

## Other forms of financial cooperation?

- Old approach to sequencing of economic integration:
  - Begins with trade and investment flows;
  - Substantiated by FTA/customs union;
  - Achieve common currency to reduce transaction cost (of foreign exchange and currency risk).

## Alternative approach: Trade and financial cooperation goes hand-in-hand

- Early stages of financial cooperation, e.g.
  - To facilitate FDI flows:
    - Issuance of local currency-denominated bonds for funding FDI in Asian countries;
  - To facilitate intra-regional trade:
    - Promoting the use of ASEAN+3 currencies in intra-regional trade and investment (e.g. Bilateral Payment Agreement between Bank Negara Malaysia and EXIM Bank etc.).
  - In the long run, when economic conditions are ready, common currency would be most effective at promoting trade.

# Existing trade cooperations

- Many FTAs that involve subsets of ASEAN+3 are being created:
  - Between ASEAN and Japan, China and Korea;
  - Bilateral negotiations within ASEAN+3.
- Also being created are
- 3. Many FTAs that involve parties outside ASEAN+3.

# 1. FTAs between ASEAN and ...

- China (signed "Early Harvest" in 2002; in force 2003)
  - Early Harvest covers HS01-08: zero tariffs by 2006.
  - Working out modality of normal and sensitive track for trade in goods - scheduled to be concluded before year end.
  - China's Accelerated Early Harvest:
    - Thailand-China (signed accelerated Early Harvest (HS07,08) in 2003, entered into force 2004);
    - Singapore-China (signed accelerated Early Harvest (HS07,08)).
- Japan (under negotiation)
  - Japan will wait until after concluded bilateral agreements with Thailand, Malaysia and Philippines
- Korea (at the beginning)

## 2. Bilateral negotiations within ASEAN+3

- Thailand-Japan CEP talks
  - Under negotiation - sticky points in agricultural and services trade.
- Singapore-Japan (signed 2004)

### 3. Many FTAs with parties beyond ASEAN+3

- Engaged by
  - Thailand,
  - Japan and
  - Singapore
- with
  - Australia,
  - New Zealand,
  - USA etc.

## Are the bilateral FTAs and CEPs building blocks or stumbling blocks for ASEAN+3 FTA?

- Building blocks for ASEAN+3 FTA if
  - The negotiating framework/modalities between ASEAN-China, ASEAN-Japan and ASEAN-Korea are similar;
  - Lead to harmonisation regimes, e.g. ROOs, regulatory standards etc.
- It is up to ASEAN to steer it this way.

## What should be ASEAN negotiating strategy in ASEAN+3?

- To be able to drive the process forward
  - ASEAN should negotiate as a group to gain more bargaining power in ASEAN+3
- Given that different countries in ASEAN are ready to liberalise at different speeds,
  - More practical to allow for "accelerated agreements" which sit under the umbrella of ASEAN (similar to "accelerated Early Harvest" with China)



# How big should the economic Community be?

## Should we look beyond ASEAN+3?

- Economic Community not only helps to boost competitiveness and exports to 3<sup>rd</sup> country but also create large internal market.
  - Population: China = 1280 m; EU-25 = 455 m.
- Look beyond ASEAN+3, e.g. India.
  - Population in India 1048 m, => including India would significantly increase size of internal market;
  - India is relatively closed country with high tariff barriers  
=> trade agreement is highly beneficial.

## Size of economic community cont.

- Negotiations already underway with India and countries in South Asia:
  - ASEAN-India
    - Early harvest scheduled to be signed by September, 2004.
  - BIMST-EC
- But: Need more understanding of Indian market and institutions.
- In fact: there is a need for greater understanding of local market conditions and institutions in all ASEAN+3 countries.

# Summary and conclusions

- Impetus for greater economic cooperation:
  - Financial crisis
  - Expanding regionalism,
  - US current account imbalances
- Internal market
  - Use financial cooperation to more directly facilitate trade and investment.
  - Economic needs for improved understanding of local/regional market and institutions in all markets in EAEK.
  - The Economic Community could benefit by incorporating South Asia, e.g. India.

## Summary and conclusions cont.

- Strategy to move ASEAN+3 forward
  - Must ensure that the format of the bilateral agreements being concluded are compatible so as to realize EAEC more easily.
  - Can regularised official meetings achieve this?
  - Is regional institution needed to help shape the process?

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- 2004. 'Assessing Contingent Liabilities of the Thai Government', in the Competitiveness Report submitted to the National Economic and Social Development Board, Thailand.
- 2004. 'ASEAN's Competitiveness in Services: the Case of Thai Banking Sector.' 28<sup>th</sup> Federation of ASEAN Economic Association Conference Proceedings, 19-21 December 2003, Batam, Indonesia.
- 2004. 'Applied General Equilibrium Analysis of Trade Liberalisation on Land-based sectors in Malaysia and Indonesia.' *Journal of Policy Modeling*, 25, p. 947-961. 2003.
- 2003. 'Institutional Reforms to Achieve ASEAN Market Integration.' With Narongchai Akrasanee. in 'The 2<sup>nd</sup> ASEAN Reader' edited by Sharon Siddique and Sree Kumar, ISEAS, Singapore.
- 2001. 'Can Indonesia Gain from Log Export Barriers?' *Warwick Economic Research Paper No. 619*.
- 2001. 'Trade Policy and the Welfare of Southeast Asian Timber Exporters – some Implications on Tropical Forest Resources.' *The Economy and Environment Program for Southeast Asia Research Report Series No.2001-RR8*.

