

Between the Dragon and the Eagle: ASEAN and Human Rights in the Era of Great Power Competition

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Abstract

The ASEAN Intergovernmental Commission on Human Rights, which was established in 2009 after the promulgation of the ASEAN Charter, was the end of human rights regionalism in ASEAN. The process which began officially in 1993 with the first official mention of human rights in ASEAN officialdom culminated with commentary that was both celebratory and derogatory. The 15 years since AICHR's establishment have seen little progress towards human rights protection or broad advocacy emanating from AICHR. With the rise of a multipolar world the question of human rights in ASEAN is an important one to thought to reflect upon. This article argues that the AICHR's establishment was due to the effects of the 'Unipolar Period' of international affairs. Furthermore, since the world has moved to multipolarity with the rise of China in international and East Asian affairs, human rights in Southeast Asia are moving into a period of stagnation or retreat.

Keywords: ASEAN, ASEAN Human rights, Multipolarity, Great power competition, Weak states

Introduction

The Association of Southeast Asian Nations (ASEAN) was established in 1967 with the Bangkok Declaration comprising five newly independent states, notwithstanding Thailand. ASEAN is considered a success of third world regionalism and stands as the world's second oldest regional organization. ASEAN was initially established as a security organization to push back against the spread of communism among the original member states. However, with the end of the Cold War, ASEAN changed its mission from a strictly security based organization to include economics and trade. Included in the post Cold War transformation was the inclusion of human rights into the lexicon of ASEAN regionalism. It was in 1992 that ASEAN first included human rights into a regional discussion and summit conclusion. Some 25 years later with the signing of the ASEAN Charter, human rights was officially recognized as being an institutional part of ASEAN integration. The ASEAN Intergovernmental Commission on Human Rights was established in 2009 thus culminating over two decades of human rights advocacy in the region. The shift in ASEAN's integration

project to include human rights took place during the period of the American unipolar hegemony and due to the role and primacy of Western states in the post Cold War period human rights needed to be incorporated into ASEAN and its member states regional and national policies. This is not to say national and subnational parties did not play a major role in pushing human rights, instead this is to say the external force of Western legitimatized human rights and liberal norms became global norms and ASEAN incorporated these in order to thrive. With the closing and end of the unipolar period in international affairs and the parallel rise of China and reemergence of Russia a new multipolar world is being established. Given China's lack of emphasis and importance given to liberal norms such as democracy and human rights and ASEAN member states increasingly dense interaction with the PRC the question of the future of human rights in ASEAN is being raised.

It will be argued that with the decline of Western hegemony, the West, specifically the United States will revert from a liberal internationalist foreign policy orientation back to a realist centered foreign policy paradigm. As such the emphasis which was previously placed on human rights will either be sidelined or relegated to rhetoric in place of security and national interests based foreign policies outputs. China's lack of interest in pursuing a liberal foreign policy and instead focusing on developmental and economic cooperation leaves the issue of human rights progression in the hands of ASEAN member states without external interference. As such the further development and institutionalization of human rights in ASEAN stuck between the eagle and dragon to develop according to national particularities and elite sensibilities.

Review of the Literature

The literature pertaining to historical human rights regionalism in ASEAN can be segmented into three (3) primary groups; the descriptive, the external/internal liberal and the mirroring schools. The descriptive school places emphasis on internal processes within ASEAN member states from the NGOs, activists and other substate actors which impacted national elites. Petcharamesree and Muntarbhorn argue that activities and well-placed persons, many with backgrounds government officials operating through the Working Group for ASEAN Human Rights Mechanism as being primary actors (Muntarbhorn, 2003; 2005; Petcharamesree, 2013). Hsien-Li takes this view and broadens it out to include NGOs, the Working Group, the network of ASEAN Institutes for International and Strategic Studies and activists within the context of a liberalizing ASEAN space in the post-Cold War era (Hsien-Li, 2011). Phan argues similarly with the inclusion of NGOs operating at the international level able to access advocacy and policy space within the United Nations to enact change in ASEAN (Phan, 2008).

