



A Survey of ASEAN's Organizational Structure and Decision Making Process for Regional Environmental Cooperation and Recommendations for Potential External Assistance

Institute for Global Environmental Strategies (IGES)

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Mark Elder and Ikuho Miyazawa

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EXECUTIVE SUMMARY

The objective of this paper is to provide a survey of factors influencing ASEAN's decision making process for environmental cooperation by looking at issues relating to the organizational and governance structure of ASEAN. Specifically, this survey will a) outline the current status of ASEAN's environmental activities according to specific areas and countries, b) review the factors influencing ASEAN's decision making process, and c) consider some implications for potential future external assistance to ASEAN's environmental cooperation. This survey is mainly based on interviews with government officials and experts as well as a review of related ASEAN official documents.

This survey found that ASEAN is faced with many institutional, policy-level, and operational challenges, which cause some difficulties in making and implementing decisions. Challenges include complex decision making processes, the infrequency of Working Group (WG) meetings, insufficient resources for administration and logistics for the WGs and the ASEAN Secretariat, insufficient coordination among major stakeholders and national governmental officials, as well as socio-economic and cultural differences among the Asian Member States (AMS). As a result, decision-making in ASEAN is very slow, and decisions have not been implemented well. Overall, the institutional framework of ASEAN environmental cooperation has not been implemented very effectively. The areas with more active implementation are led by a few capable and motivated member states, including biodiversity and environmentally sustainable cities.

The survey found both positive factors and challenges influencing ASEAN's environmental cooperation. Positive factors include: 1) the increasing seriousness of environmental issues; 2) active participation of stakeholders; and 3) the fact that some countries have more experience and capacity, depending on the issue-area, has facilitated decision making since AMS are willing to let more capable and interested countries take the lead. Challenges include: 1) the complex nature of the current framework and insufficient coordination among officials; 2) the tendency of WGs to act as forums for policy discussion and review rather than operational entities; 3) a persistent shortage of human and financial resources in ASEAN Secretariat; and 4) some domestic factors such as opposition to stronger measures by some stakeholders, procedural and positional differences on environmental issues and regional cooperation, and the relatively low priority of the environment in member countries.

Recently, a number of ASEAN Dialogue and External Partner countries have become more active in promoting international environmental cooperation in East Asia, so there is increasing competition for leadership. Four reasons why these partner countries should consider strengthening their efforts on international environmental cooperation with ASEAN are underlined. First, many common environmental issues in East Asia cannot be solved by one country alone, such as climate change, biodiversity, and waste. Second, many ASEAN Dialogue and External Partner countries and their companies operating in ASEAN countries contribute to creating these environmental problems, so they should also contribute to addressing them. Third, addressing environmental problems can provide business opportunities (moving towards a greener economy) which could benefit companies of any country. Finally, regional integration trends in East Asia, potentially leading to an East Asian Community centered on ASEAN, may be strengthening, so it is important to ensure that in this process environmental considerations remain a priority and are not overshadowed by economic considerations.

The conclusion provides some suggestions for ASEAN Dialogue and External Partner countries regarding possible focuses of future environmental cooperation strategy with ASEAN. First, it important to directly approach ASEAN member states and WGs, depending, on the issue-area, in addition to the ASEAN Secretariat (ASEC). Second, strengthening ASEC is indispensable given its serious shortage of staff and financial resources. Third, assistance should be more directly focused on ASEAN's needs. Fourth, the focus should be on issue-areas where specific ASEAN countries are ready to lead concrete action. Fifth, consider shifting further from a project-based approach to a programme-based approach Sixth, involvement of more stakeholders, both in ASEAN's decision-making processes and implementation, may be helpful to address the problems of ASEAN's top-down decision making structure and coordination difficulties between and within countries. Finally, in the long-term, collaboration with research organizations such as the Economic Research Institute for ASEAN and East Asia (ERIA) and Asian Development Bank (ADB) should be enhanced in order to integrate more environmental aspects into their activities.

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DISCLAIMER

Although this work provides recommendations aimed at improving ASEAN's international environmental cooperation strategy, the views and opinions contained within are those of the authors alone, and in no way does it imply the endorsement or acquiescence of the Ministry of Environment or any other government agency in Japan.

ACRONYMS AND ABBREVIATIONS

AANEA	Atmosphere Action Network East Asia
ABF	ASEAN Biodiversity Fund
ACB	ASEAN Centre for Biodiversity
ACC	ASEAN Coordinating Council
ACCI	ASEAN Climate Change Initiative
ACF	ASEAN Cultural Fund
ACPTP	ASEAN Cooperation Plan on Transboundary Pollution
ADB	Asian Development Bank
ADF	ASEAN Development Fund
AEC	ASEAN Economic Community Department
AEGE	ASEAN Experts Group on the Environment
AFTA	ASEAN Free Trade Agreement
AIESC	ASEAN Initiative on Environmentally Sustainable Cities
ALGAS	ASEAN Asian Least-Cost Greenhouse Gas Abatement Strategy
AMM	ASEAN Ministerial Meeting (on Foreign Affairs)
AMME	ASEAN Ministerial Meeting on the Environment
AMMH	ASEAN Ministerial Meeting on Haze
AMS	ASEAN Member States
APEC	Asia-Pacific Economic Cooperation
APMI	ASEAN Peatland Management Initiative
APN	Asia-Pacific Network for Global Change Research
APT	ASEAN Plus Three
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
ASEAN-WEN	ASEAN Wildlife Enforcement Network
ASEC	ASEAN Secretariat
ASEP	ASEAN Environmental Programme
ASOEN	ASEAN Senior Officials on the Environment
ASPEN	ASEAN Strategic Plan of Action on the Environment
ATHP	ASEAN Agreement on Transboundary Haze Pollution
AWGCC	ASEAN Working Group for Climate Change
AWGCME	ASEAN Working Group for Coastal and Marine Environment
AWGEE	ASEAN Working Group for Environmental Education
AWGESC	ASEAN Working Group for Environmentally Sustainable Cities
AWGMEA	ASEAN Working Group for Multilateral Environmental Agreements
AWGNCB	ASEAN Working Group for Nature Conservation and Biodiversity
AWGWRM	ASEAN Working Group for Water Resources Management
BMA	Bangkok Metropolitan Administration
CPR	Committee of Permanent Representatives
CO ₂	Carbon dioxide
COP	Conference of the Parties
COST	ASEAN Committee on Science and Technology
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
DMCs	Developing member countries
EANET	Acid Deposition Monitoring Network in East Asia
EAP-AP	Environment Assessment Programme for Asia and the Pacific
EIA	Environmental Impact Assessment

ESC	Environmentally Sustainable Cities
EST	Environmentally sound technology
ERIA	Economic Research Institute for ASEAN and East Asia
EU	European Union
FP	Focal point
GEF	Global Environment Facility
GEOC	Global Environment Outreach Centre
GMS	Greater Mekong Sub-region
HPA	Hanoi Plan of Action of ASEAN
HTTF	Haze Technical Task Force of ASEAN
IGES	Institute for Global Environmental Strategies
IAMME	Informal ASEAN Ministerial Meeting on the Environment
JAGEF	Japan-ASEAN General Exchange Fund
JAIF	Japan-ASEAN Integration Fund
JETRO	Japan External Trade Organization
JICA	Japan International Cooperation Agency
LRTAP	Long-Range Transboundary Air Pollution
MEA	Multilateral Environmental Agreement
MNRE	Ministry of Natural Resources and Environment (Thailand)
MRC	Mekong River Commission
MOEJ	Ministry of the Environment, Japan
MOFA	Ministry of Foreign Affairs (Japan)
MSC	Sub-Regional Ministerial Steering Committee
NEASPEC	North-East Asian Subregional Programme of Environmental Cooperation
NGO	Non-governmental Organization
NOWPAP	Northwest Pacific Action Plan
ODA	Official Development Assistance
OECD	Organization for Economic Cooperation and Development
PBA	Programme-based approach
PEMSEA	Partnership in Environmental Management for the Seas of East Asia
RHPA	Regional Haze Action Plan of ASEAN
SAARC	South Asian Association for Regional Cooperation
SACEP	South Asia Co-operative Environment Programme
SDG	Sustainable Development Goals
SEANWFZ	Southeast Asia Nuclear-Weapon-Free Zone Treaty
TEMM	Tripartite Environment Ministers Meeting (ROK, China, and Japan)
TOR	Terms of Reference
UNCSD	United Nations Commission on Sustainable Development
UNCED	United Nations Conference on Environment and Development
UN/ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNEP/EAP-AP	United Nations Environment Programme Environment Assessment Programme for Asia and the Pacific
UNEP/ROAP	United Nations Environment Programme Regional Office of Asia and Pacific
UNU	United Nations University
WG	Working Group
ZOPFAN	Zone of Peace, Freedom and Neutrality

1. INTRODUCTION

The rapid economic development of ASEAN countries has been accompanied by a range of corresponding environmental problems. The ASEAN Community Blueprint aims to strengthen economic cooperation and integration among the ASEAN countries while also addressing the related social, environmental, and other issues. ASEAN's environmental cooperation also aims at strengthening its contribution to addressing global environmental problems through participation in multilateral environmental agreements (MEAs). However, there has been insufficient capacity to address these environmental problems in both ASEAN as an international organization as well as in individual ASEAN member states. ASEAN Dialogue and External Partner countries have tried to assist ASEAN and its member countries in various ways in the environmental field. Nevertheless, the effectiveness of ASEAN's environmental cooperation efforts as an international organization has been rather limited. This may be partly related to ASEAN's decision making process and organizational structure, not only in terms of how decisions are made and implemented, but how ASEAN Dialogue and External Partner countries approach ASEAN and frame their proposals.

This report aims to survey ASEAN's decision making process for environmental cooperation, particularly focusing on the organizational and governance structure of ASEAN, including some of the factors influencing it. Based on this survey, the report draws some implications and makes some suggestions for ASEAN Dialogue and External Partner countries regarding how the effectiveness of potential future environmental cooperation with ASEAN could be enhanced. This survey is mainly based on interviews with relevant government officials and experts as well as a review of key official documents from ASEAN.

Most existing studies of ASEAN's cooperation on the environment focus on the broader international relations context (Koh and Robinson 2002, Elliott 2003, Aggarwal and Chow 2010, Elliott 2012) or international law aspects (Koh 2009, 2013), specific issue areas such as the ASEAN Haze Agreement (Nguitragool 2011, Cotton 1999) or climate change (Letchumanan 2010, Koh and Bhullar 2011), or broader comparisons with Europe (Murray 2010, Usui 2007). As far as the authors are aware, there are few studies which focus on the specific elements of ASEAN's organizational structure and decision making process across a broad range of environmental issues addressed by ASEAN.

It is generally agreed that the organizational structure and governance of ASEAN environmental cooperation has developed steadily since its inception, and that ASEAN is now playing an increasingly important role in both planning and implementation of environmental cooperation in the region. ASEAN's activities are based on the Roadmap for an ASEAN Community 2009-2015 (Roadmap hereafter), in particular the ASEAN Socio-Cultural Community Blueprint

(Blueprint hereafter), and the focus of ASEAN's environmental cooperation is on implementing proposed activities stated in the Blueprint.

ASEAN's organizational structure relating to the environment is fragmented into various levels of decision making and institutional framework such as the ASEAN Secretariat, ASEAN Senior Officials on the Environment (ASOEN), ASEAN Ministerial Meeting on Environment (AMME), and 7 Working Groups (WGs). The ASEAN Secretariat mainly plays a role in coordinating inter-sectoral issues and activities, while ASOEN and AMME serve as platforms to endorse concrete activities. The seven Working Groups on the Environment are the only implementing groups in ASEAN for environmental issues. It is notable that the ASEAN countries have collectively developed the current organizational structure and deepened cooperative efforts within ASEAN despite the large political, socio-economic, and cultural differences among member countries. However, challenges to collective action still remain, including a shortage of finances and the slow progress of implementation constrained by the weak coordination and continued emphasis on the application of the principles of state sovereignty and non-interference in internal affairs, the so-called "ASEAN Way."

This paper recommends that when other countries consider cooperating with ASEAN in environmental areas, it is important to directly approach ASEAN member states and WGs, depending on the specific issue-area, in addition to working with the ASEAN Secretariat. Working only through the ASEAN Secretariat is likely to be insufficient, because it is the governments which have to make the decisions and provide the necessary resources to take action. To be sure, this report does not promote a general bilateral approach over a multilateral approach, but rather that bilateral cooperation with key countries is important in order to advance multilateral cooperation with ASEAN.

Recently, many ASEAN Dialogue and External Partner countries have become more active in promoting international environmental cooperation with ASEAN, including other Asian countries such as Japan, China, and South Korea, as well as other developed countries in Europe and North America. Therefore, there is increasing competition for leadership in this field. There are at least four reasons why ASEAN Dialogue and External Partner countries should consider strengthening their efforts regarding international environmental cooperation with ASEAN. First, there are various common environmental issues in East Asia that cannot be solved by one country alone, such as climate change, biodiversity, and waste. Second, some ASEAN Dialogue and External Partner countries, including their companies operating within ASEAN countries, contribute to the creation of these common environmental problems, so they should also contribute to addressing these problems. Third, efforts to address these environmental problems can provide business opportunities (part of the movement towards a greener economy) which could be taken advantage of by the companies of any country, so it is important for more countries to be involved in promoting related international

environmental cooperation so that these opportunities develop in a cooperative manner. Finally, in light of the trend of strengthening of international cooperation and economic integration in East Asia, potentially leading to the creation of an East Asian Community organized around ASEAN, it is important to ensure that in this process environmental considerations remain a priority and are not overshadowed by economic considerations. Alternatively, the leading issue of regional integration could be environment rather than economics or trade.

This report is organized as follows. First, it provides a brief overview of ASEAN's organizational structure, governance, and decision making processes for environmental cooperation. Second, it presents the findings regarding the status of ASEAN's environmental activities in the significant issue-areas, such as transboundary haze, coastal and marine environmental management, Multilateral Environmental Agreements (MEAs) and others. Third, it reviews some of the factors influencing the decision making process and level of implementation of ASEAN environmental cooperation, especially regarding the roles and functions of ASEAN Member States (AMS), Working Groups (WG), ASEAN Secretariat (ASEC), and others. Finally, it considers implications for ASEAN Dialogue and External Partner countries' strategies for environmental cooperation with ASEAN.