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- ASEAN Economic Forum. 'Trade in Services and ASEAN Economies –the Case of Thailand's Health Services Sector.'
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(Draft)

# “Transnational Crime”

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International Crime Organizations are the “dark/evil” twin of Multinational Corporations (MNC) and the Non - government Organizations (NGO)

“ We live in a world with 17<sup>th</sup> century philosophy of sovereignty, reinforced by 18<sup>th</sup> century judicial model, defended by 19<sup>th</sup> century concept of law enforcement, trying to come to term with 20<sup>th</sup> century technology”

“The 21<sup>st</sup> century will belong to international criminals”

“ A country without crime is a country without freedom”

## **1.Introduction**

This paper will dwell on transnational crime, International criminal organizations , and their impacts as an example of non-transnational security issue (defined here as any type of development not based on the in order to describe what to expect Cold War (name of reference) from them in the years to come. We are currently in the midst of what is known as the post - Cold War reality best described as being trade-based, global in scope with a variety of “non-state” actors (sovereignty-free)” , technology-driven (ICT, in particular), highly-complex in nature and lacking a social or humanistic dimension late 1980.

So much has taken place since the late 1980's, development that have been lumped together under the all-encompassing term of “globalization”. Various development ensued, generating mind-boggling debates and never - ending arguments such as

1) The contention that the state will have lesser role to play as it is giving the way to the private sector and “non-state” entities such as the transnational corporations, International organization, NGO's, etc.

2) The emergence of many regional groupings whose number has been on the rise and difficult to keep up.

3) The return of “civilizations” as an important factor influencing international relations as the concept of nation-states is slowly fading

4) Information has become a vital raw material in the production process that, turned out to be extremely competitive as information and communication technology gradually interconnected every regions of the world and established itself the “lingua franca” of the day.

5) The globalization of production and finance capital where the movement of capital is just “a click away” and be easily concealed in various “off-shore virtual entities while different companies are racing to find the cheapest locations for their manufacturing platforms (China seems to be the favorite destination)

6) Expanding scope of the mass media sprouting the virtues of “consumerism”, universalizing the American spirit (fast-food culture and democracy) and proselytizing Washington’s agenda for the world.

Proponents of globalization emphasize the contention that there will be more opportunities for everyone to have a better life in spite of having to bear with the ethos of hardwork and competitions. Critics, on the other hand, point to the “dark side” of the phenomenon reminding us about and increasing social inequalities and less privacy as some unpleasanties we will likely experience sooner than later.

Whichever side one may be identified with on this issue, we have to admit that globalization (whether understood as a process, an ideology or “state-of-being) remains incomplete because not all markets are integrated and not every country is interconnected. Globalization, therefore, needs to be assessed in a situation and actor-specific way according to actors’ resources, skills, strategic choices or policies. It is also a “double-edged” sword that provides empowerment and constraints at the same time, thereby exerting pressure on the states and societies to change accordingly.

The new reality collectively termed as “globalization” has also generated several challenges for us to overcome, some of which include.

1) drug trafficking (\$400 billion every year ) 2) arms trafficking 4) intellectual property rights violations 5) money laundering and 6) the smuggling of people.

All these activities incidentally fall under the domain of international organized crime, a “non-state”, “sovereignty-free” actor whose prominence is rapidly on the rise as our world has transformed itself from an ideological battlefield (capitalism versus communism) to a new frontier where legality is pitted against illegality.

The following sections will describe how the globalization of trade, democracy and technology provide the “fertile ground” for transnational crime to flourish. The widespread illegal activities perpetrated by the various ethnic criminal groups whose operations are not bounded by geography will hopefully, make us realize that

these “non-state”, “sovereignty-free” actors need to be treated as a security threat, not just a police related law enforcement matter.

## **2. Why is crime transnational?**

Organized crime had long had a transnational dimension even though in the past, we may have viewed related activities as being rather domestic in kind and concern. The perception that has sidelined organized crime to local scenes is probably a result of the pre-occupation at the time which concentrated on containing the spread of communism

Organized crime has always been a topic of interests shared by the film moguls of Hollywood whose portrayal of the mafias has never failed to attract movie goers year in and year out. The Italian mafias, we learned (from movies and books), started out as “associations” to help uprooted compatriots adjust to the complexities of their new home (America ) but later expanded by engaging in all types of illegal activities (prostitution, alcohol, drugs, etc). The mafias also contributed to the World War II Allied efforts in Europe through the connection and exploits of Lucky Luciano.

In Asia, we think mostly about the Chinese organized crime which also originated (in their newly –adopted countries) as “associations” to help their ethnic kins and later branched out into ventures that include shady as well as legitimate business (restaurants, gambling dens, sweat shops, illegal money transactions, etc.). These groups profit heavily by relying on the “Chinese connection “with tentacles spread out all over the various regions of the world, thereby providing an extensive network for conducting movements of money, people and drugs, not to mention all types of contraband goods without too much difficulties.

Today, in our post-Cold-War world, the rising star of international organized crime has to be the Russians who have established assorted kinds of cooperative arrangements with criminal groups all over the world.