The second school adheres to the understanding of the twin forces of liberalism moving from the West to ASEAN and being taken up by national elites on the force of powerful ASEAN partners incorporating human rights into their foreign policies and substate activists, simultaneously pressuring those elites. Acharya argues that AICHR emerged during the process of democratization, accompanied by a global process of liberalization in the post–Cold War era (Acharya 2003; 2010). This is indicative of external influences that seeped into the regional space and worked its way up through civil society and national elites that were convinced or felt the need to follow the global liberal movement. Ryu and Ortoste take Acharya's argument further in arguing that enough ASEAN member states experienced democratic change in their national political systems so as to reach a regional 'tipping point' where human rights as part of the liberal lexicon became mainstreamed and normalized (Ryu and Ortoste, 2014). Within this framework is a twofold argument. First, the original five ASEAN members (Indonesia, Malaysia, Thailand, Singapore, and the Philippines) as democratizing could bring or convince the less liberal members of Cambodia, Myanmar, Laos, and Vietnam. Second, it is predicted that as long as the trend continues, AICHR would fully develop past its strict promotional limits. Implicit is the understanding of the linear path dependency on human rights development connected to democratization.

The last school of mimetics is emblematic of studies by Katsumata and Manea, who argue that ASEAN elites had not internalized or been fully socialized into believing fully Western liberal norms, but felt compelled by peer pressure of the unipolar moment to comply with global norms (Katsumata, 2009; Manea 2008; 2009). The processes of emulation are not one of local or indigenous processes but mirror what is seen as legitimate and is connected to the foreign policy preferences of powerful external partners and international organizations. Both Davies and Poole argue in a similar tone but see human rights as a ritualistic enterprise whereby ASEAN elites dovetailed international processes because norms such as human rights and democracy were given substantial weight (Davies, 2021; Poole, 2015). This was connected to political legitimacy in such a way as to make not engaging with those norms a non-sequitur, and hence ASEAN human rights. Jones and Jenne take a similar approach but focus on the fact that ASEAN states are not major players in international affairs or rule makers, but instead rule takers. They argue that engaging with human rights is a strategy for the state and strategic autonomy (Jones and Jenne, 2015). Put simply, ASEAN member states had to play the game of international politics, and the only game in town was a Western-led game according to Western norms, hence ASEAN human rights.

While insightful, previous studies are limited to a specific frame of time in their analysis: the era of unhindered American dominance of international affairs. The world, as it currently stands, is undergoing a major shift in centers, power, and influence internationally. With the rise of China and Russia's success on the battlefields of Ukraine and the survival of Western sanctions, the world is now clearly moving into a multipolar architecture of power centers. The only scholar to date to address this within the context of ASEAN and human rights is Barry Desker. In very broad terms, Desker argues that the emergence of China as a possible regional hegemon is a self-limiting factor that will inhibit the further substantial evolution of human rights in ASEAN (Desker, 2023). Desker does not delve into fine details but

offers an interesting point of entry for the discussion on what may be the possible trajectory for human rights in ASEAN. What is the impact of a multipolar world on human rights in ASEAN? What are the prospects for further development of regional human rights architecture to be more robust?

This is the entry point of this paper, where the author argues that far from limiting human rights development in ASEAN, multipolar rivalry will squarely put AICHR development on the shoulders of ASEAN member states and respective political elites. Many ASEAN scholars have argued that the primary role of organizations is to achieve regional autonomy from external interference for member state development. Regional autonomy in the academic sense refers to overriding foreign policy interests of ASEAN member states leaders when ASEAN was established. This goal has stayed with ASEAN throughout its existence and strives to allow ASEAN member states to operate independently within the outside of the region, conducting their affairs without the imposition of force by outside powers. This allows ASEAN as a grouping to exercise considerable foreign policy leverage in that there are no formal alliances nor foreign powers directly controlling policy. This derives from ASEAN member states collective memory of colonialism and the need to develop at early stages of nationhood during the Cold War. The goal of regional autonomy has persisted and served ASEAN states well in that they have been able to exercise a great deal of independence in the conduct of their relations without reverting to an EU model of supranationalism. Instead maintaining the integrity of ASEAN's intergovernmental organization and the ASEAN Way of conducting interstate relations.

Now that a multipolar world is emerging, each with different normative cores, China and the United States, ASEAN members will achieve strategic autonomy with regard to human rights. Regional elites fear far less pressure from external intervention or the need to mimic and ritualize the throne of Western hegemony. It is not to say that existing norms will disappear just that emphasis on this will lessen, thus putting the onus on ASEAN elites to develop human rights further in accordance with their sensitivities in a largely autonomous regional process.

