. The EU may appear to constitute a single actor. Yet, in reality it masks a diversity of different actors with individual interests and opinions. Different countries often support different positions. For example, the dispute between the EU and China in 2005 over textile imports revealed differences within the EU; with Britain, Germany and the Nordic countries supporting freer trade and Spain, France and Italy seeking to limit imports (Breslin 2010: 6). There are also differences at the institutional level with the Parliament, the Commission and different Directorate-Generals having different positions (Breslin 2010: 7). Hence, the EU is forced to spend a great amount of time and energy on internal coordination in order to arrive at a common foreign policy position.

¹⁰ See Manners (2002) on the concept of normative power Europe.

In the past, there has been no set of common objectives guiding EU external action. EU external policies are scattered across different institutions and treaties. For example, Title V of the Treaty on European Union contained the provisions on Common Foreign and Security Policy while the EC Treaty covered trade policy, development aid and economic, financial and technical cooperation with third countries. Therefore, the EU's external relations with global governance institutions such as the UN are governed by different rules and different sets of decision-makers.

Already in 1993, Christopher Hill identified a capability-expectations gap while analyzing the emerging external role of the European Community, created by expectations and the limitations in capacity, capability and cohesion.¹¹ Various treaty revisions, such as the Amsterdam and the Nice Treaty, have attempted, among other things, to address issues of institutional representation and coherence/ consistency in the EU's external policies. The Lisbon Treaty is the latest and most far-reaching in this line. It has removed the pillar structure introduced by the Treaty on European Union and conferred a single legal personality upon the EU (TEU 2010, Art. 47).¹² This enhances the EU's visibility within global governance institutions such as the UN. The Lisbon Treaty further improves the effectiveness of the EU as an actor by addressing the problems of consistency, coherence and representation. It contains a set of common principles and objectives aimed at EU external policies. Of particular importance is Article 21 (2) which defines eight common external objectives with the aim to enhance the EU's cohesion and consistency. The theme of consistency is also addressed in Article 7 of the Treaty on the Functioning of the European Union (TFEU): 'The Union shall ensure consistency between its policies and activities,

¹¹ See also Hill (1998).

¹² Until the Lisbon Treaty, the EC was endowed with legal personality while the EU as a whole was not.

taking all its objectives into account and in accordance with the principle of conferral of powers' (TFEU 2010, Art. 7).

Qualified majority voting in the Council has been extended to new policy areas in order to make decision-making faster and more efficient. The institutional framework has been streamlined to improve the coherence of the EU's external actions. The position of a President of the European Council has been introduced, thereby providing this institution with a face. More important is the creation of a dedicated External Action Service bridging the different components of EU external policy and the post of High Representative for the Union in Foreign and Security Affairs. Following Article 21(3) TEU (2010) the Council together with the Commission, assisted by the High Representative, are responsible for ensuring consistency of the Union's external policies. The High Representative has a crucial coordinating function: she is also Vice President of the Commission.¹³ She has the right to formulate and to submit proposals for action to the European Council. She chairs the Foreign Affairs Council and represents the EU abroad. The Commission now represents the EU in all matters except common foreign and security policy, which is done by the High Representative.

ASEAN has followed a very different trajectory of regional integration. In contrast to the EU's preference for the formal and legal, ASEAN has pursued what one observer has described as a 'relations-based approach' (Davidson 2009: 28). Where the EU is a hybrid creature combining intergovernmental decision-making with supranational features, ASEAN decision-making structures remain firmly intergovernmental.

¹³ In 2010, Catherine Ashton was appointed the first High Representative of the European Union for Foreign Affairs and Security Policy.

Several authors have sought to explain these differences between European integration and Southeast Asian regionalism in terms of historical, geo-political, social and cultural differences.¹⁴ ASEAN's raison d'être was primarily state-building through peaceful and progressive economic development, promoting social stability within national boundaries, and through freedom from external interference (Peou 1998: 447). Observers such as Acharya (2001), Khoo (2000) and Alagappa (1993) have likened ASEAN regionalism to the construction of a regional security community or a 'neighborhood watch group'. ASEAN was about regional reassurance and enhancing regional trust and confidence-building via the opening of new channels of communication (Henderson 1999). By creating ASEAN, Southeast Asia's newly independent states provided themselves with a stable structure to deal with intraregional relations, contain intraregional conflict, resist external influence and position themselves within the Cold War (see Caballero-Anthony 2003: 5; Stubbs 2008, Sukma 1999:41).