Why is international organized crime likely to increase in our near future? (in fact, activities described as being criminal or illegal in nature, have been on the rise noticeably ever since the late 1980's and 1990's by many folds). The answers to this question can be summed up by pointing to the changing nature and impacts brought in by the interplay of politics (democracy is the "name of the game" today) market forces (neo-liberalism that encourage/ generate intense competition and advocate wide-open market together with the free movement of capital) and technology (information-communication technology which is supposed to have "interconnected" all regions of the world as well as universalized the "consumer culture" and related values normally associated with the West). International organized crime did benefit tremendously as the playing field has been levelled to accommodate their activities largely-driven by the profit motive just like any other legitimate business enterprise.

In order to elaborate further, we can say that international organized crime has expanded tremendously because of the following development.

- 1) global expansion of trade, technology, transportation, communication, etc. We are no longer held captive by time and distance but can venture forth with relative ease in our "borderless world"

- 2) Population movements and growth of ethnic networks. In the past, there were many "diasporas" due to religious or political reasons. Later on we hear about the Indians, the Turks and the Chinese. The breakdown of the Soviet Union, the return of Hongkong to China and the unification of Europe have all contributed to a mass exodus of people from one region to another.

Emigration, for instance, has helped the Soviet government to empty their prisons and asylums by exporting their worst problems to the West (in a manner similar what Cuba did in the 1980's with the Mariel case where thousand of convicts were dumped on the U.S. as refugees seeking shelters.) The "neocolonization" of Eastern Europe and Germany today by Russian organized crime is a by-product of past emigration policies.

3) The global financial system has multiple points of access whereby all manners of transactions can be conducted with guaranteed privacy and security. (in a speedy, face-less manner with no questions asked and the ability to have the requested amount wired to any destination of choice)

4) Growth in attractive markets and sources for certain commodities high in demand (such as various types of drugs, synthetic and natural, in the 80's and the 90's "faked arts" and real ones from Eastern Europe in the 1980's human organs, endangered species, etc.) leading to very profitable returns.

5) Obsolete tools, inadequate laws, inefficient bureaucratic arrangements and ineffective strategies on the part of the "good guys" or the law enforcement authorities given the task of containing if not outright eliminating, organized crime.

Do not forget that with abundant wealth, international organized crime can either confront , corrupt or coopt the government as well as infiltrate the legal sectors of the economy (and perhaps wrest a significant share of the market from legitimate business operators). These groups can also procure "state of the art" technology to manage certain crime efficiently considering the fact that most governments are saddled with tight budgets, bureaucratic (slow and self-contesting) mode of operation, media scrutiny and the electorates. (which are extremely sensitive to any mass campaign that would impinge upon their rights as citizens).

### **3.Organized Crime : The case of the Russian Mafias**

Since globalization is the "name of the game" as many contend, then one can also argue that what we will all be soon experiencing is the globalization of crime through information and communication technology that has well-advanced beyond the grips of existing larvs aimed at controlling them.

With this framework in mind, the international criminal organizations represent the dark and evil counterparts of multinational corporations, the NGO'S, and evil international organization (WHO, ILO, WTO, etc.), all of whom are busily

jockeying for a piece of the action and profits in the new wide-opened "border-less" terrain

A good example indicative of the scale of operation and "networking" of international criminal activities has to do with the of the Russian mafias whose existence predate the downfall of the Soviet Union.

Interested observers described Russia as a full-fledged mafocracy long before the fall of communism. Six organized crime groups operated from Moscow while four are based in St. Petersburg. Russian organized crime groups launder \$ 1 billion a month through Cyprus and \$1 billion through Israel. The Swiss banks have assisted Russian criminal organizations in laundering \$ 40 billion since 1991 and by 1994, these groups were able to wire money to finance operations throughout the world with relative ease.

Organized crime is the only effective entity in Russia, controlling over 40% of state-owned business and 80-90% of the banks. Its share of all alcohol sales (generating an attractive income of \$ 15 billion a year), petrol distribution and pharmaceuticals about 2/3 of the total volume of operation.

Russian organized crime will supply weapons of choice (conventional and otherwise) to Asian organized crime as well as liberation groups ( and many others "on the fringe") in exchange for access to a network of Chinese restaurants for money laundering purpose or for drugs of all kinds to be distributed in Europe and other parts of the world.

Russians and Colombians have formed a strategic alliance at a meeting in Vienna in 1991 and 1995. The Colombians would barter cocaine for distribution in Russia in exchange for whatever commodities they need. (surplus Soviet military equipments such as helicopters and light aircrafts to transport cocaine to their destinations while the more conventional arms would be used against the government military forces that have tried, in vain, to eliminate the narcotraffickers.)

The Russians have also agreed with their Italian counterpart on the arrangement to spread heroin in Eastern Europe.



Asian organized crime has opened restaurants as a front for various illegal operations. In Vienna alone, there are 550 Chinese Restaurants with only 50 that appear to be capable enough of sustaining regular business while the other 500 “places of culinary delights “ seem to be without any legitimate source of income (they, of course, function as launderers of Russian money)

In Germany, Russian Organized crime is responsible for 1/3 of all crimes committed (drugs, prostitution, computer frauds, extortion and thefts) and launder the income generated by utilizing the 200 or 50 gambling parlors they control.

Russian organized crime is also very busy in Eastern Europe, their old turfs of operations, where they have bought several banks and tried to become credible/respectable in the eyes of the public as venture capitalists.