Liberalism and the Unipolar Moment

The Cold War ended in 1991 and the world entered the “unipolar” moment. The unipolar period was marked by the dominance of the West, particularly the United States and its allies in Western Europe, who exercised near hegemonic influence (Krauthammer, 1990). The end of the Cold War was important for two main reasons: the unipolar moment produced a system where Western interests became global interests. Mearsheimer argues that in the unipolar world, Western political elites engaged in an ideological foreign policy with the thought that “liberals want to spread liberal democracy not just to protect the rights of individuals but also because they believe it is an excellent strategy for causing peace” (Mearsheimer, 2018: 132). Ikenberry and Mastanduno argue that American hegemony provides a reference point for the organization of global economic and political activity (Ikenberry and Mastanduno, 2003: 8). Johnston sees the unipolar period as one where ASEAN states would become socialized to hegemonic norms that came from the West, thus replacing realist power relations with values of liberalism (Johnston, 2003).

Western governments incorporated liberal values, such as human rights, democracy, and good governance, into their foreign policies, which had a substantial impact on ASEAN states. Southeast Asian governments were pressured in policy and rhetoric, with Western governments openly condemning ASEAN governments over their human rights records (Acharya, 2013). Human rights inclusion in Western foreign policy was such that “issues of human rights and democracy have become an obsession with the US media, Congress, and the administration” (Richardson, 1993: 22).

ASEAN was heavily pressured on the issue of Myanmar through United Nations sanctions, but also at the bilateral level. The ASEAN–European Union relationship was strongly impacted in the ASEM forum, with the EU threatening to boycott meetings if Myanmar was allowed to Chair ASEM as a rotating member (Collins, 2000; Keva, 2008; Murray, 2008; Robles Jr., 2006). This went so far that in 2008, threats were posed by the Bush Administration of forceful humanitarian intervention. After Cyclone Nargis America “threatening intervention, the US puts pressure on Beijing, New Delhi, and Bangkok to, in turn, pressure the Burmese generals to open their country to a full-fledged foreign relief effort” (Barber, 2009: 27; Kaplan, 2008; Selth, 2008). The calls for humanitarian intervention were echoed by French Foreign Minister Bernard Kouchner opening a calling and lobbying in the UNSC for intervention under the Responsibility to Protect doctrine (Asia Pacific Centre for the Responsibility to Protect, 2008; Roberts, 2010; Roberts, 2012). ASEAN states during the unipolar period experienced direct pressure on themselves or indirectly by being ASEAN members to conform to human rights norms, and in the case of Myanmar and ASEAN, direct humanitarian intervention breached state sovereignty.

Unipolarity was a particular period of time in international history where Western countries were in an unprecedented position to set global norms and legitimate those norms through international institutions, multi and bilateral relations and through the full spectrum of state relations. This external force was one that ASEAN states did not have a choice, if they wanted to fully participate in trade, financial and security relations with the dominant powers. As such the external factor of Western hegemony cannot be overlooked when one considers human rights norms seeping into the region and into ASEAN member states practice and rhetoric.

Great Power Competition: From Uni to Multipolarity

At the end of the Cold War, geopolitical power shifted from a bipolar world to a unipolar world, with America and the West in charge of global rule making. This is important as ASEAN states economic; hence, political orientation is dependent on larger and more powerful external actors, historically North America, Europe, Japan, and now China. With this in mind, it is fundamental to understand the context of this period. With the end of the Cold War in 1991 and entrance into the “unipolar” moment the West led by the United States and its allies in Western Europe exercised heretofore unseen power and influence in all spectrums of interstate relations (Krauthammer, 1990). This conjuncture point of history was immensely profound for ASEAN states for two primary reasons; it ushered in the Unipolar moment whereby American and European interests became primary global interests. Western countries, in particular, and their political elites for the first time, engaged in an ideological foreign policy with the thought that “liberals want to spread liberal democracy not only to protect the rights of individuals but also because they believe it is an excellent strategy for causing peace (Mearsheimer, 2018: 132). It is taken for granted and argued by Ikenberry and Mastanduno, who see American hegemony as a given in the post–Cold War world and hegemony as being central in terms of organizing the world and regional order. They argue that American hegemony provides a reference point for organizing economic and political activity along liberal lines that will create stability and hierarchy (Ikenberry and Mastanduno, 2003).