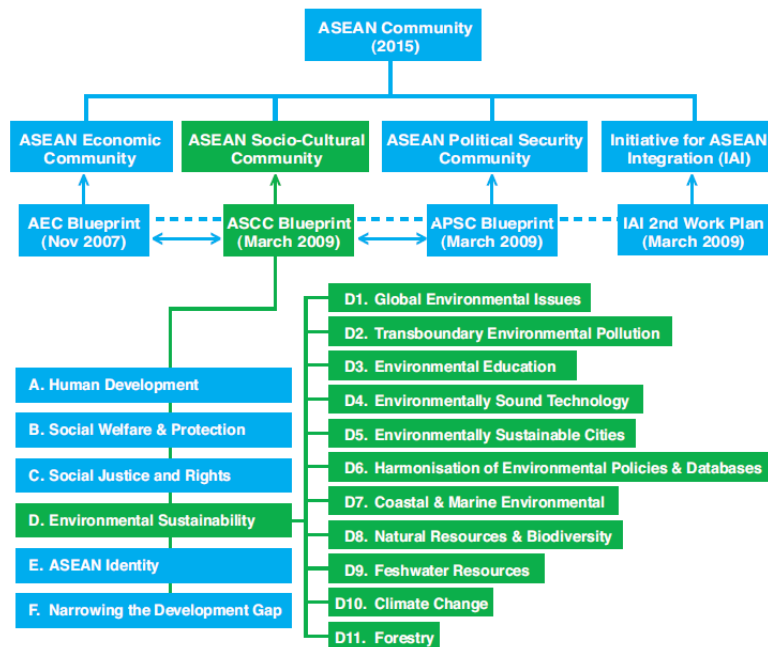
2. ORGANIZATIONAL STRUCTURE AND DECISION MAKING

2.1. ASEAN Socio-Cultural Community Blueprint’s Environmental Cooperation Priority Areas

As stated in the Fourth ASEAN State of the Environment Report 2009, ASEAN aims to becoming an environmentally-sustainable ASEAN Community by effectively adapting to ever changing circumstances and improving the region’s environmental sustainability. ASEAN has firmly committed to establish a “Green ASEAN” since the celebration of 2009 ASEAN Day by addressing the following three challenges: (i) building an environmentally sustainable clean and green ASEAN Community, (ii) transforming the “green shoots” of growth following the 2008 global financial crisis into an economically resilient ASEAN anchored upon green growth, and (iii) nurturing the new ASEAN to be a people-centered organization respecting and living in harmony with nature.¹

To achieve the “Green ASEAN,” ASEAN adopted the ASEAN Socio-Cultural Community Blueprint, which established environmental sustainability as one of its key pillars and set the 11 priority areas as shown in Figure 1.²

Figure 1: Environmental Cooperation in the ASEAN SCC Blueprint³



¹ ASEAN 2009a, pp. 121-122.

² ASEAN adopted the Economic Community Blueprint at the 13th ASEAN Summit in 2007, as well as the ASEAN Political-Security Community Blueprint, the ASEAN SCC Blueprint, and the Second Initiative for ASEAN Integration (IAI) Work Plan at the ASEAN Summit in 2009. The Roadmap for an ASEAN Community: 2009-2015 was also adopted in 2009 to replace the Vientiane Action Programme and consists of the above four documents.

³ ASEAN 2009a, p. 121.

The Blueprint clearly states strategic objectives and actions to be taken to achieve the goals under each priority area. ASEAN member states have committed to implement various concrete activities by 2015. Overall, the environmental content of the Blueprint signals the intention of ASEAN member states to strengthen the region's community-building process based upon the principles of equity and public participation. This could be a significant change from the traditional principles emphasized in the economic and security cooperation mechanisms, such as informal elite-oriented decision making. The Blueprint also emphasizes climate change, including both mitigation and adaptation measures, as well as food and energy security in response to both the global financial crisis and climate change pressures. The text reflects the actual needs and the environmental conditions of the ASEAN region and calls for cooperation outside the region by identifying broader and common problems of sustainable development policies. However, it is not clear to what extent the Blueprint will be implemented given its non-binding nature and the wide diversity in the political, economic, and socio-cultural characteristics of ASEAN member states.

2.2. ASEAN'S Institutional Framework for Environmental Cooperation

ASEAN has developed and committed to work within the ASEAN organizational structure set by the ASEAN Charter in order to better coordinate, enhance and streamline the work of the various sectoral bodies.⁴ ASEAN's institutional framework for environmental cooperation is shown in Figure 2. The ASEAN Summit is the supreme policy-making body of ASEAN, where the ASEAN leaders provide the vision and broad direction for cooperation in various sectors. It meets twice a year in addition to having special or ad-hoc meetings. A newly constituted ASEAN Coordinating Council comprising the ASEAN Foreign Ministers, among others, coordinates with the ASEAN Community Councils to enhance policy coherence, efficiency and cooperation.⁵ Each of the three Communities has an ASEAN Community Council which, among other things, ensures the implementation of the relevant decisions of the ASEAN Summit, coordinates the work of the different sectors under its purview and on issues which cut across the other Community Councils, and also oversees the work of the ASEAN Environment Ministers.⁶

The ASEAN Environment Ministers are mainly responsible for policy and strategic matters related to the environment, and they have a mandate to make decisions. The Environment Ministers meet on a formal basis once every three years, and since 1994, they have also been meeting on an informal basis annually.⁷ The ASOEN meeting is held annually and supports the

⁴ ASEAN 2007.

⁵ ASEAN 2009a, pp. 121-122.

⁶ *Ibid.*

⁷ *Ibid.*

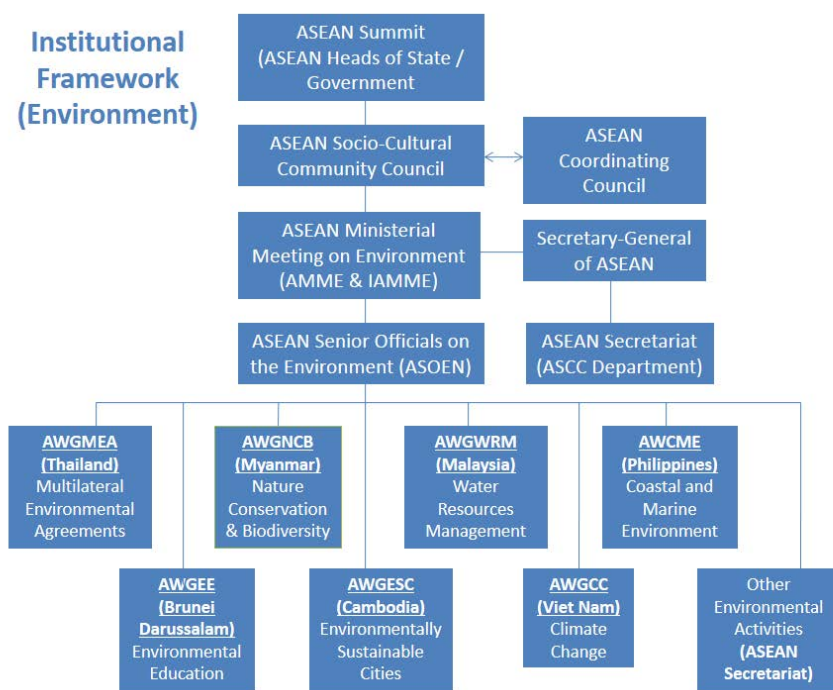
ASEAN Environment Ministers Meeting in terms of formulation, implementation and monitoring of regional programmes and activities. It also considers the reports of its Working Groups, which also meet annually, and provides operational policy guidance on the various environmental programmes being implemented.

There are seven Working Groups, namely:

- (1) ASEAN Working Group on Coastal and Marine Environment (AWGCME)
- (2) ASEAN Working Group on Environmental Education (AWGEE)
- (3) ASEAN Working Group on Environmentally Sustainable Cities (AWGESC)
- (4) ASEAN Working Group on Multilateral Environmental Agreements (AWGMEA)
- (5) ASEAN Working Group on Nature Conservation and Biodiversity (AWGNCB)
- (6) ASEAN Working Group on Water Resources Management (AWGWRM)
- (7) ASEAN Working Group on Climate Change (AWGCC).

These WGs are composed of national focal points who are in charge of, or responsible for national coordination of each issue-area. Focal points have been established in each of these areas to promote implementation at the national level and facilitate exchange of information. The mandate of the ASEAN Secretariat is to coordinate and report to ASOEN on all other activities that do not fall within the purview of the respective working groups, such as promoting environmentally sound technology and harmonizing environmental policies and databases.⁸

Figure 2: ASEAN Institutional Framework for Environmental Cooperation⁹



⁸ *Ibid.*

⁹ ASEAN website: <http://environment.asean.org/about-us-2/>

The ASEAN Environment Ministers Meeting also serves as the meeting of the Conference of the Parties (COP) of the ASEAN Agreement on Transboundary Haze Pollution (Haze Agreement), so it is responsible for the Agreement's implementation. In addition, considering the different circumstances and weather patterns in the southern ASEAN and Mekong regions, sub-regional institutional frameworks have been established, including the Sub-Regional Ministerial Steering Committee (MSC) on Transboundary Haze Pollution where Environment Ministers from Brunei Darussalam, Indonesia, Malaysia, Singapore and Thailand meet regularly to undertake activities for the sub-region.¹⁰ The MSC is supported by a Technical Working Group comprising senior officials.

The following describes characteristics of the different levels of decision making processes in ASEAN regarding environmental cooperation. Some of the strengths and challenges found through interviews also will be discussed.

2.2.1. Working Groups

The main responsibility of the working groups is to promote and enhance cooperation among ASEAN member states in implementing the ASEAN SCC Blueprint, according to their terms of reference. This includes capacity building, sharing information, and reviewing regional activities etc.¹¹

¹⁰ *Ibid.*

¹¹ Koh Kheng-Lian, 2009. pp. 1067-1071.

Table 1 shows the lead/chair countries for the priority areas of environmental cooperation within ASEAN. The lead countries for each priority area serve as the chair of the corresponding WGs. The chair's term is 3 years, based on a voluntary candidacy. The lead country must be agreed by the other member states. Rotation of chair countries occurred in 2010 and 2013, and the lead countries as of 2014 were endorsed at the 24th ASOEN held in Jakarta, Indonesia, 28-30 August 2013, after the ASEAN Secretariat's reviews of the last term's WG activities.

Priority Areas for Regional Cooperation	Lead Country/Chairperson			Subsidiary Body of ASOEN
	Aug.2008 -Jul. 2010	Aug. 2010 -Jul. 2013	Aug. 2013 - present	
D1 Addressing global environmental issues (focus on MEAs)	Thailand	Viet Nam	Thailand	AWGMEA
D2 Transboundary environmental pollution	N/A*	N/A*	N/A*	-
D3 Promoting sustainable development through environmental education and public participation	Brunei Darussalam	Brunei Darussalam	Brunei Darussalam	AWGEE
D4 Promoting environmentally sound technology	Malaysia	Malaysia	Indonesia	-
D5 Promoting quality living standards in ASEAN cities/urban areas	Indonesia	Indonesia	Cambodia	AWGESC
D6 Harmonizing environmental policies and databases	ASEAN Secretariat	ASEAN Secretariat	ASEAN Secretariat	ASEAN Secretariat
D7 Promoting the sustainable use of coastal and marine environment	Vietnam	Philippines	Philippines	AWGCME
D8 Promoting sustainable management of natural resources and biodiversity	Thailand	Myanmar	Myanmar	AWGNCB
D9 Promoting sustainability of freshwater resources	Philippines	Singapore	Malaysia	AWGWRM
D10 Responding to climate change and addressing its impacts	Thailand	Thailand	Vietnam	AWGCC
- Sustainable consumption and production	N/A	N/A	Indonesia	-
D11 Promoting sustainable forest management	Singapore	Singapore	Singapore	Technical WG for MSC

Table 1: Lead Countries/Chairs for the Priority Areas of Cooperation on Environment¹²

* Separate mechanism under ASEAN Agreement on Transboundary Haze Pollution (AATHP).

ASEAN working groups on the environment meet annually to discuss policies and implementation methodologies in each specific issue-area. However, it seems that the responsibility

¹² ASEAN Website: <http://environment.asean.org/about-us-2/>. Authors added information on the previous changes in lead countries/Chair before 2010.

of these WGs does not include supervising and monitoring national implementation.¹³ Many interviewees explained that the activities of the WGs are limited to policy discussions and endorsement of the new proposals or activities, due to the limited number of meetings (one a year) and the organizational structure of WGs in which generally only the national representatives (so-called focal points), whose role is to coordinate issue-relevant divisions and local stakeholders within the national governments, attend the meetings. Sometimes, the person attending the meeting is not even the person who is the focal point, but instead could be an official from a member state's embassy in the particular country where the meeting venue is located, in which case they may not be very knowledgeable about the issues being discussed. In some cases, representatives from outside organizations such as research institutes and universities are assigned as delegates from the member states to WGs meetings. These persons may have more specialized knowledge, but they cannot necessarily speak on behalf of their governments. Moreover, if the countries' representatives at the meetings change frequently, then it becomes difficult for the WG to follow issues consistently. The infrequent meeting schedule also makes communication among focal points difficult, while the occasional absence of national government officials at the meetings worsens information gaps between delegates who attended the meetings and other national government officials. Finally, difficulties in coordination between the WGs and national governments are a serious problem, which is made worse by this organizational structure.

As mentioned above, the selection of lead countries to chair the WGs is based on voluntary nomination, which allows any member state to become a lead country for a WG, and thus it enables member states to focus on areas where they have stronger national interests. For instance, Singapore has been very active on Eco-cities, so it became the first lead country/chairperson in AWGESC in order to have larger influence on climate change. In AWGESC, Singapore pushed forward its initiatives and contributed the resources in advance to have demonstration effect.¹⁴ Indonesia took over the chairmanship of AWGESC from Singapore and has actively promoted its activities because the government of Indonesia has allocated sufficient personnel and funds to support the chairperson. Indonesia also has long history of experience in promoting environmentally sustainable cities domestically, so it desired to share this experience to ASEAN by continuing to act as the lead country of AWGESC for two terms.¹⁵ Singapore became the lead country of AWGWRM in 2010 given its responsibility as a chair of the Governing Council of the Asia-Pacific Water Forum and due to the increasing challenge of securing water resources in the nation.¹⁶ Indonesia's proposal to establish an ASEAN Forum on Sustainable Consumption and Production was acknowledged by the

¹³ Koh Kheng-Lian, 2009. pp. 1067-1071.

¹⁴ Interview with Prof. Koh Kheng Lian, Emeritus Professor, Faculty of Law, National University of Singapore, Director, Asia-Pacific Centre for Environmental Law, Singapore, 20 July 2010.

¹⁵ ASEAN 2009a, pp. 121-122.

¹⁶ Interview with Wendy Yap Hwee Min, Assistant Director (International Relations), National Biodiversity Center, Kuala Lumpur, Malaysia, 22 July 2010.

ASEAN Environmental Ministers in September 2013, and its secretariat role was taken by UNEP.

ASEAN member states also often allow lead countries to continue chairing particular working groups for multiple terms because it is thought that this role should be played by countries with sufficient experience and resources, and because other countries are often not willing or able to shoulder the burden. Resources are often contributed by the lead country.¹⁷ In case of the Technical WG of the Sub-Regional Ministerial Steering Committee (MSC), Singapore has continuously served as a lead country since the National Environmental Agency of Singapore operates the ASEAN Specialized Meteorological Centre (ASMC), which provides operational and regularly updated information and products on the weather and smoke haze situation in the ASEAN region.¹⁸

Less active WGs are usually characterized by insufficient capacity of the chair country to manage coordination. For example, in one case, an interviewee said that due to the lack of capacity in terms of available resources and knowledge about the management of proposal making procedures, the lead country often circulated the agenda and proposals to be discussed at the meeting right before the annual meeting date, so other countries had no time to consider and consult with other national governmental officials, so they were unable to comment on the proposal. When this kind of situation happens, other AMS often use “delaying tactics” to bring the discussion back to the national level, but there is never any response and discussion stops.¹⁹

The chair also plays an important role in providing direction to the WGs and guiding effective discussion of policies and activities. One benefit of serving as WG chair, according to some of the interviewees, is that it allows them to propose initiatives and coordinate many programs across issue-areas and encourage other countries. In particular, Liana Bratasida, the former Indonesian chairperson of AWGESC, felt that the role of chair was very encouraging and motivated her to take the lead.²⁰ Currently, the ASEAN Secretariat provides the lead countries with terms of reference (TOR), which indicate the minimum tasks to be taken by the lead countries, such as organizing and coordinating annual meetings. Yet, there is no evaluation mechanism for either the lead countries or WGs at the end of chairman’s term or at the end of the year. Liana Bratasida also stated: “it would give more motivation to actively propose new initiatives and move forward if a performance evaluation system were available. Otherwise, WGs just keep the same agenda in the same way.”²¹ Since discussions in ASEAN move very slowly, and chairs cannot receive feedback regarding their own strengths and weaknesses through performance evaluation, the chairman’s initial high expectations become lower, and then the whole performance of WGs becomes even more sluggish.

