

Sovereignty as responsibility in East Asia's response to crises

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Though aspects of Oscar Gómez's article resonate with Duncan Mclean's opening article, one is not a reflection of the other. The former has the merit of shifting the gaze on this concept to show us how it has evolved over the past fifty years, in East and Southeast Asia.

Sovereignty has been central to the emergence of liberal humanitarianism in the West. Government abuse of the doctrine of non-interference when dealing with domestic threats is seen as a major concern, justifying action without borders. Traditional humanitarian principles were conceived to deal with such sovereignty excuses to deny access, particularly neutrality, so the most vulnerable populations could be reached despite political sensitivities, and independence to avoid cooption from inside. Sovereignty was in the beginning one, if not the, nemesis of the humanitarian movement.

Nonetheless, the conception of sovereignty has been changing and it is not totally clear whether humanitarianism has caught up with its evolution. The first fierce test came after the end of the Cold War, when the international community embraced humanitarian reasons for international action, giving way to "humanitarian interventions." Such militarisation of the "humanitarian" project was strongly resisted by agencies, organisations and workers, as crises such as Somalia, Rwanda, Bosnia and Kosovo showed how controversial – and not necessarily humanitarian – such interventions were¹. Against this background, a new idea of "sovereignty as responsibility" gained attention, stressing the obligation for citizens' protection that is implied by State sovereignty². This idea inspired the "responsibility to protect" doctrine, which tried to solve the problem of justifying intervention in the sovereignty-centric society of nations and, by so doing, also tried to disentangle military intervention from humanitarian practice.

Such "sovereignty as responsibility" is not the nemesis feared at the outset of modern humanitarianism. Indeed, it is the reaffirmation expressed in 1991 United Nations General Assembly Resolution 46/182 starting humanitarian coordination through the UN, and elsewhere, that States have the responsibility first and foremost to take care of affected populations. Does this renewed conception of sovereignty affect the nature of humanitarianism? In this short essay, I discuss how this new sovereignty as responsibility disrupts humanitarian action, offering some entry points for a grounded discussion based on the evolution of crisis response in East Asia, understood as comprising both the East and the Southeast.

¹ International Commission on Intervention, State Sovereignty, and International Development Research Centre (Canada), *The responsibility to protect: report of the International Commission on Intervention and State Sovereignty*, IDRC, 2001, p.1-9.

² Francis M. Deng *et. al.*, *Sovereignty as Responsibility: Conflict Management in Africa*, Brookings Institution Press, 1996.

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As the “without borders” movement started, following the experience in Biafra, East Asia did not present a very different situation in regard to sovereignty concerns. The Association of Southeast Asian Nations (ASEAN) was founded in 1967, having the doctrine of non-interference in the internal affairs of member States as its single most important principle³. This was most notorious in ASEAN’s refusal to address the Cambodian genocide perpetrated by the Khmer Rouge regime between 1975 and 1979. The carnage was stopped by Vietnam’s invasion of Cambodia and defeat of the regime; however, humanitarian motivations were not central to the decision; neither was the world receptive to such justification⁴. Humanitarian considerations were also secondary in ASEAN countries’ response to the ensuing refugee crisis, which continued for over a decade. Screening of refugees was not an issue of protection but of deterrence, while the region pressured the international community for assistance⁵.

Nonetheless, the Indochina refugee crisis, as it is known, was an opportunity for the expansion of UN offices in the region and for the creation of some organisations in the region with a humanitarian vocation. For example, the UNHCR office arrived in Thailand because of the crisis, and the Japanese Disaster Response team has its early origins in a medical deployment to the Cambodian-Thai border⁶. Major humanitarian Japanese NGOs, such as the Association for Aid and Relief, Shanti Volunteer Association, Caring for Young Refugees and Japan International Volunteer Center, also originate from those days⁷.

Another characteristic of the conflict between the existing sovereignty paradigm and the emerging humanitarian movement can be seen in the 1976 Tangshan earthquake in China. This was one of the deadliest earthquakes in history, killing between 242,000 and 700,000 people in the northeast of the country, close to Beijing⁸. The earthquake took place during a critical political moment of the country, as the long-delayed leadership succession was taking place. Partly because of this, the country refused all crisis relief from the United Nations and Red Cross Societies and forbade foreigners from entering the city of Tangshan for seven years⁹. A traditional anti-Western attitude was also important, as demonstrating the superiority of the socialist system also motivated aid rejection¹⁰.