Eastern Europe has also facilitated operations that violate human rights or are “outrageously unethical” such as the mutilating of organs (highly-prized and much in demand in the West) from the menstally-ill, killing for needed organs, adoption of children from poor countries to be later used as “spare parts” if the price given is attractive enough and “baby farming” for adoption by foreigners (one form of “child trafficking” which, in some circle, is perceived to be a humane act worthy of praise)

Russian organized crime is not, in any way, like the Italian mafias whose evolution has been romanticized and made familiar to us all courtesy of the Hollywood film industries. The Russians have no organization structure and no pyramid structures. They operate in small groups and co-operate on “ad-hoc” basis; features that pretty much explain why they are dangerous and difficult to police with the demise of the Soviet union (and the absence of domestic control over weapons, scientists, nuclear materials, etc.) and the easing of restrictions over movements of people in Europe, one does not need much creative thinking or hollywood box-office hits to realize the fertile ground made available for Russian organized crime to “dance through the crowd” undetected and profiting at the same time.

#### **4.Organized Crime Activities : Some examples from Asia**

The following section will provide an overview of existing (illegal) activities in East and Southeast Asia in order to demonstrate how lucrative this part of the world has turned out to be for organized crime. No highlight or profiling of any organized crime group in the region will be provided since we are more interested in describing how the changing realities based on the interplay of politics, market forces and (information and communication) technology has transformed this area into an open playground for all kinds of activities , legal as well as illegal such as.

1) Human trafficking. Southeast this is no stranger to regional movements of people from one place to another. The vibrant Indian and Chinese communities in the region well-reflect how these two dominant and “tight-knitted” overseas transplants have successfully managed to thread the fine line by blending professionally with the (new) host societies on the one hand, and retaining their “cultural roots” for many generation on the other. (think about the Indian women’s choice of attires; the Chinese practice of ancestral worships, for example).

Whether in the past or the present (and definitely in the future) movements of people will always be there, regardless of how dangerous or costly the process may be (stories about Chinese illegals paying a fortune only to die due to asphyxiation in a ship - container or getting caught and sent back home right away are still reverberating in our ears). Many people are still driven by the hope and dreams for a better life and opportunities. Poverty and ignorance often transform these hopeful souls into easy prey of traffickers (some of whom end up by losing their farmland and other prized possessions in exchange for the chance to work overseas where the paycheck is much higher than on the homefronts).

It is estimated that in the late 1990's early 2000, around 700,000-1,000,000 women and children are trafficked every year, half of whom come from Asia.

Closer to home, one finds Vietnamese women being sent to Cambodia to supply the local sex industry and to China and Taiwan for marriage. Cambodians, meanwhile, are shipped to Thailand, Taiwan and Singapore and often end as beggars, sex slaves or domestic labor.

The accounts provided above have a striking resemblance to certain events in the last decade where 200,000 women and children from Bangladesh were sent to Pakistan to work as prostitutes, another 200,000 served as maids in the Middle East (where their financial income and sanity rest entirely on the whims of individual employers) while the boys, because of their slender bodies, were much in demand as camel jockeys.

Illegal migrants have to pay smugglers whose fortune has been estimated to be in the vicinity of \$ 7 billion a year.

## 2) Intellectual Property Rights Violation

People in Southeast and East Asia want to be seen as being "modern", "successful" and "rich". As a result, they have to follow the rituals of "showing off", no matter how much social animosity such display may generate. One easy way of doing so is by sporting "designer" products to convince those around you that you definitely got "taste" and "style".

South Korea is estimated to have produced 1 million fake European handbags and wallets a year (they are better known to potential customers as the "super-copy" due to the exquisite craftsmanships and other efforts put into imitating the original products. South Korea turns out the best imitation products, with China closely behind).

These products get sold easily because of the high demand and that nobody can really tell the difference between the supercopy and the original one.

Since 1997 many "supercopy" goods found their way to Tokyo, Hongkong, Los Angeles and even Bangkok.

Counterfeits may satisfy the (artificial media-induced, consumer-based) needs of some people who gets their thrill when

other see them as being “trendy”. Counterfeiters, however, undermine the legitimate local brands by preventing them from getting their roots in the ground.

China, at the moment, is the biggest “counterfeiter” of DVD, CD, leather goods, etc. European rogue individuals are running training courses for the Chinese counterfeiters in order to help them modernize and upgrade their skills (to produce illegal goods).

Offenders caught get light sentences, giving one the impression that the Chinese authority is not serious in eliminating this problem (some have argued that not much enforcement on this matter may be a result of the fact that these operations are linked to sons and daughters of prominent individuals very high up in the Chinese communist Party hierarchy).

China is also notorious for pirating CD’s and DVD’s. (Some keen observers have tried to find positive outcomes from such gross violation of intellectual property rights by arguing that easy access to cheaply priced American box-office hits has paved the way for future Hollywood penetration of the large Chinese market. They also added that exposure to pornography has led to more sexual adventure and fulfilment among the consenting adults!). Crackdown of big factories and the seizures of machines (used for producing “faked” CD’s and DVD’s) in China and some other parts of Asia forced the counterfeiters to switch to small-scale operations. An example attesting to this new mode of operation is the use of DVD-R and CD-R “burners” all piled up in stacks and arranged by rows. (The production of “pirated cassettes” in Thailand 15 years ago operated in similar fashion where one can find small rooms with stacks of cassette records engaging in illegal work.)