Furthermore, weak coordination between FPs and national governmental officials has been

¹⁷ *Ibid.*

¹⁸ Interview with (anonymous) officials in ASEAN Secretariat, Jakarta, Indonesia, 6 October 2010.

¹⁹ Interview with Wendy Yap Hwee Min.

²⁰ Interview with Liana Bratasida, Assistant Minister, Global Environmental Affairs and International Cooperation, Ministry of Environment, Republic of Indonesia, at 8th AWGESC at Kuala Lumpur, Malaysia, 5 August 2010.

²¹ *Ibid.*

a serious problem, inhibiting the ability of AMS to utilize WGs as an effective venue to promote environmental cooperation in ASEAN. Since most FPs come from environmental ministries or their equivalent, they mainly communicate with relevant divisions within these ministries depending on the issue. However, due to lack of personnel and budget, the discussions in the WGs or ASOEN are not translated into national languages, so despite FP's efforts to circulate the meeting materials, they are often not read by other officials in the national governments. Thus, the relevant divisions in the national governments have serious difficulties in understanding the ideas discussed at the regional level. This problem is even more severe for local governments. Also, a simple lack of capacity for data storage and collection inhibit better institutionalization of knowledge in addition to the fact that internal rotation of personnel is often very frequent.

2.2.2. ASEAN Senior Officials on the Environment (ASOEN)

ASEAN cooperation on the environment started in 1978 with the establishment of the ASEAN Expert Group on the Environment (AEGE) under the ASEAN Committee on Science and Technology (COST). AEGE was elevated in 1989 to become the ASEAN Senior Officials on the Environment (ASOEN).²²

ASOEN meets once a year to consider the reports of its Working Groups, and provides operational policy guidance on the various environmental programmes being implemented. As of September 2014, ASOEN has met 25 times with the latest meeting held in Vientiane, Lao PDR in August 2014. As a matter of procedure, the reports of the ASOEN meetings are adopted by the ASEAN Standing Committee, which in turn reports to the ASEAN Ministerial Meeting (AMM) comprising the ASEAN Foreign Ministers.²³ The ASOEN has supported the process of creating multi-stakeholder mechanisms, in particular an ASEAN Civil Society Organizations Forum on Environmental Protection and Sustainable Development, to ensure regular, sustained, and more structured engagement among CSOs and ASEAN bodies.²⁴ The ASEAN Secretariat has assisted in convening the first meeting of the proposed CSO Forum which laid the basic groundwork for establishing the Forum and remains committed to follow through on the initiative.²⁵

Delegates of AMS review policies and proposals discussed in the WGs and endorse them. ASOEN does not develop policies or proposals on its own, but makes core decisions on what has been discussed and endorsed by the WGs, then, the decision made in ASOEN will be reported to Environmental Ministers of AMS to gain final endorsement and approval.²⁶ Thus, ASOEN is the most important opportunity to make decisions. For instance, the changes in the chairmen of the WGs

²² Sunchindah 1998.

²³ *Ibid.*

²⁴ ASEAN 2009a, p. 142.

²⁵ Interview with (anonymous) officials in the ASEAN Secretariat.

²⁶ *Ibid.*

were approved at the 24th ASOEN held in August 2013 in Jakarta.

2.2.3. ASEAN Ministerial Meeting on Environment (AMME)

To promote ASEAN cooperation and ensure that the decisions of the Heads of Government relating to environment are carried out, the ASEAN Environment Ministers have met regularly at least once every 3 years since 1981.²⁷ As of September 2014, the ASEAN Environment Ministers have met 12 times. The most recent ASEAN Ministerial Meeting on the Environment (AMME) was held on 26 September 2012 in Thailand. In between the normal 3-year intervals for the formal AMME, informal meetings of the ASEAN Environment Ministers have been held almost every year since 1994.²⁸ The 14th informal AMME was held jointly with the 9th Meeting of the Conference of Parties (COP-9) to the ASEAN Agreement on Transboundary Haze Pollution on 25 September 2013 in Indonesia.²⁹

The role of AMME is to review the decisions endorsed by ASOEN and WGs and give final approval.³⁰ Thus, it is not a forum for intensive discussions, but rather it is the symbolic platform to officially approve initiatives.

2.3. ASEAN Secretariat

The ASEAN Secretariat is headed by the Secretary-General. Its staff assists all these institutional bodies, including national governments of member countries, ASEAN bodies, ASEAN Dialogue Partners, and other international organizations.³¹ In particular, the ASEAN Secretariat acts as a resource base, provides advice and information, coordinates the implementation of regional activities and programmes, and provides support services for the meetings of the ASEAN bodies.³²

The Environment Division under the ASEAN Socio-Cultural Community Department has the main responsibility for environmental issues among the 10 priority areas in the Blueprint, except forest-related issues, which are under the jurisdiction of the ASEAN Economic Community Department (AEC). The ASEAN Secretariat especially handles issue-areas with no working groups, such as promoting environmentally sound technology (EST), harmonizing environmental policies, and maintaining databases. Regarding EST, Malaysia as a former lead country has started several initiatives such as hosting the ASEAN Network on EST, and these initiatives and several related

²⁷ Sunchindah1998.

²⁸ *Ibid.*

²⁹ ASEAN website:

<http://www.asean.org/news/asean-secretariat-news/item/14th-informal-asean-ministerial-meeting-on-the-environment-and-9th-meeting-of-the-conference-of-the-parties-to-the-asean-agreement-on-transboundary-haze-pollution>

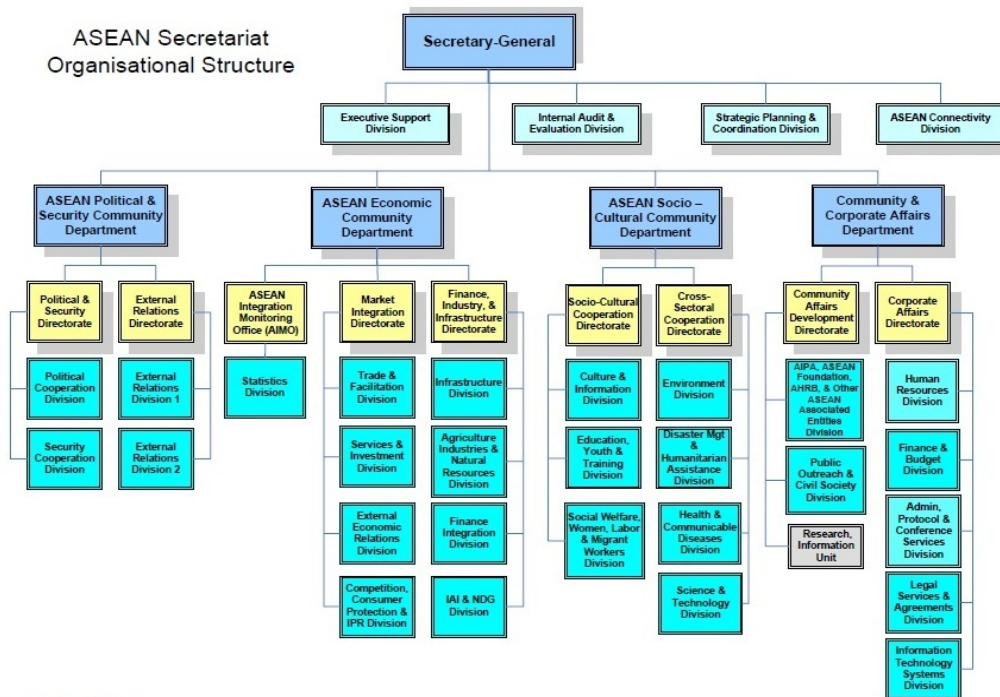
³⁰ Interview with (anonymous) officials in the ASEAN Secretariat.

³¹ ASEAN 2007, p. 16.

³² ASEAN 2009a, p. 142.

studies have been continuously conducted by the succeeding lead country, Indonesia, with support of the ASEAN Secretariat.³³ Regarding harmonizing environmental policies and maintaining databases, although the ASEAN Secretariat has emphasized the need to do these things, the current procedure to request member states to provide necessary country data has not been improved, and collection of statistics continues to be difficult.³⁴

Figure 3: Organizational Structure of the ASEAN Secretariat³⁵



2.3.1. Resources

The ASEAN Secretariat is well-known for insufficient human and financial resources. This is especially a problem in the environmental sector. As of 2010, the Environmental Division staff included the head of the division, 4 core staff, a senior officer and other technical assistants (TA) one of which was the IT officer. For recruitment, senior positions such as the director and senior officers are open to people from all ASEAN member countries. TA and others are local staff, usually with one-year contracts which can be extended.³⁶

³³ *Ibid.* p. 131.

³⁴ Interview with (anonymous) officials in the ASEAN Secretariat.

³⁵ ASEAN website: <http://www.asean.org/asean/asean-secretariat/organisational-structure>

³⁶ *Ibid.*

Regarding finances, it is often difficult to obtain official data on the current budget of the Secretariat. According to Severino (2010), the ASEAN Secretariat's annual budget dramatically increased from \$127,105 in FY1981 to \$14.3 million in FY2009.³⁷ The ASEAN Budget Committee decides the budget allocation. The chair of the Budget Committee rotates in alphabetical order at 3 year intervals. The main funding sources for the ASEAN Secretariat are the ASEAN Development Fund (ADF)³⁸ and the ASEAN Cultural Fund (ACF). According to the TOR of the ADF, each member state contributes \$ 1 million initially, separate from its contributions to the ASEAN Secretariat. The ACF, which is in the custody of the ASEC and administered by ASEAN, also consists of contributions from member states and external donors. The core budget of the ASEAN Secretariat is only for coordinating and organizing meetings, which limits its capacity to develop activities for the above mentioned two areas.

2.3.2. Decision Making Process

Decision making for environmental activities under ASEAN follows the basic principles of consultation and consensus as underlined in Chapter VII, Article 20 of the ASEAN Charter.³⁹ Decision making can be divided into two parts: policy-making and implementation. Top level meetings such as AMME and ASOEN focus on the overall direction of the environmental cooperation within ASEAN, and they also decide on the project proposals reported by the WGs. In contrast, WGs mainly discuss the proposals or progress of individual projects or programmes and report to ASOEN.

At the policy-making level, AMME has the final decision making power followed by ASOEN. The Environmental Division of ASEC reports results of the WGs' meetings to ASOEN, and ASOEN reports them to the ASEAN Committee of Permanent Representatives (CPR), ASEAN Coordinating Council (ACC), and the Ministers. Politically-sensitive proposals are sometimes rejected by ASOEN/relevant divisions, including issues related to the South China Sea, but environment-related proposals are usually not rejected.⁴⁰ The CPR was established by the ASEAN Charter and is actively coordinating the core business of ASEAN, including the implementation of the Charter and the three Blueprints. The CPR works with the ASEC in undertaking these roles as well as supporting it by ensuring that the ASEC has adequate financial and human resources, effective human resource and administration procedures and practices, and efficient finance and

³⁷ Severino 2010.

³⁸ In trust to the ASEAN Secretariat. Use of ADF is based on the two-yearly programmes approved by the ASEAN Standing Committee (ASC) in ASEC. ASC consists of ASEAN Secretary-General and heads of CPR from member states.

³⁹ ASEAN 2007, p. 22.

⁴⁰ Interview with (anonymous) officials in ASEAN Secretariat.

budget systems.⁴¹ CPR has regular meetings with ASEC, although not necessarily specifically with the Environment Division. Normally, the meetings with the CPR are held 3 – 4 times per month.⁴²

At the implementation level, the Environment Division of ASEC usually circulates proposals among relevant divisions, particularly the Agriculture Industries & Natural Resources Division and Trade and Facilitation Divisions under the AEC Department. According to the ASEAN Secretariat, it usually takes 2-3 weeks to complete the circulation of a proposal.⁴³ For urgent matters, the Environment Division holds meetings with other divisions. When assessing a proposal, a unit or division conducts a peer-review assessment, inviting comments from other divisions. The Environmental Division also contacts national focal points of WGs. For administrative matters such as deciding on dates and participants of the meetings, they normally give a deadline more or less 1 month before the meeting takes place.⁴⁴ This is because some countries need about 1 month to process or apply for visas. For comments on proposals, about 10 days – 2 weeks are allowed. The Environment Division usually also informs focal points that if no comments are received by the deadline, then the proposal is assumed to be endorsed on ad-referendum basis. A reminder of this point is usually sent within 3-4 days before the deadline.⁴⁵

Overall, ASEC is constantly faced with a shortage of human and financial resources, and this is even more severe in Environment Division compared to others, for example the Trade & Facilitation Division. Internal decision making processes are very complex, so approval of one proposal typically takes nearly a year. This also reflects the continued low prioritization of environment compared to other areas, even though over time ASEAN has steadily but gradually taken up the environment as a serious issue and has come to understand the need for collective action. Coordination between the Environment Division and national focal points has tended to focus on administrative rather than substantive, matters. However, former ASEC officials and some other interviewees were surprised to learn that the Environment Division has increased the number of staff members and is managing so many more meetings compared to the past.⁴⁶

⁴¹ Suzuki 2010, pp. 66-67.

⁴² Interviews with (anonymous) officials in ASEAN Secretariat.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ Interviews with

- Naoyuki Sakumoto, Director in Charge of Administrative Affairs, Administrative Affairs Department, Japan External Trade Organization (JETRO), Tokyo, Japan, 10 November 2010.
- (Anonymous) a former official in the ASEAN Secretariat, Jakarta, Indonesia, 7 October, 2010.
- Moe Thuzar, Visiting Research Fellow, ASEAN Studies Centre, Institute of Southeast Asian Studies, Singapore, 20 July 2010.
- Wendy Yap Hwee Min.

3. ANALYSIS BY ISSUE-AREAS

This section examines the current status of ASEAN environment-related activities in a few major issue-areas which are considered more active than others, and are generally considered to have achieved a certain level of success: transboundary haze pollution, coastal and marine management, multilateral environmental agreements, natural resources management/biodiversity, environmentally sustainable cities, environmental education, and climate change. Although The Mid-Term Review (MTR) of the Implementation of the ASCC Blueprint, adopted in October 2013, indicated that overall performance on environment is satisfactory, however there is still a considerable amount of work to be done towards 2015.⁴⁷ This section discusses the level of commitment, motivation, and implementation by WGs and other different decision making levels, achievements and challenges in these areas, and some of the factors influencing the decisions and degree of implementation, and some implications for other issue areas.