Much has been written about ASEAN's informal regionalism (see Kivimäki 2010: 433). This does not mean, however, that ASEAN has no institutional structure. In fact, numerous institutionalized meetings are included under the ASEAN umbrella, such as the ASEAN summits, the annual and ad-hoc meetings of ASEAN foreign ministers, the meetings of ASEAN economic ministers, meetings of other ministers and senior officials and expert groups (Caballero-Anthony 2009: 38). These meetings and the various ASEAN declarations and agreements have created a comprehensive framework for managing intra-regional relations. ASEAN diplomacy makes use of informal and non-official relationships and discussions to work out consensual

¹⁴ See Katzenstein (1996) and Wunderlich (2007).

positions behind the scenes, rather than employing lengthy intergovernmental conferences. This has helped to establish dense networks of government officials and diplomats who negotiate ‘on the golf course’ (Bellamy 2004: 170). In addition, ASEAN makes intensive use of ‘track-two diplomacy’ (Capie 2010). These unofficial yet officially acknowledged meetings between academic institutions and think tanks serve important functions of allowing discussion in ‘informal’ but often institutionalized settings (Freistein 2008: 224).

The ASEAN way evolved as the institutional core of the Association. At its heart are procedural norms such convention, voluntarism and informal agreement. This is encapsulated in the concepts of *musyawarah* (consultation) and *mufakat* (consensus) (Nischalke 2002: 93). The consensus model is the center-piece of ASEAN decision-making. It is a process leading to collective action ensuring that ‘each and every action taken in the name of ASEAN must either contribute to or be neutral, but not detract from, the perceived national interests of individual ASEAN member states’ (Kurus 1994: 405). The consensus procedure does not imply unanimity. A consensus is reached when no ASEAN state explicitly objects to a particular initiative.

Within the UN, ASEAN is represented by its member states who found ways to cooperate within the UN and, by acting collectively, enhance the visibility of the grouping. An early example was the response to Vietnam’s invasion of Cambodia in 1979, an episode that was crucial for the evolution of ASEAN as a regional collective actor and agenda-setter within the UN (Rüland 2011: 102). ASEAN’s coordinated efforts within the UN made it impossible for Vietnam to gain access to international capital and aid from many key donors and international agencies (Loder et al. 2011:

82). ASEAN members supported a coherent corporate position for more than a decade and its international weight increased significantly together with its profile and influence (Narine 2008: 417, Morada 2008: 37, Acharya 2001).

UN cooperation with ASEAN focused traditionally on development issues and dates back to 1972 and the first agreements on cooperation between ASEAN and UN agencies, funds and programs. Since 1977, the UNDP has been an ASEAN dialogue partner and was the only non-state actor to be one until 2009. In the post-Cold War world, ASEAN began to move away from a focus on regional peace and stability to explore 'broader regional co-ordination in a substantial number of economic issues, as well as so-called functional areas that addressed particular microeconomic and social issues' (De Prado 2010: 362). ASEAN member states realized the advantages of operating as a group and were determined to enhance ASEAN as a functioning regional organization (Weatherbee 2005: 95-100).

Like the EU, ASEAN has increasingly opened its proceedings to other institutions and developed links with other countries and international organizations. Examples are its involvement in APEC, the ARF, the Asia-Europe Meeting or the ASEAN Plus process. At the same time, ASEAN enhanced its involvement in institutions of global governance. In 2006 ASEAN became an observer in the General Assembly (UN General Assembly 2006).

On 25 September 2007, the Secretaries-General of the UN and ASEAN signed a 'Memorandum of Understanding' (MOU) on the future of UN-ASEAN cooperation (ASEAN 2007a). Among other things, this MOU called 'to make appropriate

administrative arrangements to ensure effective co-operation and liaison between the two Secretariats'. The latest UN-ASEAN Summit took place in 2010 (ASEAN 2010). A relatively dense network of institutional cooperation between the UN, its several associated agencies (such as UNDP, FAO, ESCAP) and ASEAN has evolved since the end of the Cold War. The UN has also organized two peace-keeping operations in the region: one in Cambodia and, more recently, in East Timor. These operations were supported by several ASEAN members. Indeed, Malaysia and Indonesia have regularly contributed to UN peacekeeping missions around the world.

