

Unlikely neighbours need to work at getting along

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The Australian
10 November 2006
P.16

The Australian's Patrick Walters has seen more of the proposed new security agreement between Australia and Indonesia than the rest of us, so any comments on it must be tentative.

All will be revealed on Monday when we can study its reported seven pages of text.

But even from what has been leaked so far it is clear that the new agreement makes an interesting comparison with its 1995 predecessor, the Agreement on Maintaining Security. It is more traditional in form, less ambitious in aim and more bilaterally focused. It bears the rough marks of a bruising period in Australia's relations with our largest neighbour and is a reminder of the important changes that have shaken up Australia's regional environment during the past 10 years. During that period, a democratic Indonesia emerged from the authoritarian rule of president Suharto while our bilateral relationship was battered by the violent circumstances of East Timor's independence, the Bali bombings and, more recently, serious disagreement over Papuan asylum-seekers.

An Indonesian embassy spokesman told Reuters the new agreement "basically summarises Australia's agreed position on separatism and formalises arrangements already in place". There is more to it than that: the new agreement seems to have elements of a traditional non-aggression pact, in which both sides agree, as this one reportedly does, to "refrain from the use of force against the territorial integrity or political independence of the other, in accordance with the UN charter".

Such an attack seems highly unlikely in either direction, but this wording presumably reflects residual Indonesian concern about John Howard's comments that Australia has the right to pre-empt terrorist attacks in the region.

The commitment that the two sides will "not in any manner support or participate in the activities by any person or entity which constitutes a threat to the stability, sovereignty or territorial integrity of the other party" goes beyond the longstanding position of both main political parties in Australia to support Indonesia's established borders. It clearly reflects the lingering after-effects of the Papua asylum debate and Indonesian suspicion that Australia is trying to prise its province away. But the clause would seem to offer Australia as much scope to press Indonesia on Jemaah Islamiah and other terrorist groups as for Indonesia to pressure Australia on Papua. Either way, though, it stores up rich political problems for the future.

Otherwise, the agreement reportedly covers existing bilateral co-operation in 10 key areas including defence, law enforcement, fisheries, counter-terrorism and so on.

"This is just codifying all the principles that we have agreed upon and putting in a document the co-operation that we have been doing so far, which is positive," ambassador Hamzah Thayeb says.

This is useful. You can use such high-level agreements as umbrellas under whose ambit more specialist sectoral agreements can be negotiated or you can draw such sectoral agreements together in omnibus fashion. This new treaty seems to take the latter approach. Either way, it reflects the expanding field of security co-operation between Australia and Indonesia.

In the negotiation of the 1995 agreement, the Indonesian side suggested the replacement of the original draft's "external threats" with the phrase "adverse challenges". It wanted to make it clear that the pact was not directed against some invasive threat but at a broader notion of security. This was accepted by Australia and turned out to be prescient. Within a few years non-traditional challenges such as terrorism, people smuggling and piracy had inserted themselves at the core of the security relationship between the countries.

The main difference between the new framework agreement and its predecessor seems to lie in its ambition. The 1995 treaty was externally focused: the two sides agreed to "consult each other in the case of adverse challenges to either party or to their common security interests and, if appropriate, consider measures which might be taken either individually or jointly and in accordance with the processes of each party". In other words, to act together to address challenges that might threaten us both. The new agreement is much more concerned with the bilateral relationship.

The sense of the countries identifying common external interests and acting together to pursue them seems much less prominent (apart, perhaps, from in the counter-terrorism area, where this is already an established part of the security language between the two countries). Still, the new agreement underlines the commitment of both governments to work together to build closer ties and it reflects a dialogue on these subjects that is broadening out well beyond the two defence forces.

One of the most persistent criticisms of the earlier agreement is that it did not endure because it was not based on solid public consensus in both countries on what the bilateral security relationship should be; that is, it was not sustainable, in Alexander Downer's words earlier in the week. I don't buy the view that international agreements must necessarily codify established positions or conform with existing public views. (One wonders whether this one will.) Instead, one of their roles is precisely to help change norms and behaviour; not just to reflect the status quo but to identify a destination we want to reach. The 1995 treaty fell victim to a particularly tense period in Australia-Indonesia relations. It was not in existence long enough to become institutionalised as part of the relationship between the two countries. And, most important, the leadership changed in both countries, so when the crunch came at the time of East Timor's independence neither of the principals had a political interest tied to its success.

Let's see what's in the new agreement on Monday, but it looks like a welcome addition to the deepening of relations between two very different countries that must live and work together. But the destination to which we are heading is still not clear. The framework agreement on security is not an end but another useful step on a long path.

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