3.1. Transboundary Haze Pollution

3.1.1. Commitments made in the Blueprint⁴⁸

Strategic Objectives	Implement measures and enhance international and regional cooperation to combat transboundary environmental pollution through, among others, capacity building, enhancing public awareness, strengthening law enforcement, promoting environmentally sustainable practices as well as implement the ASEAN Agreement on Transboundary Haze Pollution. ⁴⁹
Actions	<ol style="list-style-type: none">i. Operationalise the ASEAN Agreement on Transboundary Haze Pollution through the implementation of concrete preventive, monitoring and mitigation measures and to initiate the process of developing protocols for the implementation and operationalisation of the Agreement;ii. Develop mutually beneficial cooperation amongst ASEAN Member States that acknowledge each country's laws, rules, regulations, and national policies, whether it is multilateral or bilateral cooperation, which put more focus on prevention activities;iii. Operationalise the ASEAN Coordinating Centre for Transboundary Haze

⁴⁷ ASEAN, 2014g. The MTR report was developed based on a provision in the ASCC Blueprint. The MTR Working Group was established in June 2013 and conducted regional and national level assessments based on data collection from primary documents and interviews.

⁴⁸ ASEAN 2009c, pp.80-81.

⁴⁹ Signed in 2002, the ASEAN Agreement on Transboundary Haze Pollution (ATHP) entered into force in 2003 with the signatories being Singapore, Malaysia, Myanmar, Brunei, Vietnam, Thailand and Laos. The Agreement provides for monitoring, assessment and prevention, technical cooperation and scientific research, mechanisms for coordination, and established the ASEAN Coordinating Centre for Transboundary Haze Pollution Control. The Agreement required the acceptance of six states as a condition for entry into force. See ASEAN Agreement on Transboundary Haze Pollution, June 10, 2002, available at http://www.aseansec.org/agr_haze.pdf (accessed Nov. 27, 2010). In 2014, Indonesia's parliament decided to ratify the Agreement.

	<p>Pollution Control to facilitate cooperation and coordination, including joint emergency response among Member States;</p> <p>iv. Secure funds for the ASEAN Transboundary Haze Pollution Control Fund, with voluntary contributions from the Parties, and in cooperation with ASEAN partners to provide additional resources for the effective implementation of the ASEAN Agreement on Transboundary Haze Pollution; and</p> <p>v. Control and monitor land and forest fire occurrence in the region and promote the sustainable management of peatlands in the ASEAN region to reduce risk of fire and associated transboundary haze pollution through the implementation of the ASEAN Peatland Management Initiative (APMI) by the year 2015.</p>
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3.1.2. Achievements and Challenges

Some of the strengths and weaknesses of the ASEAN way of environmental governance are illustrated in ASEAN's efforts to address the Indonesian haze (fires caused by clearing lands, including peatlands, for oil palm plantations and agriculture). ASEAN has made some degree of progress including the adoption of the ASEAN Agreement on Transboundary Haze Pollution (ATHP), yet it is still faced with many challenges and constraints in order to implement the Blueprint.

After the severe fires and transboundary haze pollution of 1997, AMS have undertaken enhanced joint efforts in monitoring, preventing and mitigating transboundary haze pollution, based on the Regional Haze Action Plan and the ASEAN Agreement on Transboundary Haze which entered into force in 2003. ASEAN continued to implement concerted and focused on-the-ground actions to tackle the smoke haze problem through the ASEAN Agreement on Transboundary Haze Pollution. Substantial progress has been made in the implementation of the Agreement, including:⁵⁰

- Establishment of the ASEAN Transboundary Haze Pollution Control Fund
- Implementation of various activities under the ASEAN Peatland Management Strategy and ASEAN Peatland Management Initiative (APMI)
- Adoption of the updated ASEAN Peatland Management Strategy (2006-2020)
- Regular monitoring conducted by the ASEAN Specialized Meteorological Center in Singapore under the ASEAN Regional Haze Action Plan
- Eight projects completed during 2004-2009, and 2 ongoing projects⁵¹
- Conducted simulation exercises to familiarise AMS with the regional 'Standard Operating Procedure for monitoring, assessment and joint emergency response'
- Coordination and communication mechanisms for joint emergency response
- Implementation of zero burning and controlled-burning practices
- Development of an online inventory of available fire-fighting resources in AMS that could

⁵⁰ Interviews with (anonymous) officials in ASEAN Secretariat and I Nyoman N. Suryadiputra, Director, Wetlands International Indonesia Programme, Jakarta, Indonesia, 8 October 2010.

⁵¹ These include projects on capacity building to improve peatland management under the ASEAN Peatland Management Strategy and ATHP, and operationalisation of the Panel of ASEAN Experts on Fire and Haze Assessment and Coordination.

be made available in case of emergency

- Establishment of the Panel of ASEAN Experts on Fire and Haze Assessment and Coordination for deployment during critical periods
- Management of the ASEAN Haze Action Online website (<http://haze.asean.org>) to facilitate information sharing and dissemination on fire and haze issues

Sub-regional frameworks such as the Sub-Regional Ministerial Steering Committee (MSC) on Transboundary Haze Pollution comprising Brunei Darussalam, Indonesia, Malaysia, Singapore and Thailand, and the Mekong Technical Working Group comprising Cambodia, Lao PDR, Myanmar, Thailand and Viet Nam, gave further impetus to tackling forest fires and smoke haze in their respective regions. Collaborative capacity building programmes among Brunei Darussalam, Indonesia, Malaysia, Singapore and Thailand (MSC countries) have been implemented in fire-prone areas under the framework of Indonesia's Comprehensive Plan of Action in Dealing with Transboundary Haze Pollution, namely Indonesia-Malaysia collaboration in Riau Province, and Indonesia-Singapore collaboration in the Muaro Jambi Regency, Jambi Province. A US\$ 15 million regional peatland project, supported by a grant of US\$ 4.3 million from the Global Environment Facility, has been implemented to undertake measures to prevent peatland fires, the major source of smoke haze in the region.⁵² It can be said that these bilateral and trilateral cooperation initiatives have sometimes strengthened or complemented implementation of regional strategies. Finally, a key milestone was reached when Indonesia's parliament finally agreed to ratify the ATHP as of September 2014 following mounting forest losses and increased likelihood of fires getting out of control.⁵³

Some of the interviewees who were directly engaged in developing these initiatives said that there were several factors that helped the AMS realize the importance of the Haze problem and need for action. First, AMS were surprised that a fire caused by one person could cause such huge damage in the region and attract global concern.⁵⁴ Second, neighboring countries suffering from the haze, such as Singapore and Malaysia, urged ASEAN to take some action. These countries played a major role in the negotiations and committed to manage the operationalisation of the agreement. Singapore manages regular monitoring and posts the information online. Third, regarding peatland-related initiatives, the involvement of local NGOs contributed to the development of concrete ideas for implementation at the local level. For instance, Nyoman Suryadiputra, Director of Wetland International Indonesia Office, was a member of the advisory committee to develop and draft the Initiative.⁵⁵ Finally, although Indonesia did not ratify the Agreement until September 2014, it has implemented several projects and contributed to operationalizing the Blueprint at the local

⁵² ASEAN 2009a, p. 126.

⁵³ Sentana and Hariyanto, 2014.

⁵⁴ Interview with I Nyoman N. Suryadiputra.

⁵⁵ *Ibid.*

level.⁵⁶ This indicates that the ASEAN countries as a group agree on common concerns relating to haze problems.

However, challenges remain in order to strengthen ASEAN’s efforts to solve the Indonesian Haze problem. Few commitments in the Blueprint have been implemented, including operationalising the ASEAN Coordinating Centre for Transboundary Haze Pollution Control and securing funds for the ASEAN Transboundary Haze Pollution Control Fund. There could be several reasons. The first could be the slow proposal approval processes of ASEC, as the operationalisation of new centre and new fund has not been accomplished despite being considered for more than 1 year.⁵⁷ Second, there are political tensions between Malaysia and Indonesia. Third, Indonesia’s government has been decentralized, which gives local governments the authority to grant permission to foreign companies to operate in Indonesia. This complicates the Haze problem because Malaysian companies operating in Indonesia with the approval of Indonesian local governments are now contributing to the Haze problem.⁵⁸ Fourth, some haze is now also being increasingly caused by Laos and Myanmar affecting neighboring countries, such as Thailand and Vietnam.⁵⁹ This means that mapping of hotspots needs to be reconsidered. Fifth, in spite of the leading countries’ efforts, other countries, non-victims of Haze pollution including Japan, China, and Korea (+3 countries), have not been very interested in addressing the issue. This lack of interest hinders the activities of WG to implement the commitments made in the Blueprint. Sixth, since individual people could inadvertently cause a huge problem, improving public awareness and monitoring at local level is urgently needed. However, local implementation now depends on local governments in Indonesia, which have been difficult for the central government to manage. Although local NGOs such as Peatland International have attempted to promote public awareness, insufficient understanding of the issue by local government officials remains a significant challenge.

3.2. Promoting the Sustainable Use of Coastal & Marine Environment

3.2.1. Commitments made in the Blueprint⁶⁰

Strategic Objectives	Ensure ASEAN’s coastal and marine environment are sustainably managed; representative ecosystems, pristine areas and species are protected; economic activities are sustainably managed; and public awareness of the coastal and marine environment instilled.
Actions	i. Enhance inter-agency and inter-sectoral coordination at the regional and

⁵⁶ *Ibid.*

⁵⁷ Interviews with (anonymous) officials in ASEAN Secretariat.

⁵⁸ Interview with I Nyoman N. Suryadiputra.

⁵⁹ Interview with Monthip Tabcannon, Principal Inspector General, and a government official in the Pollution Control Department (PCD), Ministry of Natural Resources and Environment (MNRE), Bangkok, Thailand, 15 December, 2010.

⁶⁰ ASEAN 2009c, p. 84.

	<p>international levels for achieving sustainable development of ASEAN’s coastal and marine environment;</p> <ul style="list-style-type: none"> ii. Build capacities to develop national marine water quality standards by 2015 using the ASEAN Marine Water Quality Criteria as a reference; iii. Establish a representative network of protected areas to conserve critical habitats by 2015 through further implementation of the ASEAN Criteria for Marine Heritage Areas, and ASEAN Criteria for National Protected Areas; iv. Promote conservation and sustainable management of key ecosystems in coastal and marine habitats, such as joint efforts to maintain and protect marine parks in border areas, and the “Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security”; v. Enhance the capacity and capability of, as well as economic benefits for the fishery and other coastal community to encourage their active participation in promoting environmental sustainability; vi. Promote the sustainable use of coastal and marine environment through public awareness campaign to highlight the global importance of coastal and marine environment in addressing food security, maintaining ecosystem services, as well as protecting marine environment; vii. Promote collaboration among ASEAN Member States in responding to transboundary pollution due to the oil spill incidents; and promote cooperation
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3.2.2. Achievements and Challenges

To help protect the shared marine waters, ASEAN has adopted the Marine Water Quality Criteria for the ASEAN Region, the ASEAN Criteria for National Marine Protected Areas, and the ASEAN Criteria for Marine Heritage Areas. The Marine Water Quality Criteria sets values for an initial set of 17 parameters for the protection of aquatic life and human health, while the Criteria for National Marine Protected Areas and ASEAN Marine Heritage Areas includes criteria for designation and management of existing and new protected areas.⁶¹ ASEAN also adopted and published the *ASEAN Marine Water Quality Criteria: Management Guidelines and Monitoring Manual* which is a reference document for ASEAN Member States to help coordinate marine water quality management policies and monitoring approaches within and between the countries.⁶² Other initiatives such as the "Heart of Borneo," "Forestry Eleven Forum," and the "Coral Triangle Initiative on Coral Reefs, Fisheries, and Food Security," are the main activities AMS has implemented in partnership with other agencies including Asian Development Bank (ADB).

Despite the efforts to promote implementation, progress has been considered very slow by some officials. This is partly because priorities have been focused on climate change, environmentally sustainable cities, and biodiversity.⁶³ Moreover, the former chair country of AWGCME experienced some difficulties in managing the AWGCME until August 2010.⁶⁴ The

⁶¹ ASEAN 2011b.

⁶² ASEAN 2009a, p. 135.

⁶³ Interview with Ms. Moe Thuzar and Ms. Wendy Yap Hwee Min.

⁶⁴ Interview (anonymous) with a former government official in the Ministry of the Environment and Water Resources, Singapore, 22 July 2010.

Philippines became the chair country in 2014, and the direction of the AWGCME has been more active since the Philippines has been one of the most active countries leading biodiversity activities in ASEAN.⁶⁵ According to the Partnership in Environmental Management for the Seas of East Asia (PEMSEA), a very active and well-recognized regional network in the areas of coastal and marine issues as well as biodiversity, regional cooperation mechanisms such as ASEAN are too slow to effectively respond to urgent problems, such as oil spill incidents which occurred in 2009, since national governments often have difficulties in responding to issues which require cross-ministerial coordination. In addition, governments are reluctant to give up some jurisdiction by allowing private sector involvement in planning and implementation.⁶⁶ One of PEMSEA's successes in this field is its strategy to involve the private sector to take advantage of its resources and expertise. In fact, PEMSEA collaborated with some local private companies to establish a project management office in East Timor in response to the oil spill incidents, and this initial action helped to encourage national and regional implementation.⁶⁷ Thus, the complex nature of ASEAN environmental cooperation mechanisms and insufficient capacity to effectively coordinate and communicate within AWGCME have hindered the progress of AWGCME activities.

3.3. Addressing Global Environmental Issues

3.3.1. Commitments made in the Blueprint⁶⁸

Strategic Objectives	Effectively address global environmental issues without impinging on competitiveness, or social and economic development based on the principle of equity, flexibility, effectiveness and common but differentiated responsibility, respective capabilities as well as reflecting on different social and economic conditions.
Actions	<ul style="list-style-type: none"> i. Intensify regional cooperation to enhance and strengthen national and regional capacities to address issues and commitments to relevant Multilateral Environmental Agreements (MEAs) through regional research, promoting awareness, capacity building programmes and informed policy choices; ii. Promote synergies in the implementation of related MEAs through strengthening of regional cooperation to address measures related to the thematic clusters of MEAs on atmospheric issues such as climate change and ozone depleting substances, and MEAs on chemicals and chemical wastes; iii. Promote ASEAN common understanding/common position on relevant MEAs; and; iv. Adopt a holistic approach in fostering regional cooperation on environmental issues, with the participation of all relevant stakeholders including business, academics, NGOs and civil society organisations.

⁶⁵ Interview with Rodrigo Fuentes, Executive Director, ASEAN Centre for Biodiversity (ACB), Manila, the Philippines, 5 October 2010.

⁶⁶ Interview with Raphael Lotilla, Executive Director, Partnership in Environmental Management for the Seas of East Asia (PEMSEA), 4 October 2010.

⁶⁷ *Ibid.*

⁶⁸ ASEAN 2009c, p. 80.