These earlier works from the period of American Unipolarity are indicative of the mood and outlook of time period where America was the unassailable world hegemon. Current realities and perspectives provide different assumptions and prognosis for a more multipolar or as Acharya et. al. see a Multipolar and Multiplex world (Acharya, Estevadeordal and Goodman; 2023) Beginning in the Clinton Administration, American economic policy shifted to a global neoliberal approach. This entailed opening American markets to foreign competition, outsourcing industrial manufacturing, and freeing capital flows to Mexico and, most importantly, to China (Goldman, 1995). The massive offshoring of American and European manufacturing jobs helped fuel China’s economic growth over the two decades following Clinton’s departure from office. The Chinese economy grew from a GDP of \$1,211.33 Trillion in 2000 to \$17,963.17 Trillion in 2020 (World Bank, 2021a) displacing America as the number 1 trade partner to over 120 countries (Green, 2023). China is the number one trade partner and largest export market for every ASEAN member state, except for the Philippines, which still counts the USA as the main export market, topping China by only \$300,000 (World Bank, 2021b). China’s rise has had a massive impact on ASEAN member states, and many member states have seen foreign policy shifts due to China’s influence (Liu, 2023). China’s influence has led Brunei to give up its territorial claims in the South China Sea (Putra, 2024), Cambodia back China’s claim (Florick, 2021) and go so far as to have Chinese owned casino’s in Sihanoukville closed in response to request by President Xi (Turton, 2020).

China’s rise, coupled with the American foreign policy missteps in the Middle East and Ukraine (Collins and Sobchak, 2023; Mearsheimer, 2014; Ostergard, 2006) have now led to the emergence of a multipolar world (Diesen, 2019; Hadano, 2020; Acharya et. al., 2024). The two competing blocs can be roughly divided into two large blocks. The ‘Western’ bloc consists of a US-led NATO with Australia, Japan, and New Zealand and an Eastern bloc led by

China and Russia, which is best exemplified in the BRICS countries that recently expanded membership (Kurecic, 2017; Paikin, 2023). The two blocs have been engaging in a seesaw of escalation, beginning with the Trump tariffs on Chinese imports, which began shortly after he took office (Pettis, 2021). This trend towards China's economic coercion has continued under the Biden administration with its attempts to stop Chinese high-tech firms by reshoring high-tech firms to America and a ban on semiconductor and lithograph machine sales to Chinese firms (Sheehan, 2022). The economic war coupled with American bellicosity surrounding Taiwan points towards conflict at some point or at least a continued trajectory of tense relations (Maizland, 2023). Given that Biden and Trump are the presumptive nominees of their parties in the upcoming election, as both sounded resounding victories on Super Tuesday primaries, no matter which wins the policy will have continuity (Epstein & McCausland, 2024).

The shift towards multipolarity in international politics provides opportunities for ASEAN states to 'hedge' and find options outside of the Western straight jacket of the unipolar period. This is evidenced by many ASEAN states joining in China's Regional Comprehensive Economic Partnership, Belt and Road Initiative and more recently with Malaysia, Indonesia, Thailand applying for BRICS membership with Cambodia and Vietnam weighing up possible membership. The rush towards BRICS unnerved the Biden administration enough that a veiled threat was posed to the Philippines to not apply for BRICS membership (Gutierrez, 2024).

China & America: Foreign Policies of Human Rights

The American perspective on human rights in the conduct of foreign policy has historically been one of supported democratic movements. This has led the United States to engage in the active undermining of states in humanitarian intervention. Mearsheimer argued that at the end of the Cold War, America engaged for the first time in its history a 'liberal foreign policy' (Mearsheimer, 2018). In other words, the domestic form of governance in the United States greatly impacted its foreign policy actions. This can be seen from a macro perspective as the attainment of Democratic Peace Theory in practice. Czempiel and Fukuyama argued that America and liberalism had won the Cold War at the immediate end. In fact they argued further that liberalism as a set of political and economic ideas were superior to alternatives which were seen as 'unmodern' and that the triumph of liberal ideas and structures would lead the world to a perpetual peace (Czempiel, 1992; Fukuyama, 1992). These sets of ideas led America, in the words of Mearsheimer, to be a crusading state, engaging in social engineering around the world. The evidence of an outward-looking and interventionist foreign policy has been substantiated by Choi and James, who find that the United States continually intervenes abroad, often in contradiction to its foreign policy interests (Choi & James, 2016).