This tendency of using small-scale, easy to move, DVD-burning machines is expected to be on the rise as the number of burning machines will likely increase from a total of 4.8 million units in 2002 to around 55 million by 2005. Pirated CD’s grew from 400 million in 1998 to over a billion in 2002 as a result of the explosion of CD burners which total 510 million in 2002. In Latin America, pirated music comes mostly in CD-R forms, not from discs shipped directly from Asian pressers. (this development

reflects how certain publicly-available technology can easily be used to facilitate all kinds of illegal activities.

3) Arms trafficking Reports have been made about the guns and ammunitions of the Tigers of Tamil Eelam (in Sri Lanka) as having been procured in Southeast Asia and transferred in the international water near Phuket (Thailand)

Not too long ago, we all know that guns and other types of weapons used by the various ethnic forces in Myanmar have been obtained from Cambodia and transported across Thailand. (the shoulder-launched rockets costing less than \$2,000 each and in the hands of the Shan United Army have successfully deter the military forces from Yangon and made them think twice before even thinking of invading the Shan region in the past.)

4) Drug trafficking : Southeast Asia used to be on the top of the list of opium growers and heroin producers' The area known as the "Golden Triangle" has, in the past, achieved bountiful opium-harvest with output being close to the annual volume attained in the "Golden Crescent" region, or Afghanistan, in particular. (Today, opium and heroin-related production has moved to Mexico, in order to be closer to the American market).

Heroin from Southeast Asia used to be carried to Europe (Rotterdam being the destination as well as distribution center) by African "mules" (Nigerians, mostly, who are paid around \$ 5,000 each for their services. If caught and confined in Thai jails, these Nigerians and other African "mules" are provided regular meals and sleeping places that are comparably more pleasant than what they are normally used to in their home countries. Thus, a "win-win" situation for these high-risk operations, at least in the eyes of the African risk-takers) where Chinese restaurants operated by (believe it or not) Singaporeans (from a country noted for its "zero- tolerance drug policy) handle the distribution side.

Ecstasy from Holland (the drug of choice of the young generations in many parts of the world, produced at a relatively cheap price and under the control of the Israeli Mafia), meanwhile, find its way back to Southeast Asia courtesy of the Singaporeans who sell the drug for a huge profit. (If one reads Thai newspapers during the last 10 years, one cannot help but notice that reports on

the distribution of ecstasy in Thailand and arrests made always involved Singaporeans most of the time).

The various accounts provided above are only meant to demonstrate the nature and scope of illegal or criminal operations currently in existence in Southeast Asia and their “transnational” links. The playing field is wide-open with attractive/lucrative markets high in demand for all types of commodities and service

### **5. Why is it difficult to combat crime and what has been done ? (and what needs to be done ?)**

Modern states are not well – equipped to fight “transnational, state - less” international, organized, crime groups (as well as terrorist groups) as the enemies failed to reveal themselves and are difficult to track. Crime are not bounded by geography, while the criminal perpetrators are state – less, not hampered by sovereignty and can operate swiftly (given the availability of “top of the line” technology and their extensive” ethnic networks” and associate groups)

Combating international organized crime may require unprecedented cooperation between civil and military agencies, intelligence – sharing, and considerations on what civil liberties need to be sacrificed to achieve the goal.

Criminal groups, due to their wealth and sophisticated technology (giving them the “edge” or “one - step” advantage over any existing government) can undermine state sovereignty, challenge state authority (directly on through corruption ) and subvert government monopoly of the use of violence. (think about Colombia where the production and sales of cocaine have given rise to a situation where narco – traffickers successfully set up their very own “state within a state” while the government forces lack the ability and means to control and administer the whole country. Our next door neighbor, Myanmar, is also experiencing something similar to the Colombian situation )

Activities undertaken by criminal groups not only violate human rights (trafficking of women and children for sex; selling human organs acquired through “unethical” means) but also undermine regulatory regimes (trafficking of endangered species; toxic waste) as well as threaten non – proliferation (of nuclear materials and technology) and arms embargoes and undermine local trade and commerce (by engaging in intellectual property rights violation)

Success of organized crime in any one particular country depends on the degree of vulnerabilities and capacity (to enforce law and respond accordingly to perceived as well as real threats) of individual states.

There has been a series of attempts to eliminate or, at least, contain the influences of international organized crime first by focusing on drug trafficking and, later on money – laundering.

The World Ministerial Conference on organized transnational crime held in Naples, Italy, in November in 1994 is perhaps the landmark event reflecting the need to get serious in tackling the problem.

At this meeting, there was a call for enhanced knowledge about the crime challenge and capacity of the criminal justice system to respond; assistance given to various states to draft legislation and regulations against organized crime; the need for improved international crime; the need for improved international cooperation and the technical assistance to enhance capacity.

Other agencies of importance working toward the elimination of transnational of crime include Interpol (whose legal status has been hazy so far), Europol (faces problems with the need to establish safeguards for the protection of data and personal privacy and the sensitivities of sharing national data) and the World Customs Organization (in charge of harmonizing customs procedures through out the world.)

In our part of the world, the 4<sup>th</sup> ASEAN Ministerial Meeting on transnational Crime (AMMTC) and the 1<sup>st</sup> AMMTC+3 (China, Japan and South Korea) convened here in Bangkok on January 8, 2004 marked the beginning of cooperation in combating transnational crime among countries in the region.