3.3.2. Achievements and Challenges

ASEAN's cooperation in addressing global environmental issues comes under the purview of the AWGMEA and focuses on sharing of experiences and information, developing common understanding/positions, and capacity building to meet the obligations of the relevant conventions.⁶⁹ To enhance its work, the AWGMEA in 2006 formed two technical clusters, the Atmosphere Cluster and the Chemical Cluster. The Clusters serve as platforms for the AMS to discuss further and exchange views on technical matters and to provide recommendations to the AWGMEA.⁷⁰

Information exchange and other activities on transboundary hazardous wastes have also been carried out among AMS. A project proposal on Regional Database Development on Hazardous Chemicals and Wastes Management in AMS has been developed in cooperation with the Basel Convention Regional Centre for Training and Technology Transfer for Southeast Asia to promote environmentally sound management of hazardous chemicals and wastes in ASEAN through provision of accessible and reliable data and information.⁷¹

The AWGMEA highlights ASEAN participation in several international conventions related to atmosphere and chemicals listed in Table 2 as of 2014.⁷² All ASEAN countries participate in these conventions. According to ASEAN, "more recent MEAs have high rates of ratification," "AMS have already met their commitments to most of the relevant conventions, and "most AMS have set up high-level institutional frameworks and developed strategies/action plans to meet their obligations towards addressing climate change," and "as of September 2009, 170 Clean Development Mechanism (CDM) projects in AMS were registered with the CDM Executive Board."⁷³

Atmosphere related conventions

- Montreal Protocol on Substances that Deplete the Ozone Layer
- United Nations Framework Convention on Climate Change and the Kyoto Protocol

Chemicals related conventions

- Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and the Disposal
- Rotterdam Convention on the Prior Informed Consent for Certain Hazardous Chemicals and Pesticides in International Trade
- Stockholm Convention on Persistent Organic Pollutants

⁶⁹ ASEAN 2009a, pp. 122-123.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² ASEAN 2014c.

⁷³ *Ibid.*

**Table 2: ASEAN Member Countries' Participation in Multilateral Environmental Agreements
(as of August 2014)⁷⁴**

Conventions		2009	2014
Atmosphere related conventions	Vienna Convention	100%	100%
	Montreal Protocol	100%	100%
	UNFCCC	100%	100%
	Kyoto Protocol	100%	100%
Chemicals related conventions	Rotterdam Convention	50%	100%
	Stockholm Convention	90%	100%
	Basel Convention	80%	100%

Despite a relatively high commitment towards the respective conventions, many AMS are facing technical challenges in implementing them. The numerous obligations of the international conventions weigh quite heavily on the financial and human resources of member countries, and this has prompted ASEAN to explore innovative means to increase their effectiveness and efficiency to implement the respective conventions.⁷⁵ For instance, AWGMEA collaborated with the United Nations University (UNU), the Global Environment Outreach Centre (GEOC), and the United Nations Environmental Programme (UNEP) to conduct an ASEAN case study on synergies and inter-linkages among multilateral environmental agreements and held a Regional Workshop on Integrated Capacity Development in ASEAN on Multilateral Environmental Agreements at Kuala Lumpur, Malaysia from 24-26 March 2003, to explore the opportunities and constraints for increasing cooperation and mutual supportiveness of environmental agreements both in scale (national/regional/global) and across issues (climate change, biodiversity, chemicals) in the ASEAN region.⁷⁶

Moreover, AWGMEA, in collaboration with UNEP, held a Workshop on the Effective Implementation of the Chemicals and Hazardous Waste Conventions at Kuala Lumpur, Malaysia from 17-22 September 2001, to further identify ASEAN member countries' needs regarding the related conventions. The Workshop recognized that member countries still lacked sufficient appropriate technologies, legal frameworks, plans and strategies, and funds to effectively implement the conventions.⁷⁷ On 17 May 2005, the Working Group further held consultations with the Secretariat of the Rotterdam Convention on promoting the implementation of the Rotterdam Convention in the ASEAN region. It was concluded that most of the challenges identified concerning the Convention's

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ Global Environment Outreach Centre (GEOC) 2011.

⁷⁷ ASEAN 2010d.

ratification and implementation were at the national level, while regional level efforts were focused on assisting member countries to resolve many of the common national level issues.⁷⁸

ASEAN has increased its efforts to enhance and strengthen national regional capacities to address commitments to MEAs through regional research and capacity building programmes. Some of its success stems from the fact that Thailand has been the chair of the AWGMEA, and has been able to help fund workshops and develop new initiatives through good coordination. However, challenges at the national level still remain, including insufficient coordination and implementation of the conventions with regards to strategy and planning, institutional and legal frameworks, financing, capacity building, information management, communications, networking and stakeholder participation. The activities of the AWGMEA have had some success in helping ASEAN to implement information exchange and capacity building efforts as called for in the Blueprint. Nevertheless, many challenges still remain in order to effectively move forward to the next steps, including improving the training programmes and enhancing stakeholder participation.

3.4. Promoting Sustainable Management of Natural Resources and Biodiversity

3.4.1. Commitments made in the Blueprint⁷⁹

Strategic Objectives	Ensure ASEAN's rich biological diversity is conserved and sustainably managed toward enhancing social, economic and environmental well-being.
Actions	<ul style="list-style-type: none"> i. Achieve by 2010, a significant reduction in the current rate of loss of biodiversity through implementing relevant national, regional and international programmes of work; ii. Promote collaboration, sharing of lessons learnt on access and equitable sharing of genetic and biological resources by 2015; iii. Promote further listing and coordinated management of ASEAN Heritage Parks as an effective platform for ecosystem-based protected areas management by 2015; iv. Enhance cooperation in the management of transboundary protected areas between neighbouring ASEAN Member States; v. Take appropriate measures to minimise impacts of transboundary movement of living modified organisms in accordance with the Cartagena Protocol on Biosafety by 2015; vi. Establish a functional regional network to promote capacity building in developing inventory of the biological resources and biosafety measures of the ASEAN Region by 2015; vii. Enhance the role and capacity of the ASEAN Centre for Biodiversity (ACB) to function as an effective regional centre of excellence in promoting biodiversity conservation and management;

⁷⁸ *Ibid.*

⁷⁹ ASEAN 2009c, pp. 84-85.

	<ul style="list-style-type: none"> viii. Promote the involvement of the local community to maintain biodiversity conservation and forest health by 2015; ix. Promote effective management policies and practices to reduce the impact of invasive alien species at the regional and international levels; x. Promote regional cooperation on sustainable management of biodiversity such as sharing research and development experiences, exchange of experts, and training; xi. Strengthen efforts to control transboundary trade in wild fauna and flora through the ASEAN Action Plan on Trade in Wild Fauna and Flora 2005-2010 and the ASEAN Wildlife Enforcement Network (ASEAN-WEN) to implement commitments to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); xii. Explore cooperation among ASEAN Member States to conduct joint survey and monitoring of migratory wildlife; and xiii. Promote cooperation among ASEAN Member States in combating land degradation for sustainable land management to support sustainable agriculture and environment.
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3.4.2. Achievements and Challenges

ASEAN's commitment to the conservation and sustainable use of its rich biological resources is demonstrated by the establishment of the ASEAN Centre for Biodiversity (ACB) in late 2005, supported by European Commission with a grant of €6.0 million, and it has continued promoting biodiversity conservation and sustainable use through networking, training, research, and database management.⁸⁰ The Government of the Philippines ratified the Host Country Agreement on 14 September 2009. The Center has been the core implementing agency under AWGNCB to address many biodiversity-related issues including peatlands, marine protected areas, and heritage parks, mainly through providing venues for information exchange and capacity-building, based in Manila, the Philippines. The ACB has effectively supported the workshops and other activities of the AWGNCB thanks to the leadership of a good management team.

The ASEAN Heritage Parks Programme serves as a regional network of national protected areas of high conservation importance preserving a complete spectrum of representative ecosystems to generate greater awareness, pride, appreciation, enjoyment, and conservation of ASEAN's rich natural heritage.⁸¹ AMS designate their selected national protected areas and reserves as ASEAN Heritage Parks (AHP). As of 2013, 33 sites have been designated as AHP, and two National Marine Parks of Thailand were in the process of being designated as AHP.⁸²

The ASEAN Ministers responsible for the implementation of CITES officially launched the ASEAN Wildlife Enforcement Network (ASEAN-WEN), and endorsed the ASEAN Regional Action Plan on Trade in Wild Fauna and Flora 2005 – 2010 in December 2005. ASEAN-WEN is the world's largest wildlife law enforcement network. It involves police, customs and environment

⁸⁰ ASEAN Centre for Biodiversity (ACB) 2011a.

⁸¹ ASEAN 2009a, pp. 136.

⁸² ASEAN 2014d.

agencies of all 10 AMS, involving intelligence-sharing, reviewing weak laws, and coordinating enforcement action.⁸³ ASEAN-WEN has achieved a number of milestones. The ASEAN-WEN Support Program Assessment Report (of ASEAN-WEN) noted the increased support from civil society (10 April 2008) which has been strengthened through enhanced public awareness and by the development of a network of civil society organizations to support and collaborate with ASEAN-WEN.⁸⁴ According to Prof. Koh Kheng-Lian, efforts have been made to develop greater civil society support through ASEAN-WEN's outreach activities and to increase strategic leverage across organizations involving NGOs, civil society, and the private sector.⁸⁵ ASEAN-WEN is also a good example of cooperation and coordination of regional and state level environmental governance among AMS and ASEAN Dialogue and External Partner countries through the establishment of inter-agency committees at the national level and its efforts to become a global network for enforcement of illegal trade in endangered species.⁸⁶ Finally, it is the first globalized governance network initiated by ASEAN to implement and enforce an MEA.⁸⁷

AMS have also taken a number of initiatives in the forestry areas, including a Work Plan for Strengthening Forest Law Enforcement and Governance (2008 – 2015), developing a regional framework for a Pan-ASEAN Certification Initiative, ASEAN Criteria and Indicators for Sustainable Management of Tropical Forests, a Regional Action Plan on the Trade of Wild Fauna and Flora (2005 – 2010), and the Heart of Borneo Initiative.⁸⁸

Thus, as the role of ASEAN expands to facilitate the implementation of MEAs, its governance structure has developed in tandem. ACB has served as a mediator between ASEC, FPs of AWGCNB, and AMS governmental officials by holding workshops and symposiums more than once a year. In other words, ACB has provided a series of opportunities for delegates from AMS to gather and discuss their concerns and experiences in addition to the annual WG meeting. The ACB's activities have utilised its close relation with AWCNB, which in turn has contributed to the active implementation of AWGNCB tasks and acting as a catalyst for implementation.⁸⁹ Regarding the implementation of the Action Plan, having an implementation agency like the ACB has been important because national governments do not have sufficient capacity or resources to follow up all of the commitments made at the meetings. Thus, establishing a center funded by external donors seems to have been an effective way to facilitate implementation.⁹⁰

Although biodiversity is one of the most actively implemented areas by ASEAN, AMS encounter many challenges. First, ACB often faces difficulties in securing funds. ASEC, on the other

⁸³ ASEAN 2004.

⁸⁴ ASEAN Wildlife Enforcement Network (ASEAN-WEN) 2008.

⁸⁵ Koh 2008, p. 11.

⁸⁶ ASEAN-WEN 2010.

⁸⁷ ASEAN 2002.

⁸⁸ ASEAN 2009a, p. 138.

⁸⁹ Koh, 2008. p. 12.

⁹⁰ Interview with Ms. Wendy Yap.

hand, has proposed to decentralize its mandate to member states. Also, there have been challenges in utilizing the ASEAN Biodiversity Fund, since ownership is not by ACB, but the ASEAN Board, so administrative procedures are complicated and slow. Because of these constraints, ACB has faced challenges in conducting its work in a timely manner. Moreover, it is a subsidiary body of AWGNCB, which needs approval from ASEC and countries' Ministers for new projects.

3.5. Promoting Quality Living Standards in ASEAN Cities/Urban Areas

In response to increasing urbanization in the region, ASEAN initiated the ASEAN Initiative on Environmentally Sustainable Cities (AIESC) in 2005 which focuses on addressing urban environmental challenges such as air pollution from vehicular emissions, solid waste management, water pollution, and access to clean water.⁹¹ As of 2010, 25 ASEAN cities were participating in the programme. The key indicators for clean air, clean water and clean land were developed in 2005, and endorsed by the Environment Ministers in 2006. The AMS agreed that the key indicators could serve as guidelines for cities to achieve environmental sustainability, and in particular, encouraged the participating cities under the AIESC network to make use of the Key Performance Indicators (KPIs) to assess the current state of their environment.⁹²

ASEAN also initiated the ASEAN Environmentally Sustainable City (ESC) Award programme.⁹³ The inaugural ASEAN ESC Award ceremony was held in Ha Noi, Viet Nam on 8 October 2008, on the occasion of the 11th Informal ASEAN Ministerial Meeting on the Environment (IAMME). The ASEAN Environment Ministers presented the awards to ten cities/townships/districts in ASEAN that had made progressive efforts towards environmental sustainability.⁹⁴ The ESC Award aims to encourage ASEAN cities to become more environmentally sustainable by recognizing exemplary efforts and sharing best practices. Many other initiatives are ongoing including the ASEAN ESC Model Cities Programme with the support of the Japan-ASEAN Integration Fund (JAIF),⁹⁵ the CityLinks Pilot Partnership between the US and AMS funded by USAID, and Climate Leadership Academy on Urban Climate Adaptation for Cities in Southeast Asia etc.⁹⁶

3.6. Promoting Sustainable Development through Environmental Education and Public Participation

⁹¹ ASEAN 2010d.

⁹² ASEAN, 2009a. p. 132.

⁹³ ASEAN, 2014g. p. 19.

⁹⁴ ASEAN 2009a. p.133.

⁹⁵ ASEAN ESC Model Cities Programme Secretariat 2012.

⁹⁶ For more details, see <http://environment.asean.org/asean-working-group-on-environmentally-sustainable-cities/>

Environmental education is one of the most active areas for ASEAN environmental cooperation. ASEAN has developed and implemented the ASEAN Environmental Education Action Plan (AEEAP) since 2000. This plan, which has three 5 year phases — 1) 2000-2005, 2) 2008-2012, and 3) 2014-2018 – has also served as ASEAN’s contribution to the UN Decade of Education for Sustainable Development. AWGEE oversees and coordinates the implementation of these plans, and ongoing activities carried out under the purview of the AWGEE include the ASEAN Eco-schools Award Programme, the ASEAN Plus Three Youth Environment Forum, the ASEAN Plus Three Leadership Programme on Sustainable Production and Consumption, the ASEAN Environmentally Sustainable Development Film Festival, and the ASEAN Environment Year.⁹⁷

The most recent AEEAP 2014-2018 was adopted by the ASEAN Environment Ministers at their 14th informal meeting in 2013 with a goal of realizing a clean and green ASEAN with citizens who are environmentally literate, imbued with environmental ethics, willing and capable to ensure the sustainable development of the region through environmental education and public participation efforts.⁹⁸ It sets four main target areas; 1) formal sector, 2) non-formal sector, 3) institutional and human resources capacity building, and 4) networking, collaboration and communication, to be implemented both at national and regional levels.