In sum, the responses to these two crises reflect the logic of the Cold War: a competition between great powers to show strength, therefore disregarding the receipt of humanitarian assistance as a sign of weakness, while the Third World accommodated vertical provision of assistance. While ASEAN countries were indeed striving to provide regional solutions to regional problems, at that moment of the Association’s history the conception of problems was very

³ Amitav Acharya, *Constructing a Security Community in Southeast Asia*, Third edition, 2014, p.56.

⁴ Martha Finnemore, “Constructing Norms of Humanitarian Intervention”, in Peter J. Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics*, Columbia University Press, 1996, p.153-185.

⁵ Sara E. Davies, “Realistic yet humanitarian? The comprehensive plan of action and refugee policy in Southeast Asia”, *International Relations of the Asia-Pacific* 8(2), 2008, p.191-217.

⁶ Sachiko G. Kamidohzono, Oscar A. Gómez and Yoichi Mine, “Embracing human security: New directions of Japan’s ODA for the 21st century”, in Hiroshi Kato, John Page and Yasutami Shimomura (eds.), *Japan’s Development Assistance: Foreign Aid and the Post-2015 Agenda*, Palgrave Macmillan, 2016, p.205-221.

⁷ Kaori Kuroda, “Japan-based non-governmental organizations in pursuit of human security”, *Japan Forum* 15(2), 2003, p.227-250.

⁸ Lester Ross, “Earthquake Policy in China”, *Asian Survey* 24(7), 1984, p.773-787.

⁹ Wooyeal Paik, “Authoritarianism and humanitarian aid: regime stability and external relief in China and Myanmar”, *The Pacific Review* 24(4), 2011, p.439-462.

¹⁰ Miwa Hirono, “Three legacies of humanitarianism in China”, *Disasters* 37(s2), 2013, p.S202-S220.

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narrow and economic development still at an early stage. Humanitarian motives and duties were not particularly important, although the idea that the State was responsible for dealing with crises already existed, as well as a culture of charity and solidarity¹¹.

Ownership, horizontality and the future of humanitarian action

Response to major crises has changed radically in the region during the last twenty years. These changes can be described in terms of a widening of the national ownership of crisis response and a horizontal relation in the exchanges of international support.

Ownership of crisis response cannot be said to be totally absent from national and regional institutions during the Cold War. After all, the reaction of the Chinese government in 1976 and the creation of ASEAN aimed at dealing with their own problems. However, a series of non-traditional threats in the late 1990s and the 2000s showed how inadequate security institutions narrowly focused on military threats and regime stability were. First, the 1997 Asian financial crisis made evident that development without protection was unsustainable, hurting the legitimacy of the affected national governments¹². Then the huge devastation brought by the Indian Ocean Tsunami in 2004 demonstrated the importance of having national and regional institutions capable of leading response and coordinating assistance efforts. Since then, national disaster management authorities (NDMAs) have been consolidating all around the region, creating capabilities for the whole disaster cycle and thus professionalising their interventions. They are present and active at global and regional conferences and platforms on disaster risk reduction, held every two years. At the ASEAN level, the Agreement on Disaster Management and Emergency Response (AADMER) was ratified in 2005 by the ten members of the association, resulting later in the creation of the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) in 2011 in order to advance AADMER institutionalisation. The Centre supports coordination efforts and the development of standard operation procedures, provides disaster information and organises the establishment of Emergency Rapid Assessment Teams (ERATs), which in practice replace UN Disaster Assessment and Coordination (UNDAC) teams with local human resources. Thus both the AADMER and the AHA Centre help to reassert the role of the state in humanitarian action¹³.