Recently, a lot of attention has been given to the use of financial targeting as a mean to undermine the international organized crime (and terrorists) capacity for conducting their illegal operations.

Financial wars and the freezing of assets, however, have proven to be difficult due to the channels of all sorts available for exploitation by international organized crime such as 1) the off – shore facilities (in the Caribbean area, for example) 2) correspondent banking and 3) several alternative remittance systems (that are difficult to monitor or trace)

There is also a lack of “political will” at the national level in many countries and bureaucratic problems when it comes to implementing regulatory reforms as anti – money – laundering system may appear to be too complicated (or, perhaps, even too overwhelming a task to carry out effectively) or not appropriate to handle certain tasks (such as terrorist financial sources). Such apprehensive posture, in some part, may explain why, until now, little wealth has been interdicted and put beyond the reach of criminals outside the United States of America

On order to combat the financial capacities of international organized crime, several obstacles need to be overcome including the technical (ability to identify, control and enforce measure against organized crime financing), bureaucratic, conceptual and coordination aspects.

Can we really do something that is different and more promising than whatever policies and strategies that have already been implemented for years to no avail ?

The answer to this question is a disappointing “ no “ since the government is pitted against market forces while bureaucracies have their hands full against (ethnic and criminal) networks whose activities are transnational and efficiently managed by relaying on very advanced technology

Aside from the lack of political will due to domestic “structural “ limitations and the absence of appropriate laws and enforcement mechanisms , one must also realize that our “open societies “ based on free trade and democracy make it extremely difficult sometimes to introduce “counter-measures” to organized



crime activities as they may impinge upon the “ basic rights” of the people

In the case of Europe, for example ,there are too many agencies, hierarchies conflicting and competing technology (the computer system). Only Holland and Germany are determined enough and interested in establishing a European FBL (Europol does exist but there is a big problem of who is really in charge). On the legal aspect, one find a conflict between the British Common Law and the Napoleonic Code of Continental Europe .

One keen observer of the crime scene argued that to eliminate crime, Europe will have to turn into a totalitarian police environment ( which can never happen) Otherwise, there is nothing much than we can do besides making calls for the strengthening of multilateral organization (and institutions), adoption of new strategies and mechanisms and to move from repression to regulation ( this last item is easier said than done and involve the legalization of activities and substances prohibited in the past) The topic is widely debated today as comparisons are being made between the American and European approach. Unless we can really come up with some innovative set of policies and strategies, conferences on international organized crime can be convened every once in a while with new “improvisations” based on the need for more cooperation among nation, new strategies to contain organized crime, assistance to improve state capacity, etc. with no “success stories” in sight.

Meetings of this sort can become the object of ridicule by the press which view these conventions as nothing more than the opportunity for “photo-taking” session enjoyed by the various ministers in attendance.

Inspite of the fact that the future of organized crime eradication campaigns do not look promising at all and recent reports indicating that many sources of terrorist funding are similar to those of criminal enterprises (6 out of 10 activities including drug trafficking, extortion and kidnapping, robbery, fraud, gambling, smuggling and trafficking of counterfeit goods) making the situation quite bleak, there is still a need for more “public participation” and social awareness campaigns where more information can be

disseminated together with the installation of a culture making everyone view himself/herself as a stakeholder. The public has not played any role so far related to the elimination of organized crime. Remaining on “the margins of society” as mere spectators and, at times, being the very victims is no longer a proper social response. The people should be empowered to do something constructive in order ensure a “crime-free” society for future generations.

There is no conclusion to be made now as we become increasingly engaged in the fight between legality and illegality (one that has replaced the ideological conflict between capitalism and communism). We can only hope that things will improve even though existing reality indicate otherwise.

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- High School : American School of Brasilia (Brazil), 1973
- B.A. : History and Political Science  
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- M.A. : IBERO-AMERICAN STUDIES  
(University of Wisconsin at Madison), U.S.A., 1977
- M.A. Research Paper : "Authoritarian Regime and Development : The Case of  
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- M.A. : Political Science (University of Wisconsin at Madison),  
U.S.A., 1981
- Ph.D. : Political Science (University of Wisconsin at Madison),  
U.S.A., 1986
- Dissertation : Luang Wichit Watakau : Hegemony and Literature

**Overseas Experience (ประสบการณ์ในต่างประเทศ)**

- Italy (1957-1961)
- Philippines (1965-1972)
- Brazil (1972-1973)
- U.S.A. (1973-1977) (1980-1986)

**Appointments (ตำแหน่งการบริหาร)**

- รองคณบดีฝ่ายวิเทศสัมพันธ์, คณะรัฐศาสตร์ มหาวิทยาลัยธรรมศาสตร์ (1986-1988)
- ผู้อำนวยการโครงการสัมมนา, คณะรัฐศาสตร์ มหาวิทยาลัยธรรมศาสตร์ (1986-1988)
- Consultant, Family Planning Program (USAID) (1988)
- Consultant, "Investment in Thailand," USAID Project (1988)
- Consultant, Narcotics Crops Subsidy Program, Evaluation Project, DEA-Funded program, American Embassy, Bangkok (1989)
- Consultant, Mitsubishi Electric Corp. Regional Office, Bangkok (1991-1998)