The history of human rights incorporation into American foreign policy can be traced back to the presidency of Jimmy Carter in the 1970s, which was carried forward in the late Cold War period (Derian, 1979; Donnelly, 1984; Forsythe, 1990). The United States' interventionist foreign policy saw a high-water point in 2005 when the United Nations General Assembly voted to adopt Responsibility to Protect as a guiding principle of the UN and its member states (United Nations General Assembly, 2005). The 2005 World Summit culminated in Canadian, Australian, and

American advocacy and policy pressure (Evans, 2004). Of these three states, the United States was undoubtedly the leader in pushing for humanitarian intervention to be a normatively legitimate foreign policy action to be implemented in the conduct of its foreign policy (Weiss, 2012). Needless to say, moral or ethical grounding is part of the conduct of active humanitarian intervention in American foreign policy (Cheng, 2016). The conduct of sovereignty and non-intervention undermines or at least challenges the foundational principles of international relations embodied in the United Nations Charter (UN Charter, 1945). In the post-Cold War era, this new normative model of placing human rights in front of state sovereignty saw a redrawing of the hierarchy of norms in international relations. With America in the lead of the unipolar world, humanitarian intervention became a norm from the mid 1990's through the Obama presidency, with active interventions to undermine authoritarian governments (Cohen, 2008; Junk, 2014; Lyon and Dolan, 2007; Mitkov, 2022; O'Hanlon, 2000; US State Department, 2024)

With the shift from Unipolarity to Multipolarity ASEAN is now geographically, diplomatically, and politically stuck between the status-quo power of the United States and the rising power of China. China has not historically or currently incorporated a human rights promotion or protection dimension into its foreign policy. It has been argued that with China's rise in global power, it is now trying to shape an alternative vision of human rights internationally. China's view of human rights is based on its traditional policy of respect for sovereignty and non-intervention in internal affairs, using multilateralism as a fundamental approach as opposed to unilateralism (Zhimin, 2012). It has been argued that China is increasingly using its influence to reshape institutions such as the United Nations Human Rights Council to water-down resolutions and prevent open condemnation or criticism of states in the HRC (Richardson, 2020). The role of China, in this sense, is to inject an alternative norm into the international system of human rights that contradicts the previous two decades under unipolarity. The previous norm under American hegemony was humanitarian intervention and going so far as to try and incorporate the Responsibility to Protect doctrine into international affairs. The Chinese alternative of respecting state sovereignty in place of humanitarian intervention, which places sovereignty behind open interference, is a direct challenge to Western normative understandings of human rights practice and place. Scholars have identified this normative challenge as China attempts to undermine the international human rights regime and reshape it as a statist model (Chen & Hsu, 2020; Ginsburg, 2021; Larkin, 2022). A more nuanced view of Chaziza and Goldman (2014) understands China's assertive position in the context of the destruction of America's regime change wars in Iraq, Libya, and Syria (Chaziza & Goldman, 2014). The latter two were intrastate conflicts in which the United States supported actors seeking to undermine state authority in Libya's case. China's rejection of undermining and, in some cases, the destruction of states and their societies can be understood as the principal basis for its foreign policy stance towards human rights.

China has never incorporated human rights and democracy as explicit parts of its foreign policy but instead focused on a developmental approach devoid of ideological components. The same cannot be said for the United States which since the Reagan administration has had democracy promotion part of its foreign policy approach.

The Multipolar World and its effects on ASEAN Human Rights

The shift to a multipolar world will put ASEAN member states into a dichotomous dynamic of interaction between the two major powers. On the one hand, there will continue to be pressure from Western countries on the issue of human rights. However, with increased security competition, the ideological foreign policy of the United States should shift back to a realist foreign policy based on interests rather than moral and ethical presumptions. Acharya has argued that from ASEAN's establishment, one of ASEAN's primary functional purposes was to provide its member states with collective, regional autonomy (Acharya, 2001; 2013). Regional autonomy, as understood by Acharya and others, is the ability of small- and medium-sized ASEAN states to carry out their domestic policies without the major inference of external powers while engaging in foreign policy suited to their domestic interests. In this section, I argue that great power competition between China and the United States will provide ASEAN with regional autonomy in the issue area of human rights. This will happen, as exemplified in the previous section, but also due to the mixed strategic and economic relationships that will be expanded upon in the following section.