ASEAN too faces a representation problem in the UN and in other global governance institutions. In ASEAN's case, this problem has been perpetuated by its weak organizational capacity. Indeed, until 2006, while having forged links with UN agencies and related bodies such as ESCAP and the UNDP, ASEAN has been the only major regional organization without observer status in the UN (ASEAN 2006). In terms of staff levels, administrative and research support and financial resources ASEAN stands in stark contrast to the EU. The ASEAN Secretariat has a staff of 60 officers recruited from the ASEAN member-states and 150 more support staff recruited locally (ESCAP 2008: 14). The ASEAN Secretariat has no executive and legislative powers comparable to the Commission, aiming exclusively for 'greater efficiency in the coordination of ASEAN organs and for more effective implementation of ASEAN projects and activities' (ASEAN Secretariat 2009).

ASEAN's budget too is extremely modest. ASEAN members contribute \$ 1.4 million per country and annum to the maintenance of the ASEAN Secretariat (see Rüländ 2011: 100). This is symptomatic of ASEAN's decentralized model of regionalism. It

confirms the state-centric nature of ASEAN. The ASEAN states' pursuit of independence and defense of sovereignty has also been underlined by the consensus and accommodation procedures. There are no formal rules by which ASEAN members must abide or by which non-compliance can be punished (Peou 1998: 448). The definition of 'ASEAN' interests, therefore, remains the preserve of ASEAN governments. ASEAN's ability to achieve collective action is constrained by state sovereignty. This left the Association unable to respond to the transnational challenges of the 1990s such as the Asian financial crisis and the haze, the East Timor crisis, the increased threat of terrorism after the 9/11 attacks, the spread of infectious diseases (such as SARS and avian flu), piracy, and illegal migration (see Ascuitti 2010: 48). ASEAN was heavily criticized and its credibility was dented (see, for example, Henderson 1999). Yet, this capability-expectations gap is also an indicator of ASEAN's presence in global affairs which is not matched by regional cohesion.

ASEAN's continuing problem is institutional: The ASEAN Way based on non-interference has become incompatible with being an effective regional organization. ASEAN members find it very difficult to overcome this problem (Haacke 2003: 165-90, Freistein 2005: 182). ASEAN member states' ability to control territory, people and resources within national boundaries remains weak. This lack of unconditional political legitimacy explains the continuing emphasis on sovereignty and non-interference in the region. ASEAN's main purpose remains to support Southeast Asia's state-building projects in the face of the multiple challenges of globalization and structural change. The institutional response came in 2003 with the ASEAN Community (ASEAN 2003, Morada 2008: 40). The ASEAN Charter, a step to achieve the ASEAN Community, aims to ensure the global relevance of ASEAN

through institutional consolidation (Ba 2009: 362). It is interesting to note that there are certain parallels between the Lisbon Treaty and the ASEAN Charter. The ASEAN Charter represents ‘what could have been a lean version of the Constitutional Treaty’ (Börzel and Risse 2009: 13). According to former ASEAN Secretary-General Ong Keng Yong, the Charter aims to confirm ASEAN as an organization by conferring legal personality, enhancing institutional accountability and compliance and reinforcing the perception of ASEAN as a serious regional actor (ASEAN 2007b). Article 3 of the Charter makes ASEAN a subject of international law by establishing legal personality, allowing ASEAN to enter into transactions in its own right. This aims to strengthen ASEAN’s perception as a player in the international arena. The Charter further defines the institutional structure of ASEAN: Article 7 substantiates the ASEAN Summit as the supreme policy-making body. ASEAN decision-making remains firmly intergovernmental, based on consultation and consensus (ASEAN 2007c: Art. 20 (1)). Article 11 deals with the Secretary-General of ASEAN and the ASEAN Secretariat. The Secretary-General is the chief administrative officer of ASEAN and will ‘represent the views of ASEAN and participate in meetings with external parties in accordance with approved policy guidelines and mandate given’ (ASEAN 2007c: Art. 11 (2b)). As for decision-making, the Charter enshrines the ASEAN Way of consultation and consensus (ASEAN 2007c: Art. 20).

Chapter XII is of particular interest for ASEAN’s participation as an actor within the UN system as it deals with external relations. Article 41(4) reemphasizes the necessity to coordinate foreign policy among ASEAN members to develop ‘common positions and pursue joint actions’. Responsible for this is the ASEAN Foreign Ministers Meeting (ASEAN 2007c: Art. 41 (6)). The ASEAN member state acting as country

coordinator will be responsible for coordinating ASEAN's relations with external partners and international organizations (ASEAN 2007c: Art. 42(1)). Thus, the country coordinator will represent ASEAN as a group within the UN. In sum, the ASEAN Charter and the ASEAN Community can be regarded as a tightening of ASEAN's institutionalization in response to the challenges posed by globalization and multilevel global governance.