- Consultant, Investors Relations Service Co., Singapore (1991 – Present)
- Director, Intellectual Property Right Association – Head Office (1991-1992)
- ที่ปรึกษากระทรวงอุตสาหกรรม (1997-1998)
- Member, National Committee for Industrial Development (1997 – Present)
- Member, National Food Institute (19987 – Present)
- Member, Thailand Productivity Institute (1997 – Present)
- Board of Director, PTT (2001 – Present)

Courses Taught : at Thammasat University and Other institutions (ผลงานการสอน)

ที่มหาวิทยาลัยธรรมศาสตร์ และสถาบันการศึกษาอื่น)

- Introduction to Political Philosophy
- Comparative Politics
- International Crisis Management
- Politics and Novels
- Latin American Affairs
- Economic and Social Factors in International Relations

Recent Publications (ผลงานทางวิชาการ)

1. *Investment in Thailand*, USAID Project Paper, 1988
2. *Public-Private Sector Cooperation in Thailand*, USAID Project Paper, 1987
3. *Narcotics Crops Substitution in Thailand*, ONCB Report Funded by American Embassy, 1989
4. Numerous Book Reviews in the *Bangkok Post* (1996 – Present)
5. Book Reviews in "Na Ka" Magazine [in Thai] (1992-1995)
6. Numerous articles on social, political, economic and women's issues in "Na Ka" magazine [in Thai] (1990-1993)
7. Book Reviews in *Vetheethas*, a political economy monthly (1996 – Present)
8. "Cuba : Revolutionary Warrior or Soviet Proxy," in *Ratasatsan* (1979)
9. "Japanese decline in our borderless world," a review essay in *Ratasatsan* (1992)
10. *Dependency and Development in Latin America* translation of Cordoso and Falletto's book, 1979

11. The Moral Economy of the Peasant, translation of James Scott's book, 1979
12. The Newly-Industrialized Countries : Some of Observations,  
Faculty of Political Science, Thammasat University, 1989
13. Korean Investment in Thailand Institute of East Asian Studies,  
Thammasat University, 1998.
14. Taiwan's Model of Development, Research Monograph, Thammasat University,  
1998.
15. "South Korean emergence as a NIC," paper delivered at a conference on NiC-dom,  
Thammasat University, 1992.
16. "Labor Relations in Post-Authoritarian Korea," paper delivered at a work-shop on  
"Security in Northeast Asia," held at Japan Institute, Thammasat University,  
Rangsit Campus, 1988.
17. "A Critique of Dependency Theory," paper delivered at conference on  
"Multinational Corporations and Development" held at Thammasat University, 1983.

(Draft)

**“Toward East –Asian Borderless Identity :  
A Concept Paper ”**

by

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A paper prepared for the Second Annual Conference  
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16-17 August, 2004, Siam City Hotel,  
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# **Toward East –Asian Borderless Identity :**

## **A Concept Paper**

*Dr.Worapol Promigabutr*

### **Introduction**

The term “ ASEAN plus three “ ( Asean+3 ) has been referred to a combination of Northeast and Southeast Asian countries. This term has been coined and used within diplomatic as well as academic networks after the outbreak of the “ 1997 Financial Crisis “ in Thailand and Southeast Asian countries. The term also notified the significance of the three Northeast Asian countries ; China, Japan, and the Republic of Korea, in cooperative attempts to reduce severe negative impacts of the crisis within the region.

The 1997 Financial Crisis, as occurred in Thailand and had repercussion within Southeast Asian region, was a crisis highly related to the malfunction and misconduct of both state and private-sector mechanisms within the so-called “ neo-liberal” conceptual framework of global economic activity. In this case, financial “ neo-liberal” initiatives, as proposed and regulated by the influential International Monetary Fund ( IMF), had played much role before the outbreak of the crisis and continually reproduced policy framework proposed to countries under crisis for restructuring their socioeconomic as well as political infrastructure in accordance to a new level of neo-liberal global capitalist order.

Within the context of IMF-influenced policy framework in the region, former Malaysian Prime Minister Dr. Mahathir Mohammed proposed a crucial alternative, based upon criticisms to active intervening role of IMF in the region, that



Asian countries could well be relied on themselves and financial resources within the region in resolving their crisis instead of heavily relied on conditionally tied IMF measures.

It turned out to be China and Japan that had strong international financial resources capable of helping resolve the crisis within the region. With the increasing significant role of China and Japan ( and also the Republic of Korea ) in resolving the Asian Financial Crisis, the notion of “ plus three” countries has been tied more tightly to the formerly established “ASEAN” countries and the term “ASEAN plus three” has been introduced to international arena.

Cooperative negotiations and measures within the context of “ASEAN plus three” has been focusing heavily on economic dimension. Vision of economic cooperation towards a roughly single “ East Asian Community” ( including Southeast and Northeast Asian countries together as a single regional economic geography) has been focused, for example, as an introductory conception “ Asian Monetary Fund” ( AMF ) has been released to international mass media. Less has been focused on political dimension during the forming period of “ ASEAN plus three” vision, especially before an urgent and highly complicated issue of “ terrorism” has been escalated within the US policy framework under President George W. Bush administration. Cooperative negotiations concerning mutual security in a more political terms has been initiated within “ASEAN plus three” policy framework during the past few years.