ASEAN's ability to achieve regional autonomy in the realm of human rights is straightforward, with great power competition for influence in Southeast Asia. ASEAN countries have mixed bags of interests and interplay with major powers. Many ASEAN countries have security treaties and dense cooperation with the United States.

Table 1: List of United States Security Partners in Asia

United States of America Asian Security Partners		
Partner	Year	Nature of Relationship
Australia	1951	Treaty partner (Deep full spectrum cooperation)
New Zealand	1951	Treaty partner (Deep full spectrum cooperation)
Philippines	1951	Treaty partner (Deep full spectrum cooperation)
South Korea	1953	Treaty partner (Deep full spectrum cooperation)
Japan	1960	Treaty partner (Deep full spectrum cooperation)
Thailand	1954	Strategic partner (Training, military procurement, counter terrorism, possible basing)
Taiwan	1979	Strategic partner (Training, military procurement, counter terrorism, possible basing)
Singapore	2005	Strategic partner (Training, military procurement, counter terrorism, possible basing)
Brunei Darussalam	1994	Low level partner (Training, military procurement)
India	2017	Formative stage partner (QUAD maritime strategic)
Indonesia	2023	Initial stage partner (Defense cooperation, technical and economic)
Vietnam	2023	Initial stage partner (Economic strategic, technical)

This cooperation will likely continue to exist, as ASEAN states hedge their security and economic relationships. Security cooperation is an economic interaction between ASEAN states and great powers. Here, the interplay is just as diverse as the security sector, with most ASEAN states looking to both China and the United States for economic well-being.

From the above table it can be seen that the USA has very strong security relationships with the Philippines, Thailand and Singapore. At present the densest relationship is with the Philippines where under the Biden administration, America was able to reestablish military basing, specifically naval installations. At present these naval installations number nine (9) bases (Arthur, 2024). Analyst's have argued that these basing arrangements are meant as a deterrent and off-shore balancing strategy of the US military. Namely, the placing of NMESIS anti-ship missile systems in areas of the Philippines under the guise of regular military training exercises, such as recently completed Balikatan exercises where the missile systems will be left even after exercises are completed (Strangio, 2025b). The United States also has long established security arrangements with Thailand and Singapore. Annually, Thailand and the United States carry out the Cobra Gold military exercises and Tiger Balm military exercises with Singapore. Thailand also conducts naval exercises of late with China in the form of Blue-Strike exercises but these are very new and not of the size and scope that is carried out the United States. Indonesia has historically close military ties with the United States and has of late carried out joint military exercises with the USA, Australia, New Zealand and other regional partners under the Super Garuda exercises.

The official military relationship with Brunei and Vietnam is low level and embryotic and will likely not lead to a qualitative difference given Brunei's small size and Vietnam's traditional foreign policy of the 'Four No's' which include no formal military alliances, military bases or use of force (Sang, 2022).

Table 2: ASEAN Countries Top 3 Trade Partners

ASEAN Countries Largest Export Markets (Ranked by Top 3)

	China	USA	Japan	Singapore	Thailand	Vietnam	Malaysia
Brunei	3		3	1			
Cambodia	2	1	3				
Indonesia	1	2	3				
Lao PDR	2				1	3	
Malaysia	1	3		2			
Myanmar	1		3		2		
Singapore	1	3					2
Thailand	2	1	3				
Philippines	2	1	3				
Vietnam	2	1	3				

Source: World Bank, 2021 (World Integrated Trade Solution Database)

When one considers the overall export and import trade profile of ASEAN as a grouping, thus ranking external partners in overall trade volume China leads by substantial margins with the USA in second.

ASEAN Top Trade Partner Imports and Exports by Percentage of Overall Trade

Imports		Exports	
China	23.9%	China	15.9%
USA	7.4%	USA	14.9%
Republic of Korea	7.0%	European Union	8.6%
Japan	6.9%	Japan	6.7%

Source: ASEAN Statistical Highlights 2024

Given the overall trade profile of ASEAN as a whole and its member states specifically with regard to exports as a sources of revenue both China and the United States occupy positions of acute influence. China does have an overall advantage by providing many more critical inputs for international supply chains than does the United States. However, the United States consumer market is vitally important for all ASEAN members. This puts ASEAN states in the unenviable position of being dependent on both great powers for its economic well being as well as susceptible and sensitive to coercive measures. This was best seen in the response to current American administration announcement of 'liberation day' tariffs which saw Cambodia get hit with 49% tariffs, Vietnam 45%, Thailand 36%, Indonesia 32%, Malaysia 24%, Philippines 17% and Singapore 10% (Strangio, 2025a). At present no ASEAN states has indicated a willingness to side with China's strong reciprocal response but rather to engage in bilateral negotiations to find a common ground on American concerns and altering of aspects of trade policy. The quickest to respond was Cambodia with offers to lower tariffs to zero and Thailand's consideration of buying more American LNG, talks on currency valuation and lower of tariffs (Reuters, 2025; Siew, 2025).