Analysis and concluding remarks

This article has argued that regional organizations such as the EU and ASEAN are evolving as actors within the multilevel global governance framework as the result of a two-stage process: First, structural change has accelerated the spread and reach of economic globalization transforming global governance. Global multilateral organizations, like the UN, have increased in functional width and depth. Regional organizations such as the EU and ASEAN aim to enhance their influence and recognition within global governance institutions such as the UN. However, regional organizations are by no means fully-fledged foreign policy actors, restricting operation within the UN (De Prado 2010: 368).

Institutional adaptation constitutes the second part of this process. Enhanced opportunities to participate within global governance institutions such as the UN helped to highlight institutional deficits with respect to representation and cohesion. These issues are ultimately rooted in the institutional design that frames representation, capacity and cohesion. The EU has aimed to address these issues in

various treaty reforms, the Lisbon Treaty being the latest. We can observe similar trends within ASEAN and the ASEAN Charter.

However, those who expect a convergence of regionalism around EU-style institutionalization will be disappointed. ASEAN appears to be moving towards a more institutionalized structure but by no means does it endorse the formal, legal and interventionist model promoted by the EU. The fundamental differences between the EU and ASEAN will remain. While the ASEAN Charter may look at the surface comparable to a light version of the Lisbon Treaty, it also enshrines the ASEAN Way with its emphasis on non-intervention. ASEAN has developed a unique set of norms and institutions that are distinct from the EU model. Ultimately, ASEAN's institutional and normative culture is rooted in Southeast Asian history and culture.¹⁵ The same is true for European integration. Historical institutionalism makes the point that core norms and beliefs, once enshrined in the institutional set-up of an organization, tend to be resistant to change. Contemporary institutional choices are, therefore, framed by historical norms that have become a baseline for further developments (see Pierson 1998 and Stubbs 2008).

EU norms and the EU's self-understanding is constructed on broad liberal values such as adherence to political and individual human rights, democracy as the only acceptable form of government and the rule of law as the organizing principle. The EU strongly identifies with these principles and promotes them in its external relations (see de Prado 2010: 269). This informs EU institutions, its policies, its approach to global governance and its actorness. Normative power scholars tend to

¹⁵ See Kim (2009).

argue that not only is the EU constructed on a normative basis but it is also predisposed to act in a normative way in world politics (Manners 2002: 42). As such, the EU regards itself as a norm promoter in global governance, as the standard case of successful regional integration and as an alternative world order model to US hegemony (see Hettne 2007).

ASEAN is constructed on very different normative principles. Indeed, as Stubbs (2008: 452) argued, ASEAN has emerged as an alternative to the EU approach to global and regional order which promotes institutions with the capacity to intervene to promote stability, order and human rights (Stubbs 208: 452). The EU approach to regional and global governance places a premium on formal negotiations and deep institutions and the rule of law (Stubbs 2008: 452). ASEAN's core norms, as expressed in the ASEAN Way, stress neutrality, territorial integrity and non-interference and consensus-based decision-making. These principles provide for ASEAN's meta-regime which underlies ASEAN's institutional development (see Aggarwal and Chow 2010). ASEAN's normative meta-regime remains at the heart of the Association's self-understanding. It has been enshrined in the ASEAN Charter. Far from waning, the ASEAN approach may potentially emerge as an alternative model for regional integration and for global governance (see Stubbs 2008). It appeals to developmental states such as China and India and may be of particular relevance at a time when the EU is locked in a deep crisis.

There is no single model of regionalism and regional actorness. The EU and ASEAN share similar goals in global governance: ensuring continuing relevance in the face of enhanced globalization and greater recognition. Kim (2009: 296) points to 'procedural

divergence', whereby different paths for regionalism exist, depending on regional idiosyncrasies. The principle of non-intervention has been challenged in recent years but it has not been abandoned. The rationale for ASEAN's genesis was to support state-building processes within Southeast Asia. The ASEAN 10 remain developmental states driven by the desire to create a functioning state-system (Weatherbee 2005). What has changed is the external environment that regional organizations such as ASEAN and the EU are embedded in. ASEAN members have responded to these changes in order to create a better functioning regional organization that helps to fulfill their interests. Yet, non-intervention and respect for sovereignty will remain at the core of ASEAN's approach to regionalism and regional actorness. It has become a cornerstone for ASEAN's evolving identity. This illustrates once again that regionalism is, after all, a highly endogenous process and regional institution-building is shaped not only by global dynamics but first and foremost by socio-economic, cultural, political and historical forces that are local and create a certain path-dependency.

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