3.7. Responding to Climate Change and Addressing Its Impacts

The ASEAN leaders have committed to strengthening cooperation to address climate change, in particular by supporting the development of the ASEAN Climate Change Initiative (ACCI) to further strengthen regional coordination and cooperation in addressing climate change, and to undertake concrete actions to respond to its adverse impacts. The scope of collaboration through the ACCI includes (i) policy and strategy formulation; (ii) information sharing; (iii) capacity building; and (iv) technology transfer.⁹⁹ The 11th ASEAN Ministerial Meeting on the Environment in 2009 adopted the Terms of Reference of the ACCI and endorsed the establishment of an ASEAN Working Group on Climate Change (AWGCC) to implement the ACCI. ASEAN has collectively stressed its position of supporting a positive and equitable outcome at COP16/CMP6, in particular through the ASEAN Leaders’ Statement on Joint Response to Climate Change adopted at the 16th ASEAN Summit in 2010.¹⁰⁰ ASEAN members also developed the Action Plan on Joint Response to Climate Change in 2012 “to provide more detailed reference in implementing the Blueprint.”¹⁰¹

Regarding ASEAN regional cooperation on climate change, the Secretary-General of the Ministry of Natural Resources and Environment (MNRE) of Thailand was the chair of the ASEAN

⁹⁷ ASEAN 2014e.

⁹⁸ *Ibid.*

⁹⁹ ASEAN 2010d.

¹⁰⁰ ASEAN 2010b.

¹⁰¹ ASEAN 2014f.

Working Group on Climate Change until 2013. Thailand set up a new office in MNRE in June 2010 which initially had 11 staff (6 regular and 5 temporary) to develop domestic and regional climate change policies. Although the Bureau of Climate Change in MNRE has developed several projects on mitigation in collaboration with donor agencies such as German Society for International Cooperation (GIZ), the official was concerned that the concept of climate change is very new to Thailand and the ASEAN region, and there was a lack of knowledge and experience in developing related domestic and regional policies.¹⁰² Specific areas where support for Thailand would be helpful included greenhouse gas inventory, energy, agriculture, the industrial sector, adaptation and climate modeling.¹⁰³ Other member states have similar conditions, including Vietnam, the current chair country, and thus ASEAN's understanding of and position on climate change has remained under development. AMS should establish a common position and a common understanding of these issues given the different situation of each country. Soft mechanisms such as information exchange and training could be a feasible way to initiate collective action. Local governments such as the Bangkok Metropolitan Administration (BMA) and other large provinces such as Chiang Mai and Phuket have been active in promoting technical training and training to create their own GHG inventories, and they want to utilize local experiences to develop national- and regional-wide policies in order to enhance regional climate change activities.¹⁰⁴

¹⁰² Interview (anonymous) with a government official in the Bureau of Climate Change (new), Office of Natural Resources and Environment Policy and Planning (ONEP), Ministry of Natural Resources and Environment (MNRE), Bangkok, 15 December 2010.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

4. FACTORS INFLUENCING ASEAN'S ENVIRONMENTAL COOPERATION

Taking into consideration the above findings, this section will discuss both positive factors and challenges influencing ASEAN's decision making processes for environmental cooperation. Given the limited literature available on this topic, this discussion is mainly based upon observations from interviews with officials and experts in ASEAN countries.

4.1. Positive Factors Influencing ASEAN's Decision Making Process and Performance on Environmental Cooperation

The above review of ASEAN's environmental cooperation has illustrated a range of positive achievements. It is evident that ASEAN has established an institutional regional environmental governance framework through the "ASEAN Way," which promoted intra-regional cooperation on policy formulation, capacity building, and other cooperative activities.¹⁰⁵ More specifically, ASEAN has concluded several MEAs in the region, such as the ASEAN Haze Agreement on Transboundary Air Pollution, the Marine Water Quality Criteria for the ASEAN Region and the ASEAN Declaration on Heritage Parks. An institutional framework for cooperation has been established, and a range of activities has been conducted under this framework with some degree of success. ASEAN countries have a high level of participation in Multilateral Environmental Agreements and ASEAN's regional framework have made important contributions to translating global environmental agreements into national policies. This survey highlights three positive factors contributed to these achievements in terms of the ASEAN's environmental decision making processes.

The first factor is the increasing seriousness of environmental problems, which has motivated governments to develop some kind of solution, especially regarding the haze problem. The second factor is the involvement of non- governmental entities such as local NGOs or external donors. They seem to have accelerated ASEAN's environmental decision making. One example is the role played by PEMSEA in case of oil spill incidents, and another example is GIZ's initiative on haze. These cases seemed to encourage other initiatives to be developed at the national and regional levels. Also, inputs from broader research and academic communities and a series of informal meetings were very important to help develop a common understanding of the issues and barriers to implementation among decision makers.¹⁰⁶ Stakeholder participation is also important for effective implementation. The Heart of Borneo Project among Brunei, Malaysia, and Indonesia, the initiative

¹⁰⁵ Koh and Robinson, 2002.

¹⁰⁶ Interview with Ms. Moe Thuzar.

endorsed by ASEAN, for instance, is often considered to be a successful case involving business sector actors such as banks (as a part of their CSR activities) in addition to the resource contributions from the government of Brunei.¹⁰⁷

Third, the survey found that the variations in political structure, level of economic development, and social-cultural preferences among member countries, have contributed to quicker ASEAN's environmental decision making processes in some cases. Although differences in the forms of government, priority areas, levels of knowledge, and resource availability often create tensions between the governments, some interviewees consider that AMS have often tried to take advantage of the range of member states' strengths.¹⁰⁸ For example, the voluntary selection of chair countries for WGs reflects AMS' willingness to give jurisdiction of WG to the chair which has the capability, since the chair country needs to be depended on to operate and manage the WG. Singapore has a particular interest in haze and water issues, so it became the chair of the Haze MSC WG and AWGWRM as other countries are dependent on Singapore's capacity. Some countries have past experience in certain areas. Indonesia has implemented Eco-city awards domestically since 1986, the so-called "Adipura National Cleanliness Award," so it is interested in applying these good practices at the regional level, and it has served as the chair country of the AWGESC for 3 terms. Moreover, countries with very centralized governments, such as Singapore and Vietnam, have relatively quick internal procedures and can make firm top-down decisions more easily than others which come to depend on their commitments. Therefore, it was observed that the AMS well understand the different characteristics of each country and implicitly work to utilize the strengths of each country to promote regional cooperation. The disadvantage is that some member countries may become less interested in enhancing their capacity in the areas where other countries' capabilities are more developed.

4.2. Challenges Influencing ASEAN's Decision Making Process and Performance on Environmental Cooperation

Despite the existence of some success factors in ASEAN's environmental decision making process, many challenges still remain which hindered decision making and implementation.

(1) Slow decision-making due to fragmented and bureaucratic organizational structures

First, the institutional characteristics of ASEAN's environmental cooperation framework sometimes acted as obstacles rather than facilitating decision making and implementation. The

¹⁰⁷ Interview with Prof. Poh Onn Lee, PhD Fellow and Joint Coordinator, Institute of Southeast Asian Studies, Singapore, 20 July 2010.

¹⁰⁸ Interview with Moe Thuzar, Wendy Yap, and Liana Bratasida.

overall organizational structure of ASEAN's environmental cooperation framework is fragmented, decentralized, and organised by issue-areas. This structure often slows down the approval procedures of individual project proposals. The policy and project proposals are often initiated at the working level in a bottom-up process, and are later endorsed at higher levels, especially by ASEC and AMS, but the process often takes almost a year. Furthermore, another institutional constraint is that there are so many layers of regional frameworks, besides ASEAN including bilateral cooperation with Dialogue and External Partners, as well as multi-lateral cooperation through ASEAN+3, and the East Asia Summit. Because of the large number of meetings, the representatives from national governments as well as the ASEC are too busy simply attending meetings so that they are not able to fully document/report and follow up on the discussions, and they have little time to coordinate among various stakeholders and develop effective policies.¹⁰⁹ Some experts believed that the inclusion of the environment area under the cross-sectoral Social and Cultural Community has reduced the prioritization of environmental issues compared to other human security-related issues, so they suggest that the section dealing with environment should be separated.¹¹⁰ In contrast, others worried that separating environment into its own department could further undermine its prioritization, since then it could be easily forgotten.¹¹¹

(2) Working Groups sometimes lack substance, focus on discussion instead of projects or performance

Second, despite certain levels of achievement made by some Working Groups, they often accomplish little more than policy discussions and review. Some WGs such as AWGESG and AWGNCB have actively promoted operational projects and networking as well as information exchange etc. thanks to the chair country's financial and operational capacity. Reliance on capable countries to lead WGs is one way to strengthen implementation under the WGs; however it goes against the ASEAN principle of co-sharing, and the WG's direction tends to go in the direction of the lead country's national interest.¹¹² Moe Thuzar is concerned that allocation of duties among lead countries needs to be carefully coordinated by taking into account the national interests of each member state when ASEAN decides new lead countries of WGs.¹¹³ Otherwise it is highly possible that the direction of policies in a specific WG might completely change when a new country is selected to lead it. This would also affect implementation of the ongoing projects. Also, it is clear that implementation has to be managed and led by implementation agencies under each WG, such as the ACB and the ASEAN Specialised Meteorological Center (ASMC) on Haze. WGs cannot manage

¹⁰⁹ Interview with Prof. Koh Kheng Lian.

¹¹⁰ Interview with Prof. Koh Kheng Lian and Moe Thuzar.

¹¹¹ Interview with Prof. Poh Lee.

¹¹² Interview with Moe Thuzar.

¹¹³ *Ibid.*

implementation themselves. WGs without implementation agencies have to depend on donor agencies or other research institutes outside of ASEAN.

(3) Persistent challenges of the ASEAN Secretariat

Third, ASEC faces persistent challenges due to its insufficient human and financial resources, its limited mandate for coordination, and lack of capacity to collect sufficient data or coordinate national focal points. To be sure, this situation has slightly and gradually improved over the years. For instance, the number of staff in the Environmental Division increased from only 1-2 several years ago to 4 in 2010. However, these fundamental challenges remain. The staff shortage in the Environmental Division also hinders good coordination with national focal points, other relevant divisions of ASEC, and external organizations and donor countries. Currently, officials of the Environmental Division are very busy coordinating and attending meetings, so they have little time to develop concrete initiatives to implement the commitments made in the Blueprint, which are under ASEC's jurisdiction, including harmonizing environmental policies and databases. A rapid turnover rate of officials in ASEC is another factor that negatively affects staff capacity, and it also causes more administrative work. Thus, small-scale assistance such as hiring local staff to support the administrative work in the Environmental Division could help to address some of these challenges.

(4) Inadequate coordination and communication among focal points, officials, and the ASEAN Secretariat

Fourth, insufficient coordination is common between national focal points and ASEC, as well as between national focal points and national government officials. Cooperation among focal points themselves is hindered by the fact that different countries' focal points sometimes come from different ministries. Sometimes they are representatives from the Ministries of Environment, but some are from the Ministries of Agriculture or Natural Resources, or even embassy staff (often from Ministries of Foreign Affairs) based in the country hosting the particular meeting. One exception is the ASEAN Centre for Biodiversity, which has played a helpful role in coordinating focal points under the ASEAN Working Group for Nature Conservation and Biodiversity (AWGNCB). This was relatively effective since the Centre provided many opportunities for focal points to gather, other than at AWGNCB meetings, through a series of meetings, workshops, and other events.¹¹⁴ Domestically, there is often inadequate communication between FPs and government officials of relevant divisions, especially because FPs often lack adequate human and financial resources to

¹¹⁴ Interview with Rodrigo Fuentes.

effectively translate the ASEAN discussions into their home country's language and circulate them to the relevant government departments, including especially local governments.¹¹⁵ Thus, insufficient coordination and communication among officials engaged in decision making and planning at all levels have negatively affected the speed and quality of ASEAN's environmental decision making processes and implementation.

(5) *Domestic barriers to enhancing regional environmental performance*

Fifth, domestic factors in individual countries also contribute to the challenges of ASEAN's regional environmental cooperation. Some domestic constraints include lobbying by some businesses against the enactment of stronger environmental laws and regulations, which blocks many initiatives for regional cooperation. This was one of the reasons why Indonesia's parliament was reluctant to ratify the Haze Agreement despite efforts by other stakeholders in favor of ratification, including the State Ministry of Environment and some local governments, civil society organizations, and experts.¹¹⁶ The weak authority of Indonesia's Ministry of Environment and obstacles to mutual cooperation among Indonesia's domestic institutions, which is partly related to decentralization, have made it challenging for the government to employ legislative and administrative measures to prevent and control fires.¹¹⁷ The Roadmap is stated relatively concretely, which some people argue demonstrates the "political will" to promote ASEAN's regional cooperation, yet insufficient implementation and insufficient incorporation of regional initiatives into national laws and regulations are still serious problems.¹¹⁸ Inadequate coordination between different ministries is another difficult and time consuming problem to be addressed at national level.

Another domestic constraint is that ASEAN countries have different national procedures to pass or implement the initiatives proposed for regional cooperation. For instance, Singapore has only one level of government, and lacks subnational levels.¹¹⁹ In other countries, it can take years for something to be approved by just one level of government. For example, it takes about 4 years to obtain approval for one initiative by the central government in the Philippines.¹²⁰ It also takes a few years to get approval for one project in Vietnam.¹²¹ Thus, one efficient way to promote projects or initiatives is to let a country whose internal procedure is relatively faster, like Singapore, to take the

¹¹⁵ For instance, within the central government in Indonesia, emails are usually circulated only to the head of the relevant division, so the internal circulation in that division depends on the head's interests and priorities. Also, the relevant documents are often not translated into the national language, so officials' interest in reading the documents is reduced, which in turn creates gaps in understanding among the different layers of decision-making processes.

¹¹⁶ Interview with Koh Kheng Lian and Moe Thuzar.

¹¹⁷ Nguitrageol 2011, p. 371.

¹¹⁸ Interview with Moe Thuzar.

¹¹⁹ Interview (anonymous) with an official of the Government of Singapore, Kuala Lumpur, Malaysia, 21 July 2010.

¹²⁰ Interview (anonymous) with an official of the Government of the Philippines, Kuala Lumpur, Malaysia, 21 July 2010.

¹²¹ Interview (anonymous) with a governmental official, Vietnamese Environment Administration, Vietnam, Singapore, at Kuala Lumpur, Malaysia, 21 July 2010.

lead. However, it is not always desirable to depend on the leading countries for implementation and resource-sharing.¹²² And just because one country leads does not mean that the others will necessarily follow; Singapore cannot speed up decision making procedures in other countries. In addition, the rates of personnel turn-over and rotation within national governments of AMS are generally high except for some countries with a very centralized political structure such as Singapore. Therefore, it is generally difficult for government officials to accumulate experience and knowledge in particular areas, and it is difficult to build up an institutional knowledge base. This, in turn contributes to coordination gaps with ASEC and within and between the governments. Cultural differences also affect internal decision making procedures. For instance, Singaporeans are sometimes said to be direct and straightforward, so that the negotiations and project implementation can proceed rather quickly. Thus, donors must be aware of these differences in culture and internal procedures as well as communication attitudes.¹²³

Moreover, positions regarding regional environmental cooperation vary among governmental officials. For instance, many of the national focal points often consider that enhancing ASEAN environmental cooperation is important since they may come to share common interests and understanding of the issues with their ASEAN counterparts based on their direct personal experience. In contrast, other governmental officials tend to prioritize domestic issues over ASEAN regional cooperation because they do not have personal experience in ASEAN. Government officials often feel that ASEAN is like “NATO” (“No Action Talk Only”). Thus, some of the officials even said that they prefer bilateral rather than multilateral cooperation, especially in the ASEAN framework, given the non-binding nature of the “ASEAN Way.”¹²⁴

Finally, the weak prioritization of the environment among other areas in each country has limited the financial and human resources available for environmental activities. It has also limited the authority of environmental ministries, which also leads to weak environmental capacity, slow environmental decision making, and insufficient implementation.¹²⁵

Overall, the ASEAN environmental cooperation framework has certain strengths and has made some achievements. This survey observed that common recognition of the environmental problems, some degree of multi-stakeholder participation, as well as differences in political structure, levels of economic development, and social-cultural preferences among AMS have somewhat facilitated ASEAN’s environmental decision making and implementation.

