

## **Vietnam's Virtual Charm Offensive**

**Vietnam made the best of a difficult situation in carrying out its ASEAN chairmanship amid a pandemic.**

By Nguyen Phuong Linh and Nguyen Khac Giang

When Vietnam's Prime Minister Nguyen Xuan Phuc received the symbolic gavel from his Thai counterpart Prayut Chan-o-cha in the ASEAN chairmanship handover ceremony in November 2019 in Bangkok, he did not know what challenges his country would face just a few months later.

Vietnam, despite its success in fighting against the COVID-19 pandemic, has had an unprecedentedly difficult year as the ASEAN chair. The year's theme was "Cohesive and Responsive ASEAN," yet the chaos of the pandemic threatens to throw the country's hopes away. Despite Hanoi's lobbying for a traditional form of physical ASEAN meetings to be held in Da Nang in April, the event eventually took place via video conferencing for the first time since the founding of ASEAN in 1967. The new format challenged the host country's ability to set the agenda and process important negotiations.

"ASEAN diplomacy is privately led; it is famously known for making major agreements on the golf courses, at the karaoke halls, and having drinks on sideline meetings... When you don't have these actual in-person meetings... virtual events will dilute the 'ASEAN way' of doing things and ASEAN will suffer for it," a Bangkok-based, Southeast Asia-focused scholar noted earlier this year, expressing low expectations for Vietnam's achievements during its ASEAN chairmanship.

However, while its neighbors are still struggling with the pandemic, Hanoi has been surprisingly creative in its diplomatic actions and made the best out of the situation, not only for itself but also for the ASEAN community. While its achievements are not all significant, Vietnam has proved that ASEAN might not completely mean every nation for itself.

### **Mission: Possible**

A rumor spreading in Hanoi during the ASEAN meetings in June was that China was pushing for an ASEAN+1 meeting, claiming that other countries, including Japan and South Korea, were in the middle of the COVID-19 pandemic which was not a suitable position to discuss other important topics. Vietnam, together with Japan and others, had to work hard just to expand the meeting to +3, let alone reaching other achievements.

Vietnam has deftly managed to shift typically offline diplomacy to online platforms. It organized all the important events in an ASEAN year, including the first virtual summit in June and the upcoming one this November (which is expected to also include face-to-face meetings for the first time in 2020). Taking a positive view, the online shift actually streamlines excessive

meeting duties. Within the framework of the 53rd ASEAN Foreign Ministers' Meeting and related meetings (AMM), up to 42 documents were adopted, a record in the history of AMMs.

The number of meetings and documents are not necessarily sufficient to evaluate the chair's performance, particularly given ASEAN's record of speaking more loudly than its performance of meaningful actions warrants. Yet a closer look at what actually has been done during this turbulent year also generates an appreciation of Vietnam's efforts.

In terms of external relations, ASEAN has kept a fairly neutral position amid the escalating China-U.S. tensions. The association has also actively sought to widen its partnerships: ASEAN agreed to grant the status of development partners to France and Italy, while admitting Colombia and Cuba to the ASEAN Treaty on Amity and Cooperation. Recently, the U.K. asked to become ASEAN's 11th dialogue partner. This is important because the trickiest problem in the region at the present – the South China Sea dispute – cannot be solved by ASEAN countries alone. Hanoi has managed to advance this topic in two fronts: within ASEAN and among ASEAN partners.

On the first front, following the the 53rd ASEAN Foreign Ministers' Meeting, Vietnam issued a joint statement that explicitly criticized China's militarized activities (although not calling out Beijing by name). This was also the first ASEAN statement that explicitly mentioned the United Nations Convention on the Law of the Sea (UNCLOS), which was previously avoided by other ASEAN chairs, including key claimants such as the Philippines and Malaysia.

This was a huge breakthrough: The statement implies an ASEAN consensus agreement on solving sovereignty disputes based on international laws, instead of the bilateral, closed-door approach insisted upon by China. Given the understandable lack of interest in this issue from non-claimant members, Hanoi must have invested heavily to convince countries such as Cambodia, Laos, and Myanmar to agree with the statement. While there are limited significant changes in the language of the joint statement, Hanoi did a good job in not stopping ASEAN members from speaking their mind on the South China Sea issue. It is important that ASEAN countries bordering the South China Sea now start talking about and recognize the arbitration case that fellow member state, the Philippines, had won against China in 2016.

Outside of ASEAN, this is a year when major international and regional powers – including the U.S., Japan, India, and Australia – have been vocal in criticizing Chinese aggression. Of course, this is partly due to those countries' own calculations, but it is undeniable that Vietnam also plays an active advocating role, particularly when some of the harshest comments – from U.S. Secretary of State Mike Pompeo and Japan's then Foreign Minister Kono Taro – emerged from ASEAN's dialogue platforms. In July, Vietnamese Foreign Minister Pham Binh Minh also openly “welcome[d] the U.S.' constructive and responsive contributions” in the South China Sea, an unprecedented move which surely irritated Beijing.