Wider ownership of crises has also pushed the boundaries of State protection. Thanks to great mobility of people across the region and the spread of information technologies, disasters abroad are also an opportunity for reaching expats – and avoiding the political costs of not doing so. This was particularly felt in Japan after the 2011 earthquake and tsunami, when several embassies advised or undertook evacuations along with their humanitarian gestures towards the locals. China and the Philippines are countries that are particularly pressured to provide this kind of action because of their large overseas working populations, which in time pressures other governments to act accordingly.

¹¹ Oscar A Gómez, “What is at Stake in Localizing Human Security Norms in the ASEAN+3? Comparative Analysis of a Regional Review Survey”, in Yoichi Mine, Oscar A Gómez and Ako Muto (eds.), *Human Security Norms in East Asia*, Palgrave Macmillan, 2019; Miwa Hirono, “Three legacies...”, art. cit.

¹² See Seng Tan, “Providers Not Protectors: Institutionalizing Responsible Sovereignty in Southeast Asia”, *Asian Security* 7(3), 2011, p.201-217.

¹³ Alistair D. B Cook, “Siloes, Synergies and Prospects for Humanitarian Assistance and Disaster Relief in Southeast Asia”, in Alan Chong (ed.), *International Security in the Asia-Pacific: Transcending ASEAN towards Transitional Polycentrism*, Palgrave Macmillan, 2018, p.357-375.

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On the other hand, the perception of fragility associated with the reception of humanitarian assistance has been gradually replaced by a view of international support as a token of solidarity, underlying a horizontal relation of reciprocity. An early example of this was the 1997 Kobe earthquake in Japan, during which the world's second biggest economy accepted international assistance. Then, in 2008, China also accepted support from abroad after the Wenchuan earthquake, in clear contrast with what had happened 30 years before. The new attitude of China was particularly important as it happened almost at the same time as Cyclone Nargis hit Myanmar, causing great loss of life and disruption. In contrast with the Chinese attitude, the military rulers of Myanmar initially resisted international assistance, partly in reaction to the menace of Western humanitarian intervention. The new Chinese behaviour in regard to international assistance and the prompt mediation of ASEAN helped ease restrictions and enlarge the space for humanitarian action.

Moreover, in 2011 Japan once again opened its doors to international solidarity, becoming the largest recipient of international humanitarian assistance of that year with over two billion dollars received from all around the world¹⁴. Many of the poorest countries contributed, reciprocating the support they have received from Japan over the years. Considering that the country received more than Libya or Somalia, countries under harsh stress in the same year, reciprocity appears to be an important driving force in future humanitarianism.

Other crucial emergencies moulding the region's position towards international assistance were the bird flu and severe acute respiratory syndrome (SARS) outbreaks. These events illustrate the two changes taking place in the region: the need for solid national responses as well as openness to international support. The experience in China was particularly crucial because refusal to accept it was the source of SARS: concealment of information and obstruction of the World Health Organization investigation exacerbated the international spread of the disease¹⁵. The government has subsequently committed to International Health Regulations in particular, as well as to offer international support after major crises, as examples after the 2014 Ebola fever crisis in West Africa and the 2015 Nepal earthquake show.

Ownership and horizontality in emergency response deeply transform the ways of humanitarianism. They make evident how much larger and more important national efforts are compared with what the international community provides. For instance, during the 2011 Thailand floods, humanitarian contributions amounted to about 24 million dollars, while the Thai government spent billions¹⁶; after the 2011 disaster in Japan, it was also noted how the real challenge of adequate support lay mostly on domestic actors. The disproportion between the size of the international humanitarian contribution and all the imperfections of this kind of assistance have made governments more sensitive about their acceptance, particularly multilateral efforts. After the Kobe earthquake, the Japanese government approach was already to accept help without making an appeal for it; this has become the norm around the region. And since the

¹⁴ Oscar A. Gómez, "Human Security After the Great East Japan Earthquake: Rethinking the Role of External Assistance", in Carolina Hernandez, Eun Mee Kim, Yoichi Mine, Ren Xiao (eds.), *Human Security and Cross-Border Cooperation in East Asia*, Palgrave Macmillan, 2019, p.65-86.

¹⁵ Sara E. Davies, Adam Kamradt-Scott and Simon Rushton, *Disease Diplomacy: International Norms and Global Health Security*, Johns Hopkins University Press, 2015.