Nevertheless, ASEAN is still faced with many institutional, managerial, and technical challenges at both the regional and national levels. Overall, the current form of ASEAN environmental institutions is characterized by slow decision-making due to its fragmented and

¹²² Interview (anonymous) with an official of the Government of the Philippines.

¹²³ Interview (anonymous) with an official of the Government of the Philippines.

¹²⁴ Interview with Ms. Masnellyarti Hilman, Deputy Director, Nature Conservation Enhancement and Environmental Destruction Control, Ministry of Environment, Jakarta, Indonesia, 7th October 2010.

¹²⁵ Interview with Prof. Koh Kheng Lian and Moe Thuzar.

complex organizational structure, and inadequate coordination and communication among focal points, government officials, and the ASEAN Secretariat. More specifically, the Working Groups, where actual discussion and decision making takes place, sometimes lack substance and capacity. The ASEAN Secretariat has suffered from persistently inadequate resources and capacity. Domestic factors, including lobbying, procedural and positional differences on environmental issues and regional cooperation, and the lower priority given to the environment in each country, have contributed to the difficulties of coordination and implementation among AMS.

How could external assistance help to improve ASEAN's institutional framework for environmental cooperation and help it to be more efficient and effective and enhance implementation? Basic thinking and several concrete ideas are discussed below.

5. RECOMMENDATIONS

Taking into account the above findings, this section provides a number of recommendations to focus external assistance to improve decision making and implementation of ASEAN environmental cooperation. More specifically, this section first presents 7 points for basic thinking on the recommendations, and then it elaborates 10 possible focus areas and issues, and 6 ideas for cooperation processes.

5.1. Basic Thinking for Recommendations

- (1) *Strengthening ASEC* should be a priority given its serious shortage of staff and financial resources. Otherwise, expanding cooperation may be difficult.
- (2) In addition to working with ASEC, it is recommended to bilaterally approach *some capable and motivated countries to begin initiatives, then making efforts to gain other countries' support*.
- (3) It is better to put a greater focus on *responding to ASEAN's needs in order to enhance ASEAN's sense of ownership of cooperation initiatives*. Some of the officials of ASEC and AMS have expressed concerns that some donor countries have focused on their own interests more than on ASEAN's needs.¹²⁶
- (4) It is better to focus on *issue-areas and countries where there is already some interest by one or more ASEAN countries in taking action and leadership*. This survey found that successful WGs and initiatives are often led by capable and motivated countries among AMS. Some countries expressed their intention to promote specific issue-areas, such as Singapore on freshwater, Indonesia on environmental sustainable cities, and Thailand on climate change.
- (5) *Consider further implementation of a programme-based approach (PBAs)*. This will be an important element in the future. Projects offer donors greater certainty that their funds will be used for the intended purposes, but they are often criticized for overlooking the importance of recipient countries to build up the policies, institutions and capacity needed to achieve the intended development results on a sustainable basis.¹²⁷ PBAs, on the other hand, are said to contribute to a coherent set of development activities at the national, sectoral, sub-sectoral or thematic level by making funds and other inputs available to support the development and implementation of country-led strategy, especially in policy-making. Of course, PBAs also have certain limitations which should be addressed.

¹²⁶ Interviews (anonymous) with officials in the ASEAN Secretariat and a government official in BAPPENAS (National Development Planning Agency, Indonesia), Jakarta, Indonesia, 8 October, 2010.

¹²⁷ Organization for Economic Cooperation and Development (OECD) 2005.

- (6) Involve more stakeholders in both ASEAN’s decision-making and implementation. To effectively respond to ASEAN’s needs and enhance implementation at all levels, greater involvement of stakeholders in policy discussions and implementation may be helpful.
- (7) For long-term assistance, consider ways to collaborate with research organizations such as the Economic Research Institute for ASEAN and East Asia (ERIA) and Regional Sustainable Development Department (RSDD) of ADB, to integrate more environmental aspects into its activities. Given the inadequate availability of appropriate information within ASEC, utilizing existing information exchange/research networks beyond ASEAN could be helpful.

5.2. Possible Focus Areas and Issues

The next step is to consider in which areas cooperation could be promoted with ASEAN. Formally, ASEAN has identified 11 environmental priority areas as stated in the Blueprint (Figure 1), but further official elaboration of ASEAN’s priorities is difficult. Instead, this study has identified several realistic and promising areas where some capable and motivated countries have assumed leadership of Working Groups and are ready to take action, as well as some key issues that focal points of ASEAN WGs are mainly concerned about. Table 3 shows these areas and issues that are the focus of ASEAN/Working Groups and the ASEAN Secretariat.

Table 3: Possible Focus Areas and Issues of Interest to ASEAN Member States, Working Groups, and the ASEAN Secretariat

Actors	Possible Focus Areas and Issues
ASEAN Member States/WGs	<ul style="list-style-type: none"> • Environmentally sustainable cities • Water resource management • Transboundary haze • Strengthening Working Groups • Streamlining overlapping projects/programmes
ASEAN Secretariat	<ul style="list-style-type: none"> • Data collection and harmonization, harmonizing environmental policies and databases • Strengthening ASEAN Secretariat (Environment Division)

(1) ASEAN’s promising issue-areas and challenges facing Working Groups

➤ *Environmentally Sustainable Cities (ESC)*

The topic of environmentally sustainable cities is of considerable interest to ASEAN countries. Initiated and led by capable and motivated countries, Singapore and Indonesia, ESC activities have been generally more active than those of other working groups. Moreover, several other member states also have a long history of experience and activities in this area. For instance, since 1986,

Indonesia has given the Adipura National Cleanliness Award¹²⁸ to cities with good environmental performance. According to Masnellyarti Hilman, Deputy Director, Nature Conservation Enhancement and Environmental Destruction Control, Ministry of Environment, Indonesia, Adipura has been a solid basis for Indonesia to lead ASEAN activities regarding cities by providing incentives for cities to compete.¹²⁹ Notably, similar awards exist in other countries, such as the Clean and Green Award of the Philippines and the Livable Cities Award of Malaysia. Given these existing mechanisms within each country and many donors' city-related projects, some countries also have been eager to utilize their own experiences and expertise within ASEAN.

➤ *Water Resource Management*

Singapore became the chair country of AWGWRM (ASEAN Working Group on Water Resource Management) in August, 2010. Singapore also hosted the Singapore International Water Week, which is a global platform for water solutions that brings policymakers, industry leaders, experts and practitioners together to address challenges, showcase technologies, discover opportunities and celebrate achievements in the water world, in July, 2011. Malaysia succeeded Singapore as the chair of the AWGWRM. Since both Singapore and Malaysia have a particular national interest in water issues, as well as good capacity,¹³⁰ AWGWRM is generally considered to be one of the more capable Working Groups in ASEAN.

➤ *Transboundary Haze Pollution*

Transboundary haze is a critical issue in the ASEAN region. Currently, the scope of the haze problem has expanded from the original key actors, including Indonesia, Malaysia, and Singapore, to the Greater Mekong sub-region, especially Thailand, Vietnam, Laos, and Myanmar. This is because of increased open-burning in Laos and Cambodia, partly due to emerging commercial activities of companies from neighboring countries like China, and also to illegal logging of forests to promote tourism.¹³¹ Thus, re-mapping of hotspots is urgently needed. Currently,

¹²⁸ Interview with Masnellyarti Hilman, Deputy Director, Nature Conservation Enhancement and Environmental Destruction Control, Ministry of Environment, Indonesia, 7th October 2010.

¹²⁹ Bandung City was very clean at that time, and the Indonesian government together with the World Bank and GTZ sponsored model city pilot projects. They held workshops for key mayors to exchange their views and experiences and make them aware that waste management is a priority issue within cities. In this way, the project created competition among mayors and gave them good incentives for improvement. For instance, a national award was created for cities in Indonesia based on their cleanliness and urban good management. It is awarded annually. It is divided into 4 categories:

- Metropolitan (> 1 million residents)
- Big cities (500,001 - 1,000,000)
- Medium cities (100,001 - 500,000)
- Smaller cities (< 100,000)

¹³⁰ A disagreement over the supply and price of freshwater between Malaysia and Singapore has been ongoing for several decades and may be exacerbated by the effects of projected global climate change.

<http://www1.american.edu/ted/ice/singapore.htm>

¹³¹ Interview with Monthip Tabcannon, Principal Inspector General, and (Anonymous) an official of Pollution Control Department (PCD), Ministry of Natural Resources and Environment (MNRE), Thailand, 15 December, 2010.

Thailand has been active in addressing the transboundary haze issue, especially in the Mekong sub-region. The Technical WG Ministerial Steering Committee on Transboundary Haze Pollution, which consists of 5 countries (Thailand, Malaysia, Indonesia, Singapore, and Brunei), has worked together bilaterally and produced positive results in the last 3 years. Also, the Sub-regional Ministerial Steering Committee on Transboundary Haze Pollution (Thailand, Malaysia, Cambodia, Vietnam, and Laos) has tried to identify the sources of the problems like open-burning. However, despite these efforts, a governmental official in Thailand stated that they face many challenges in addressing these new issues including lack of human resource capacity (i.e. how to get data, interpret data, usage of equipment, and satellite/monitoring data etc.) and insufficient financial resources.¹³²

➤ *Strengthening the Working Groups*

One of the key challenges underlined in this study is inadequate coordination between the focal points of the Working Groups and their own national government officials, as well as with the ASEAN Secretariat. Although the degree of motivation and implementation varies depending on the resources and capacity of the leading countries, the fact that the WGs meet only annually makes it difficult for them to be very active. Some focal points of WGs and participants in WG meetings specifically mentioned that the WG's operations need to be strengthened given an insufficient common understanding of the issues among many participants and insufficient follow-up mechanisms for FPs to implement the WG discussions.¹³³ To address these problems, the operations of the WGs need to be strengthened. This could be done for instance by capacity building/training for participants of WGs, including focal points, national government officials, and ASEAN Secretariat officials, and assisting focal points to develop incentive mechanisms for chair countries/chairmen of WGs. Currently, there are no performance evaluation or review mechanisms for WGs or chair countries/chairpersons, so assisting AMS to develop such a system within WGs could help improve their operations.¹³⁴

➤ *Streamlining overlapping projects/programmes*

Another key challenge ASEAN has faced, which has been continuously mentioned by ASEC officials and focal points of WGs, is how to improve their capacity to coordinate overlapping projects/programmes.¹³⁵ Although on one hand, availability of externally funded overlapping and duplicating projects/programmes gives ASEAN more choice among donors, on the other hand, it tends to promote passivity in ASEAN as well as adding to ASEAN's administrative burdens, straining its meager financial and human resources. Streamlining overlapping activities could

¹³² *Ibid.*

¹³³ Interview with Liana Bratasida, Assistant Minister, Global Environmental Affairs and International Cooperation, Ministry of Environment, Republic of Indonesia, 5 August, 2010.

¹³⁴ *Ibid.*

¹³⁵ Interview with Liana Bratasida, and officials from ASEAN Secretariat.

contribute to more efficient and effective implementation. As the MTR report suggests to create a solid knowledge management system in this context, one possibility is to create a project database within the ASEAN Secretariat, or in each WG.¹³⁶

(2) ASEAN Secretariat

➤ *Strengthening the ASEAN Secretariat (Environment Division)*

Because of the persistent scarcity of human and financial resources in the Environment Division (ED), ASEC often operates slowly and has difficulties in terms of coordination, handling proposals, data collection, and other administrative tasks. Therefore, although the ED is the central coordinating body for multilateral cooperation, its resources are limited, so it could be helpful if donors could arrange additional assistance for coordination. For instance, helping the ED improve its capacity to simply compile and classify past documents would be helpful as they have not been able to do so due to a lack of capacity.¹³⁷

➤ *Data collection and harmonization, harmonizing environmental policies and databases*

One key issue of concern to the Environment Division (ED) in the ASEAN Secretariat is inadequate data collection and harmonization, as well as harmonization of environmental policies and databases. For instance, there is currently no database for collecting and storing data on national laws and regulations of member states within the ED, so the ED has to ask member states to report national data through WGs every time it needs data. However, some data are confidential, and it can be very difficult to get the latest data, even though it is requested by ASEC. Moreover, the credibility of the data can also be uncertain.¹³⁸ Thus, additional resources for documentation and setting up databases for updating information are important in order to strengthen the governance system at both the national and regional levels. This will also help to increase transparency and access to information.¹³⁹

5.3. Ideas for Improving the Cooperation and Coordination Process

A key finding of this study is that the coordination problem is one of the main challenges facing the existing ASEAN environmental cooperation framework that can be realistically addressed. Although strengthening cooperation with ASEAN will require some effort, it seems feasible to support improved coordination between the ASEAN Secretariat, focal points of Working Groups,

¹³⁶ ASEAN, 2014g.

¹³⁷ Interview with Prof. Koh Kheng Lian.

¹³⁸ Interviews with officials in the ASEAN Secretariat.

¹³⁹ Interviews with officials in the ASEAN Secretariat, Liana Bratasida, and Wendy Yap.

and relevant officials of national governments. Strengthening the ASEAN Secretariat is also straightforward, if resources could be made available. Six ideas for considering ASEAN Dialogue and External Partner countries' future environmental strategy towards ASEAN are discussed below.

To improve the efficiency of ASEAN's decision-making

(1) Strengthen the ASEAN Secretariat

- To strengthen ASEC, especially the Environment Division, financial or personnel support (i.e. to hire local staff) to assist ASEC's operations could be provided. Hiring 4-5 local staff might be ideal to sufficiently support ASEC's activities, but even 1-2 additional local staff could make a big difference in implementing its daily work. This is a very cost-effective way to strengthen ASEAN's environmental actions.

