



ASEAN's transboundary issues: a hazy lining to regional solutions?

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ASEAN HAS A LONG LIST of responses to transboundary issues in the region, including haze, pandemics and natural disasters. ASEAN has learned from these crises by putting into place workable regional mechanisms to coordinate responses across borders and departmental jurisdictions. Still, there are gaps and challenges, requiring ever flexible adaptation to new or emerging realities.

Serious episodes of smoke haze from peatland forest fires affected countries in maritime Southeast Asia throughout the late-1980s and 1990s, worsening to a then-unprecedented level in 1997-1998. Recurring regularly since then, 2015 is seeing the worst spreading of haze from Indonesia's Sumatra and Kalimantan provinces to major cities in Malaysia and Singapore and other ASEAN shores including Thailand, the Philippines, and Vietnam.

The outbreak of Severe Acute Respiratory Syndrome (SARS) in 2003 followed by the H1N1 Avian Flu spread rapidly across the borders of several ASEAN countries, requiring flexible arrangements to sovereignty in tracking and containing the spread of the virus across borders. The social and economic costs of SARS induced the ASEAN Health Ministers to convene special meetings with their counterpart from China (the country of origin) to receive full information and updates on the SARS situation there.

The devastating impact of the Indian Ocean tsunami on coastal cities in Indonesia and Thailand in 2004, the 2008 Cyclone Nargis humanitarian crisis in Myanmar, and Typhoon Haiyan in the Philippines in 2013, have shown that regional collaboration can catalyse or facilitate better responses.

This is nowhere more evident than in the spate of haze that has periodically occasioned bilateral tensions between Indonesia, Singapore, and Malaysia. From July to October 1997, ASEAN countries including Brunei Darussalam, Indonesia, Malaysia and Singapore were badly affected by the smoke haze from fires in Sumatra and Kalimantan. When the ASEAN environment ministers convened their regular meeting in Indonesia in September 1997, President Suharto, who gave the opening speech for that meeting, apologised for the haze but blamed natural causes rather than deliberate land-clearing for commercial purposes by slash and burn efforts. ASEAN environment ministers again met in Brunei Darussalam in April 1998 and spoke candidly (but not publicly) on the need to punish the irresponsible plantation companies involved in igniting the forest fires and causing the haze.

The haze crisis in 1997 affected millions of people and caused losses in the transport, tourism, construction, forestry and agriculture sectors.¹ This compelled the ASEAN environment ministers to set up a special ministerial meeting, re-activate a moribund regional haze action plan, and seek external assistance in tackling the issue on the ground.

The ASEAN Ministerial Meeting on Haze (supported by a Haze Technical Task Force) adopted a Regional Haze Action Plan at its first meeting in Singapore in December 1997. This action plan was unique among ASEAN mechanisms at the time, as it had an operational focus that required monitoring by the ASEAN Specialised Meteorological Centre based in Singapore. ASEAN members were also required to develop national plans to prevent and mitigate land and forest fires. Sub-regional fire-fighting arrangements were institutionalised to ensure coordination among national fire-fighting responses to the haze. Following the adoption of the Regional Haze Action Plan, the Asian Development Bank approached ASEAN with an offer of technical assistance to strengthen ASEAN's haze monitoring and response efforts, to which the governments of Australia and United States contributed. Canada assisted with the Southeast Asia Fire Danger Rating System (handed over to the Malaysian Meteorological Service in 2003). These efforts set in motion the move for developing a region-wide agreement on transboundary haze pollution, which was adopted in 2002. The agreement entered into force in November 2003, after six ratifications.² Indonesia was the last country to ratify the agreement in September 2014, after haze levels spiked again in 2013. Until September 2014, Indonesia was the single remaining ASEAN country that had not ratified the ASEAN Agreement on Transboundary Haze Pollution. But even after the Indonesian ratification, and despite the commitment of President Joko Widodo and some members of his administration, Indonesia's decentralised government structure has shown weak enforcement of the agreement's provisions.

The haze crisis in 2015 shows unprecedented levels of air pollution that continue to hover between the unhealthy to hazardous range. But no special meetings of the ministers on haze have been convened, although bilateral meetings have taken place among ministers of Indonesia and Malaysia, and Indonesia and Singapore. The haze has also affected President Joko Widodo's attempt to be more hands-on in tackling this issue; his planned visit (in September) to the 'ground zero' areas in Sumatra and Kalimantan had to be cancelled due to the haze causing poor visibility below the legal minimum. Yet, local authorities have been reluctant to declare states of emergency in the affected areas, and seem more concerned with 'looking good' in the upcoming regional elections.

This highlights the political nature of regional responses and the reality that ASEAN countries will be more responsive to their domestic priorities over collective regional interests. ASEAN-wide initiatives have thus had limited success in managing the problem. Consequently, Singapore took the unilateral action in 2014 to enact the Transboundary Haze Pollution bill as an alternative solution. But ASEAN countries, most notably Singapore and Malaysia, have also bolstered their participation in regional initiatives by offering bilateral assistance to Indonesia to support

responses in the affected provinces. Regionally, all ASEAN members are involved in peatland management strategies under the environmental cooperation framework.³

At the time of writing, Indonesia has accepted the offer of help from Singapore (among other countries offering assistance) after earlier refusing overtures from these countries when the haze started spreading westward. It seems that bilateral or sub-regional negotiations between the affected parties may be the way to go. A hitherto unexplored area is to engage civil society organisations (CSOs) more in public awareness and support initiatives. A Singaporean CSO recently travelled to Kalimantan, to offer respiratory masks to the local populace who were suffering the brunt of the haze pollution.⁴ The humanitarian aspect of the haze situation and its nexus with natural disasters is also worth examining, as ASEAN members can consider formally engaging the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre) as a platform to assist the communities in need. To this end, more flexible application of ASEAN's non-interference policy may be necessary, as all offers of assistance are still subject to domestic acceptance on the recipient side.

A significant difference between the haze situations of 1997 and 2015 is the immediacy of information and analysis shared via social media platforms and networks. This, if anything, has the power of nudging policymakers, private enterprises, and people towards practical responses.

What are the key takeaways from this recent haze saga?

- Bilateral and sub-regional responses among the countries most affected/concerned seem to have replaced the convening of special ASEAN ministerial meetings of the past.
- Even as responsibility lies at the national level, the political factor plays an important part in each national government's responsibility to meet its regional commitments, or lack thereof.
- The role of the mass media, especially social media, has become evident in 2015, in providing information and context to the issue.
- Non-governmental organisations may have an important role in monitoring and reporting activities related to environmental degradation; they can also work with local communities to assist these communities cope with the situation.
- The humanitarian assistance role of ASEAN to assist communities at the source of the haze pollution has not yet come into play.

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References

- 1 Estimates calculated some years later placed the total loss at about US\$9 billion.
- 2 The ratification process for the regional haze agreement followed that of the Southeast Asia Nuclear Weapon Free Zone (SEANWFZ) Treaty of 1995, which required 7 ratifications to enter into force. The motivation for a faster timeline for the haze agreement to enter into force was due to concerns by the environment ministers that implementation of the agreement would be delayed if it required all ASEAN members to ratify it.
- 3 The ASEAN Peatland Forests Project funded by the Global Environment Facility (2009-2014), and the EU-funded project on Sustainable Management of Peatland Forests in Southeast Asia.
- 4 At 'ground zero' in Kalimantan, the air pollution level was ten times more than what Singapore or Malaysia experienced on the Pollution Standard Index.

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