In addition to the efforts to gather support against Beijing's increasing power plays, ASEAN also tried to accommodate China. In late 2019, ASEAN under Thailand's chairmanship accepted Beijing's proposal to link the Master Plan on ASEAN Connectivity 2025 (MPAC) with the Belt and Road Initiative (BRI). Though no clear progress was made in 2020, Minh acknowledged that

all ASEAN members supported the proposal and are working to build concrete ideas for cooperation.

Recognizing that China has been extremely skillful in using economic incentives to silence ASEAN members on the South China Sea, and that the pressure on Southeast Asian countries is likely to increase in the aftermath of COVID-19 as many face economic recession, Vietnam has lead ASEAN in responding to the pandemic in order to minimize the negative economic impact. These efforts include setting up the COVID-19 Response Fund, actively building a forum to share experience, strategies, and ways to ease the impact of the global health crisis on people and the economy. Although limited progress has been seen from these actions, it is remarkable that Vietnam has coordinated a large amount of work without the essential and usual informal ASEAN meetings and sideline talks.

### **Issues Without Significant Progress**

Upon passing the ASEAN chairmanship to Vietnam, Sihasak Phuangketkeow, a Thai senior diplomat, hoped Vietnam could address three key issues: the Rohingya crisis, the acceleration of negotiations on the South China Sea Code of Conduct (CoC), and generating a clearer outlook for the Indo-Pacific, as a response to fast changing environment of great power competition between the U.S. and China in the region. Up to now, Hanoi seems to have lacked either interest or capability to adequately handle all three.

Human rights have never been an issue receiving much attention from the ASEAN members in their summits unless the consequences affect them directly. The pandemic, which has showed the advantage some authoritarian regimes have in monitoring people and restricting movement, raises concerns that it might further constrain freedoms and fundamental rights in some countries. Vietnam – as a one-party state – has never been seen as a leader in human rights issues.

In 2015, thousands of Rohingya refugees were stranded in boats in the Andaman Sea and Malacca Straits after fleeing oppressive conditions in Myanmar. ASEAN has discussed the crisis in various forums since August 2017, but has largely ignored the Myanmar government's threats to the 600,000 Rohingya remaining in Rakhine state. In Hanoi's virtual summit this year, the bloc also agreed to not put out any formal statement about the ongoing situation with the Rohingya in Myanmar.

This marks another betrayal of the Rohingya by the Southeast Asian community. The nominal reason for such a decision is presented as adherence to a principle of non-interference in domestic affairs within the ASEAN community. The issue of the Rohingya was referenced in the ASEAN Chairman's Statement, which only yielded to Myanmar's internal investigations on the issue and has committed to there being no further formal action taken within the structures of ASEAN.

However, such a stance is nonsensical. The Rohingya genocide is not merely a domestic issue. The migration of Rohingya out of Myanmar, triggered and orchestrated by the country's military crackdown on the group over the past half-decade, has affected virtually all countries in the

region. The issue has and continues to affect the entire ASEAN region, but was unsurprisingly not addressed by Hanoi this year.

The Indo-Pacific as a region came into broader use after the Trump administration adopted the term to develop a counterweight for China's Belt and Road Initiative (BRI). ASEAN, as a bridge connecting two oceans, feels the imperative to offer its own response. In 2019, the bloc announced a five-page "ASEAN Outlook on the Indo-Pacific," which provided a general principle for the region's engagement. Nevertheless, the sensitivity of the term itself – considered by China as a hostile U.S. containment strategy – seems to make it less discussed in ASEAN forums. During its chairmanship, Hanoi largely overlooked the topic and has not brought up any ideas to realize the outlook laid out in 2019.

The lack of a more concrete Indo-Pacific plan reflects a deeper issue within ASEAN: The dilemma that arises from trying to build consensus when member states have different priorities and interests. Take the CoC negotiation, for example. While the South China Sea disputes concern only four out of 10 ASEAN members, it is undeniable that maintaining a peaceful, rule-based maritime environment is essential to the region. However, the way the CoC process has been carried out resembles an 11-country negotiation rather than a China-ASEAN negotiation. There have not been many internal meetings to determine a unified ASEAN stance on the CoC. This only benefits Beijing, which consistently requests the South China Sea issues be solved bilaterally. The fact that the four ASEAN claimants have unresolved sovereign disputes among themselves contributes to this problem.

The same thing can also be said about another pressing regional issue: the management of the Mekong River, which is shared between five ASEAN members and China. ASEAN established the ASEAN Mekong Basin Development Cooperation (AMBDC) platform in 1996 which involves the 10 ASEAN member states and China and is aimed at enhancing economic and social cooperation in the region. However, the AMBDC has not made substantial progress to date. While the slow progress of the AMBDC can be attributed to inadequate financial and other resources, it is also due to little concrete and sustained interests by the five maritime Southeast Asian states with no direct stake in the Mekong. Therefore, greater collective effort is needed to move that framework forward and Vietnam has not been successful on that front.