Taken together, the prospects for the United States revising its foreign policy stance back to a realist paradigm of influence garnering and human rights will become a rhetorical tool of foreign policy rather than a practical tool for humanitarian intervention. Coupled with China's agnostic view of human rights in general and its reshaping of international norms in multilateral fora towards a statist view of sovereignty and non-intervention, ASEAN states do not have to worry about China's pressure on human rights. The increased competition for influence in both economic and security spheres dictates that Western human rights foreign policy will have to be subordinate to larger geopolitical concerns.

The State of Southeast Asia Survey 2024 conducted by ISEAS Singapore revealed a few interesting trends. Namely, in the competition for influence among ASEAN states, China has far outdistanced the United States. In terms of economic influence, China came in at nearly 60% favorability while the USA at 14% (Seah et al., 2024). This is counterbalanced by a view of skepticism and hope with 67% worried about Chinese economic influence and 65%

welcoming America's influence (Ibid). The trend is even more pronounced in political influence with China viewed as the most influential at 44% and the USA at 26% (downward trend) (Ibid). Respondents with a negative view of this stood at 73% for China while welcoming American political influence at 41% (downward trend) (Ibid). When asked which country is best to align with strategically respondents chose China at 50.5%, USA at 49.5%. This is in stark contrast to 2023 when China was at 38.9%, USA at 61.1% (Ibid). This is reflective the erratic and unstable security policy coming from Washington during the Biden administration in its war with Russia in Ukraine and seemingly contradictory policy on trade with China. The trends cited above are stark and clear. America's influence economically and politically is eroding fast and the last vestige of strong American power and influence, security is on the same track.

Without a human rights champion and in the slipstream of Chinese ambivalence to human rights, ASEAN states will be able to essentially chart their own course. As human rights become even more subservience to strategic goals of economic and security interests of they will be pushed further into the background of strategic interests. This will put the issue of human rights and its practice squarely on ASEAN states within the intergovernmental institutions of ASEAN, where sovereignty and non-intervention are the first principles. As such, the future does not look bright or bleak for human rights in ASEAN countries. Human rights in ASEAN are now fully autonomous and independent within the realms of each member state to carry out as it wishes.

The Trump 2.0 period while brief so far has demonstrated a clear shift in American foreign policy from one which includes human rights, democracy and other elements of 'liberal internationalism' to a realist centered foreign policy based on power relations and transactionalism. The closing of liberal projects such as the National Endowment for Democracy, USAID, Voice of America and Radio Free Asia have sent clear signals that the era of liberal hegemony is clearly over and the United States will be reverting back to its historical foreign policy of cold calculated state based interests.

Conclusion

This article has argued that, in the era of great power competition between China and the United States, the issue of human rights ceases to be a central focal point for foreign policy interaction between ASEAN member states and the United States. Given China's penchant for a statist sovereignty and non-intervention-based approach to human rights internationally, human rights will not be an issue in relations between the PRC and ASEAN member states. As the great powers via influence in Southeast Asia, human rights will likely be relegated to a subservient position vis-à-vis security concerns. In light of the new US Administration, the era of liberal internationalism with human rights at the fore of American policy has come to an end. This is best exemplified in his suspension of foreign aid and USAID projects immediately after assuming office.

In this context, the issue of human rights in ASEAN will become a regional and national issue as security competition between great powers will focus on economic and security issues. The development of existing human rights mechanisms of the ASEAN Intergovernmental Commission on Human Rights and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children will be entirely dependent upon the independent

member states of ASEAN. In this sense with regard to human rights ASEAN will have achieved regional autonomy in the contentious issue area of human rights. Given ASEAN's penchant for sovereignty and non-interference in internal affairs, the new multipolar world, unless internal reforms or external pressures emerge development of existing human rights mechanisms will take on a slow and methodical approach in line with national development and particularities.

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