(2) Enhance communication and coordination among various stakeholders

- Lack of a common understanding of environmental issues among policy makers, including ASEC officials and government focal points, and other relevant stakeholders, has slowed the progress of many of ASEAN's environmental efforts. Thus, enhancing communication through existing policy dialogues and regular communication is very important because environmental area is so dynamic that all the stakeholders need updated information. For instance, Prof. Koh Kheng Lian proposed to organize a training workshop for youth and policy makers from ASEAN countries in which a representative of each country presented its implementation activities in specific areas and discussed the strengths and weaknesses and alternative solutions etc. This kind of workshop with a very intensive curriculum would be considered to be successful in enhancing common understanding of the environmental issues as well as the challenges unique to ASEAN.¹⁴⁰
- To strengthen WG activities, efforts should be made to improve coordination between focal points and relevant national officials. It is desirable to find some means to bring focal points of WGs and senior national government officials together to discuss national/regional barriers to implement ASEAN activities. One option could be to convene a multi-stakeholder forum, including experts, relating to the implementation of ASEAN environmental activities. The forum would share information on national experiences and discuss challenges, including how ASEAN cooperation could overcome various national constraints.¹⁴¹ It could also identify possible areas to request donor support in order to meet the objectives in the Blueprint.¹⁴²

¹⁴⁰ Interview with Koh Kheng Lian.

¹⁴¹ Interview with Moe Thuzar.

¹⁴² Interview with Moe Thuzar.

- Some scholars also suggest that ASEAN could do better within the current environmental organizational framework by putting in place more effective mechanisms both at the sub-regional and the national levels to facilitate implementation of its policies.¹⁴³
- Some of these suggestions could be implemented by ASEAN on its own, but ASEAN Dialogue and External Partner countries' knowledge, financial, and technical assistance could help accelerate implementation.

(3) Strengthen capacity building for government officials and WGs

- ASEAN has engaged in many capacity-building efforts in certain issue-areas such as the Regional 3R Forum in Asia, the Asian Co-benefit Partnership, the Water Environmental Partnership in Asia (WEPA), and many capacity building initiatives related to the Clean Development Mechanism (CDM), often in collaboration with Japan and other donors. However, government officials and WGs still lack knowledge and technical capacity, especially in newer areas such as climate change. Some experts believe that ASEAN needs more capacity building in a more long-term, holistic, and intensive way. Thus, ASEAN Dialogue and External Partner countries could help ASEAN strengthen capacity building, particularly in newer areas, in a more long term and holistic manner. In particular, capacity building for WGs could be addressed through employment of local staff to assist chairpersons of WGs.

To enhance implementation in specific areas:

(4) Strengthen data collection and harmonization

- To strengthen ASEAN's capacity for data collection and harmonization both at the national level and within ASEAN (especially the WGs and ASEC), measures such as providing technical assistance for data collection, developing databases, or establishing an environmental information body and/or research institute in the region, similar to the Economic Research Institute for ASEAN and East Asia (ERIA)¹⁴⁴ in economic field, could be considered. This may not be very dramatic or exciting, but improved data collection and harmonization is a key foundation for improving environmental measures, particularly for future MRV-related activities relating to climate change and other areas.

¹⁴³ Koh and Robinson, 2002.

¹⁴⁴ EIRA is a policy think tank established in November 2006. Its establishment was proposed by Japan at the East Asia Summit with the aim to intellectually contribute to the regional efforts for East Asian Economic Integration in wide-ranging policy areas including trade/investment, to small and medium enterprises, human resource development, infrastructure, energy, etc. ERIA's main task is to provide the policy analyses and recommendations to officials/ministers in strong partnership with the ASEAN Secretariat and existing research institutes.

(5) Promote a programme-based approach

- This study has found that many environmental cooperation activities are project-based, and may not be closely connected to ASEAN's needs or sustainable in the long term due to the limited funds and time span, as in the case of the EU assistance for the ACB. Thus, ASEAN Dialogue and External Partner countries should consider shifting their assistance more towards programmes to improve the sustainability of externally funded activities and strengthen ASEAN's own capacity for implementation, particularly in areas where ASEAN needs long term external assistance. For example, Japan's experiences regarding the Indonesian Programme Loan have shown that it has been effective in making some progress in mainstreaming environment into Indonesia's National Development Policy, and providing a venue for cross-ministerial policy dialogue and coordination.¹⁴⁵ Moreover, the participation of the French Development Agency (AFD) and the World Bank in the Indonesian Programme Loan suggests that there is potential for other donors to join medium-and long-term programmes. By including more outside actors, transparency, efficiency, and effectiveness of policy implementation might be increased.¹⁴⁶ Although a programme based approach has faced some challenges in the past, such as difficulties for donors to monitor policy implementation as well as inadequate information dissemination among implementing/relevant ministries at the local level, promoting and implementing a program-based approach could help ASEAN to increase the overall effectiveness and sustainability of environmental policies and projects.

(6) Strengthen operations of existing ASEAN-affiliated organizations

- To enhance implementation of ASEAN environmental cooperation activities, it is important to strengthen operations of the existing organizations under WGs such as the ACB and the Singapore Meteorological Monitoring Center (SMMC). It is also desirable to consider increased and more sustainable funding through the ASEAN Biodiversity Fund (ABF), an endowment fund developed and established to support the implementation of biodiversity-related programs in the ASEAN region. In addition to funding, increasing human resources is also important. Since these organizations mainly work with national government officials of AMS and depend largely on the funds provided from the host countries, their operations are often influenced by the interest and economic conditions of the host countries, which can be subject to change.¹⁴⁷ Thus, the increased funds from multilateral channels such as ABF and human resources from diversified backgrounds could help these organizations work more sustainably, and expand their activities. For

¹⁴⁵ Nishikawa 2011, pp. 56-57.

¹⁴⁶ *Ibid.*

¹⁴⁷ Interview (anonymous) with a former official in the ASEAN Secretariat.

instance, ACB could work with several WGs such as AWGNCB and AWGCME to generate synergies among WGs, while SMMC could strengthen the monitoring system for haze. ASEAN Dialogue and External Partner countries could provide financial or human assistance to such ASEAN-affiliated organizations directly or through multilateral funds such as ABF.

- (7) Promote broader stakeholder participation in ASEAN (local governments, IOs, donors, CSOs, and business etc.)
- One strategy is to promote greater involvement of other stakeholders in WGs, ASEAN-affiliated organizations, and national implementation processes, which could improve public understanding as well as implementation. For instance, involving local governments into WG discussions would help to reflect ground level information into policy making.¹⁴⁸ Although cities are important implementing actors at the local level, currently, they do not participate in WG meetings. Since ASEAN-affiliated organizations such as ACB and SMMC coordinate mainly with national government officials, broader participation of local governments, donor countries and organizations, and experts would help those organizations expand their networks and increase their effectiveness. Moreover, it may be beneficial to encourage the involvement of CSOs in implementation at the local level, for instance, following the example of the Kitakyushu Initiative.¹⁴⁹ This could be conducted by ASEAN itself, but ASEAN Dialogue and External Partner countries' assistance to mobilize the relevant stakeholders would be helpful since this process is time consuming and needs some financial assistance.

Consider focusing cooperation around proposed Sustainable Development Goals (SDGs):

The United Nations has been conducting global discussions to establish Sustainable Development Goals (SDGs) as a part of the Post-2015 Development Agenda. As of October 2014, the basis for discussion of SDGs is the draft developed by the Open Working Group.¹⁵⁰ While it is uncertain what form the SDGs will finally take, some preliminary suggestions can be made based on the OWG's draft. All of these could be good focus areas for strengthening environmental cooperation in ASEAN.

- (8) Cooperation on specific proposed SDG goal areas

¹⁴⁸ Interview with Wendy Yap.

¹⁴⁹ Toshizo, Maeda 2009.

¹⁵⁰ The document is available at

http://sustainabledevelopment.un.org/content/documents/4518SDGs_FINAL_Proposal%20of%20OWG_19%20July%20at%201320hrsver3.pdf

- The 17 goal areas in the OWG’s draft include several areas relating to the environment, as well as several environment-related aspects in other goals. Thus, the SDGs may also contribute to greater coordination among the environmental, economic, and social dimensions of sustainable development. To be sure, some SDG areas, such as energy, are typically considered to be environment-related, but in ASEAN, energy comes under the jurisdiction of the ASEAN Economic Community rather than the environmental area under the ASEAN Social and Cultural Community. Only the areas which might be related to ASEAN’s environment-related Working Groups are mentioned here, although cross-cutting areas such as health and disaster management are also relevant.
 - Goal 2 on hunger and food security also includes sustainable agriculture, which is related to nature conservation, biodiversity and the protection of ecosystems (2.5).
 - Goal 3 on health and well-being includes a target to reduce the number of deaths and illnesses from hazardous chemicals and air, water, and soil pollution and contamination (3.9)
 - Goal 6 on availability and sustainable management of water and sanitation for all. Here, integrated water resources management is specifically recommended (6.5). Reducing water pollution (6.3) and protection of water-related ecosystems (6.6) is emphasized.
 - Goal 11 on cities and human settlements
 - Goal 12 on sustainable production and consumption patterns
 - Goal 13 on climate change and its impacts
 - Goal 14 on sustainable use of oceans, seas, and marine resources for sustainable development
 - Goal 15 on terrestrial ecosystems, forests, desertification, land degradation, and biodiversity loss

(9) Cooperation on means of implementation for SDGs

- Goal 16, on peaceful and inclusive societies, access to justice, and accountable and inclusive institutions, is in a sense related to implementation. Some proposed targets include:
 - Development of effective, accountable and transparent institutions at all levels (16. 7)
 - Ensure responsive, inclusive, participatory and representative decision making at all levels (16. 8)
 - Ensure public access to information (16.10)
- Goal 17 focuses on the means of implementation, and includes four three broad areas – finance, technology, capacity building and trade – as well as three systemic issues – policy

and institutional coherence, multi-stakeholder partnerships, and data/ monitoring/ accountability. All of these are relevant for enhancing ASEAN's decision making process for environmental cooperation as well as cooperation in specific areas.

5.4. Suggestions for Further Research

Given the ideas for cooperation process above, the following additional research would be useful in order to more effectively develop international environmental cooperation approaches towards ASEAN.

- (1) Further research to examine the factors influencing decision making process and organizational structure in each ASEAN country could help understand how they develop their position towards ASEAN environmental cooperation. Organizational structures of environment-related agencies within ASEAN countries vary, and this can influence the prioritization of issue-areas and coordination among relevant stakeholders. Often, in many countries, there is inadequate communication between ministries it can be very difficult to coordinate between them. Moreover, even agencies set up to coordinate among different ministries experience significant challenges. For example, in Indonesia, although a coordination agency such as BAPPENAS exists and functions regularly, there are still difficulties in implementation, and with both horizontal and vertical coordination within the government.¹⁵¹ Moreover, rates of personnel turnover and the frequency of personal rotations of governmental officials also differ among ASEAN countries. Thus, since the strengths and weaknesses of organizational structure of each country are different, further research on basic organizational structure and decision making process of each country in the environmental field would be desirable. This study did not comprehensively collect information on each country's domestic decision-making processes.

- (2) Further consideration of the possibility of integrating environment and sustainable development concerns into other policy areas could increase the prioritization of the environment by AMS and enhance the domestic position of environmental ministries, which in turn could enhance ASEAN's environmental decision making and implementation capacity. This study did not survey the current environmental policy integration processes in other areas in each country.

¹⁵¹ Interview (anonymous) with a government official in BAPPENAS (National Development Planning Agency, Indonesia).

(3) Finally, regional integration in ASEAN might be considered to be most advanced in the economic field compared to others. Thus, examining the strengths and weakness of ASEAN economic cooperation could provide some lessons to strengthen environmental cooperation.

6. CONCLUSION

This survey has outlined the current status of ASEAN's environmental organizational structure and implementation in the key selected areas and reviewed factors influencing ASEAN's decision making process for regional environmental cooperation. Although it can be said that ASEAN has made progress in developing its institutional structure and achieved a certain level of environmental cooperation among member states, this study found that ASEAN is still faced with many institutional, policy-level, and operational challenges, which have resulted in difficulties in decision making and implementation. These challenges include complex and bureaucratic decision making processes of the current institutional set-up, the infrequency of WGs meetings, insufficient resource for administration and logistics under WGs and ASEC, insufficient coordination among the main actors including ASEC, the focal points of AMS, and national governmental officials, as well as socio-economic and cultural differences among AMS. These hurdles have hindered the effectiveness of the WGs and implementation at both the regional and national levels. Decision making and implementation have worked relatively well in some areas where WGs are active, due to the lead countries' capacity and motivation or the existence of an implementation body, for example in the case of AWGESC and AWGNCB. Nevertheless, the overall degree of implementation of ASEAN's goals and commitments in the key documents such as the Roadmap for an ASEAN Community 2009-2015 remains somewhat limited.

Issue-specific analysis has concluded that the more active areas are led by a few capable and motivated member states, including biodiversity and environmentally sustainable cities, while those that are less active are characterized by insufficient capacity and motivation of the leading country. Regarding the issue of transboundary haze pollution, the result is mixed. Some countries such as Indonesia and Thailand are very active in addressing the issue through bilateral or trilateral cooperation mechanisms.

Taking into account the above findings, this survey observed several factors which facilitated cooperation among AMS, and others which did not facilitate cooperation very well. Factors facilitating cooperation included 1) the increasing seriousness of environmental problems; 2) active participation of stakeholders; and 3) the fact that some countries have more experience and capacity in some issue-areas, and AMS were willing to let these capable countries take the lead. The study found that it would be helpful for AMS to continue and expand the tendency to encourage capable and motivated to lead cooperation, while maintaining good coordination with ASEC and other political decision making bodies.

Factors which did not facilitate cooperation include the following: 1) institutional factors, such inadequate coordination among officials, 2) the tendency of WGs to function more as a forums

for policy discussions and review rather than as operational entities, 3) insufficient human and financial resources; and 4) domestic factors in individual member countries, including stakeholder lobbying against stronger environmental measures, procedural and positional differences on environmental issues and regional cooperation, and the tendency to give a lower priority to the environment.

Overall, findings of this study suggest that ASEAN Dialogue and External Partner countries could take a two-track approach when cooperating with ASEAN in the field of environment. Currently, much international cooperation with ASEAN is focused on the ASEC, and this is of course very important. Yet, the study found that directly approaching several member states that are capable and motivated, depending on issue-areas, while maintaining good coordination with ASEC and other political decision making bodies including WGs, could help to accelerate the cooperation procedure and enhance its effectiveness and implementation. The ASEAN Secretariat does not have sufficient resources to coordinate many projects and programmes on its own. This approach of expanding discussions to individual countries would naturally require more effort and more human resources for coordination. This may be difficult for countries which also have a shortage of personnel, but nevertheless, this effort is strongly recommended in order to improve the effectiveness of cooperation. To be sure, this report does not promote a general bilateral approach over a multilateral approach, but rather that bilateral cooperation with key countries is important in order to advance multilateral cooperation with ASEAN.

Six more concrete ideas are underlined. First, strengthening ASEC is very important given its serious shortage of staff and financial resources. ASEAN Dialogue and External Partner countries could make a significant contribution in this regard, with a relatively small investment. Second, more attention should be paid to responding to ASEAN needs in order to enhance ASEAN countries' ownership of the projects and programs. Third, it is better to focus on issue-areas for which countries are already interested and taking leadership. Fourth, consider further implementation of a programme-based approach. Fifth, involving more stakeholders both in decision-making processes and implementation may be helpful in order to address the institutional obstacles within ASEAN and the difficulties of coordination between and within countries. Finally, enhanced collaboration with research organizations such as the Economic Research Institute for ASEAN and East Asia (ERIA) and Regional Sustainable Development Department (RSDD) of ADB, to integrate more environmental aspects into their activities should be considered.

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