Regardless of Vietnam's efforts in proposing solutions for other members to respond to the COVID-19 pandemic, the ASEAN "one community" still means 10 different countries with different interests, especially when it comes to fighting against the ongoing deadly pandemic. The fact is that not many countries welcomed the "ASEAN travel bubble," which was supposed to balance public health concerns with economic gains in the region. "ASEAN solidarity is one thing, but we don't want to sign a mutual death pact," said a Southeast Asian diplomat.

Vietnam was unable, and was not expected, to solve ASEAN's fundamental problems within its one year of chairmanship.

### **The Long-Term Solutions**

It is obvious that short-term gains are not Hanoi's priorities for its chairmanship. If Vietnam pushes too hard, all of the achievements this year can be undone next year or the year after – when Brunei and Cambodia, respectively, will take turns to chair ASEAN. Both have a history of giving in to Chinese pressure and offers.

First, Vietnam needs to find a creative way to go around ASEAN's consensual approach in issues that are not relevant to other member states. For example, it is difficult for countries like Myanmar, Cambodia, or Laos to agree on any strong South China Sea statements, which bring them no immediate benefit and could damage their ties with China. They might agree on a general principle – such as respect for international laws and peaceful solutions – but would certainly not venture too far to criticize China. As a result, Vietnam can establish a small group or task force of countries within ASEAN with direct interest in the issue. In doing so, it can manage to issue statements exclusively by affected countries rather than going through all the mess of the consensual approach. This is surely challenging, but Hanoi can start with less sensitive issues such as combating illegal fishing or the Mekong.

Second, Vietnam has also tried to promote using international law to solve sovereignty disputes, and explicitly promote settling disputes through peaceful measures on the basis of international law, including the 1982 UNCLOS. 2020 is a unprecedented year in which Southeast Asian states have taken a much stronger diplomatic stance toward China. From usually quiet claimants such as Malaysia to neutral parties like Indonesia, member states have sent notes verbales to refute China's sovereign claims and actions in the South China Sea. With much smaller economic and military power, it is obvious that the only way for ASEAN claimants to have a better position in negotiating with China is to do so collectively and according to international law. Vietnam – even after its chairmanship rotation – should promote the practical application of international law in solving disputes within ASEAN itself. This includes Vietnam's disputes with Malaysia, Brunei, and the Philippines. This is definitely a sensitive issue for Hanoi, but the regime must know they cannot have their cake and eat it, too.

Third, ASEAN as a regional institutional anchor lacks a core identity. ASEAN has been doing reasonably well on the economic front, but less so in its other important pillars – political security and sociocultural values. It is certainly difficult to find commonalities in a region as diverse as Southeast Asia, not to mention ASEAN's principle of non-interference, which prevents the bloc from having a bigger say in issues such as the Rohingya crisis. However, to build a true regional community as early as 2025, ASEAN must play a more active role. Building an ASEAN identity is among the main targets that Hanoi had thus year, but it understandably requires much more than a year of chairmanship. In the era of the pandemic, Hanoi could start with a mutual concern: focusing on sharing experiences in dealing with COVID-19 from countries that have been doing well (such as Singapore, Thailand, and Vietnam) to member states that are struggling, such as Indonesia and the Philippines. Bonding activities need action, not mere words.

### **What Is Next?**

Given the pandemic context, Vietnam has achieved more than expected in its chairmanship role to advance the country's own interests as well as to cement a more coherent ASEAN among an

uncertain world of increasing great power rivalry. Nevertheless, things could very well go back to “normal” in the next two years with Brunei and Cambodia in charge. Both countries have track records of playing very inactive or neutral roles in regional dialogues. Cambodia even supports Beijing’s opposition to any ASEAN stand on the South China Sea issues, as well as its preference for dealing with the disputed claims on a bilateral basis. That position disappointed Hanoi’s leaders in multiple past ASEAN summits. In addition, given the rising economic influence of China in Brunei and Cambodia, the likelihood that the two countries might erase this year’s efforts from their Southeast Asian neighbor are high.

Domestically, the upcoming Vietnamese Communist Party Congress in early 2021 might also have an impact on Hanoi’s ASEAN policy. Foreign Minister Pham Binh Minh, who is the architect of Vietnam’s more active regional policy for the past 10 years, will be likely to step down from his post after serving two full terms. Minh is eligible for promotion to more senior posts, however. If that is the case and if he can still have influence over Vietnam’s foreign policy, the country might play an even more active role in ASEAN. One of Vietnam’s major goals in ASEAN is having a core leadership group in the bloc so that problems can be solved more quickly. While this requires institutional reform within ASEAN, it is not impossible to achieve.

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