¹⁶ Rebecca Barber, "Humanitarian Assistance Following the 2011 Floods in Thailand and Cambodia: The Importance of Formal Invitations and Informal Relationships", in Patrick Daly and R Michael Feener (eds.), *Rebuilding Asia Following Natural Disasters: Approaches to Reconstruction in the Asia-Pacific Region*, Cambridge University Press, 2016, p.315-338.

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diplomatic component of assistance has become more relevant than the actual assistance, bilateral support is preferred.

Moreover, failure to recognise national capacities has brought trouble to international humanitarianism. Particularly after Typhoon Haiyan/Yolanda in the Philippines in 2013, when international efforts failed to work with locals despite strong capacity, the government strongly admonished the UN system, becoming reluctant to accept UNDAC teams again in the future. Instead, the AHA Centre received renewed support from the region, as stressed in the “One ASEAN One Response” declaration of 2016. Similarly, while Japan accepted an UNDAC team in 2011, its mandate was mainly to translate information and to help contain international offers of assistance, instead of its original mandate for coordination on the ground.

The relative absence of large-scale armed conflicts in the region since the Cambodian genocide has been a relevant factor in the regional transformation in the practice of sovereignty. While the traditional security apparatus remains alert to threats such as the South China Sea dispute, regional constituencies appreciate their role in dealing with disasters, and dialogues for civil-military coordination are frequently held – although there is still much to do. Still, two of the outstanding examples of human-made disasters also evidence some of the changes so far described. The long-standing conflict in the southern Philippines has been mostly supported as a peace process, with strong regional involvement, keeping the humanitarian component to a minimum. Still, during the 2017 Marawi crisis, in which local terrorist groups affiliated to the Islamic State tried to establish a provincial territory, the Philippine government not only accepted humanitarian support through the Red Cross, but also invited the AHA Centre to help. This is significant because the Centre only has a mandate for natural disasters, opening the door for an expansion of regional mutual support beyond the relatively uncontroversial support after disasters.

Lately, during the ongoing Rakhine State emergency in Myanmar, the AHA Centre has again been invited to provide assistance inside the country, while international access remains restricted; other regional NGOs are also giving support, although the ASEAN way of low-profile action remains the norm. In that sense, the position towards displaced populations seems relatively the same as in the seventies: during the 2015 Asian Migration Crisis of tens of thousands of Rohingya reaching Indonesia, Malaysia and Thailand, the countries accepted temporary populations while asking the international community for support, although this time clearly highlighting the humanitarian imperative. Balancing deterrence and humanitarian commitments remains difficult to achieve, but at least individual nations pressure the Myanmar government to get on top of the situation – as they did in the process of the country’s joining ASEAN.

Overall, sovereignty as responsibility in East Asia means, on the one hand, a “de-globalising” of the international humanitarian system, in which traditional humanitarian actors must find the way to be recognised locally or be replaced by genuinely local actors – particularly national governments; on the other hand, sovereignty as responsibility is also a “de-multilateralising” of assistance, in as much as international life-saving becomes more of a diplomatic act between fellow governments, and only low-profile, professional contributions from multilateral actors are officially tolerated. These changes are rather positive, as they reflect a recognition that the local should be at the centre, being the most effective and accountable among the possible aid providers, although finding ways to deal with the gaps of state humanitarian provision will remain a constant challenge.

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Holding a PhD (Tohoku University), he is Assistant Professor at the College of Asia Pacific Studies, Ritsumeikan Asia Pacific University and was previously Research Fellow at the Japan International Cooperation Agency Research Institute (JICA-RI). His main interest is global governance and human security practice, with special emphasis on the environment, migration, humanitarian crises (disasters, forced displacement, pandemics) and international cooperation. He was part of a panel discussion at the United Nations (UN) on human security operationalisation in 2013 and co-authored background papers for the 2014 and 2016 Human Development Reports. He has worked as a consultant for several UN agencies in Latin America. Currently, he is editing books on human security norms in the Association of Southeast Asian Nations +3 (ASEAN+3) and on crisis management beyond the humanitarian-development nexus, and is preparing new research on emerging powers and non-Western humanitarianism.

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