During the formation period of the “ASEAN plus three” vision, least has been focused or discussed concerning socio-cultural aspect of what to be called “East Asian Community”, however.





## **Heterogeneity and the “Four Plus One” Cultural Pillars**

Roughly speaking, “ASEAN plus three” region covers a wide geographical area where numerous group of people and communities have been living and inherited different cultural ways of life from the past. Some of their cultural heritage, such as animism and mythology, could be traced back to pre-historic period although diversity and uniqueness reflected within the detailed content of animism and mythology emerged from different tribal communities within the whole region.

On top of the arrays of animism and mythology socially produced and redistributed within the vast geographical area of East Asia, Northeast and Southeast Asian societies had evolved upon four major philosophical-ideological frameworks ; Confucianism, Hinduism, Buddhism, and Islam, before European traders and diplomats came to introduce Christianity to the Far Eastern world after the age of Enlightenment.

Among the “four plus one” philosophical building blocks of East Asian cultures , only Confucian thought had been formulated and socially established within East Asian geographically . The other four were of other geographic origins but transferred and assimilated into different context of East Asian communities at different points in time . Hinduism and Buddhism were both from India subcontinent, a region adjacent to Southeast Asia. Islamic thought emerged from Arabia, a little far-beyond area west to India.



Christianity, although originated from within ancient Semitic society under the Roman Empire, had been introduced within the region of East Asia through European missionary after the age of Enlightenment.

Thus, above diversified animism basis within vast geographical area of East Asia; Confucianism, Hinduism, Buddhism, Islamic thought and Christianity could be regarded as the “four plus one” major cultural pillars in the region, each held by large number of its population throughout modern history.

### **“ Statist” Framework of Politics and “ Bordered” Identity**

Introduction of European Christianity to East Asia since the sixteenth century could be seen within the historical process connected to European trade and politics. Within such process innovation and thought from Europe found more effective mechanism to westernize the far world, not only in the newly –discovered America but also in the old world as ancient as India and China.

Since the conceptualization of Machiavelli ’ s “State” philosophy in The Prince , European political philosophers had elaborated theories of the state as well as approaches to rationalize and utilize statist framework of politics in practical circumstances. It turned out to be commonly held later that the abstraction called “ state” must have its sovereignty over the people within a certain boundary of geographic space.



This certain boundary of geographic space could well be captured more concretely by means of modern geography through mapping process to draw what would be commonly called borderline. People attached to each state sovereignty basically by means of birth within this conceptual state boundary related to geographic borderline. Ethnic identity, which was of highly significant in the past, was less significant in statist politics, comparing to a new conception of people's identity attached to the statist framework related to geographical boundary.

The statist – related identity has been commonly called “nationality”. This conception signified population identity within the conceptual framework of the state (nation-state) connected to the a more concrete framework of geographic boundary of borderline.

The statist framework of politics had been introduced and utilized within East Asian through the historical process of westernization combining trade, diplomatic and cultural missions. Kingdoms in Northeast as well as Southeast Asia, large as well as small, encountered with the waves of westernization, especially during the eighteenth and nineteenth centuries, struggled their ways to find alternatives to response to western state powers during the period of mercantilism and colonization. Some such as the Burmese, Indo-Chinese, Malay, were colonized under the British and French governance; other such as the Siamese and even the Chinese in mid-nineteenth century were forced under European policy framework. Most of these kingdoms were forced to open their land to European “free trade” and to begin developing politico-economic infrastructure for



western-originated statist politics combining with mercantilist policy framework in the long run.

## **State Without Border : A Changing Paradigm ?**

Common socio-cultural experience of people within East Asian region during the nineteenth century, elites as well as grassroot population, had been political experience under general influence of westernization and, in many cases, direct colonization.

However, the diversified and complex arrays of their cultural heritages before the age of westernization had not been totally annihilated. In contrast, various aspects of western culture including Christianity and modern “scientific” thought as well as innovation had been assimilated and blended into their cultural backgrounds through more or less carefully selective process within each society.

Globalization during the nineteenth and twentieth centuries proceeded in East Asia under influential direction elaborated among powerful state and private sectors in western nation-states. In East Asia, significant roles of the British and French during the nineteenth through early twentieth centuries had been observed; the significant role of US dominant policy framework on a global scale came to exist more clearly in the latter part of the twentieth century. Globalization process, within which many elements of western culture had been transported into East Asian societies, produced and reproduced dynamic blending of western culture (including European science and Christianity) within



the long-established basic of the four cultural pillars rather than totally abolishing East Asian cultural heritages or establishing a newly-westernized single set of cultural framework in the region.

Even in late twentieth century, while western way of life, ranging from eating to philosophical thinking, prevailed in major metropolitan and cities in East Asia, traditional folk cultures inherited from the past within the framework of the four pillars could still be seen in practice within the same geographic boundary of each nation-state. Traditional wisdom including technique and certain sets of knowledge in organic agriculture, herbal medicine, household manufacturing, for example, had not been completely annihilated by organized force of western-inspired socio-politico-economic “national” development plans under modernist or modernization theoretical framework employed in many nation-states in East Asia during the latter half of the twentieth century.

With that context of globalization, “nationality” has been established culturally and legally as important type of identity among global population. As already mentioned, this type of identity signified the important linkage between the conceptual “state” and the more concrete geographical boundary called “borderline”. Even though the conception of nationality had been strongly taken-for granted by a large extent of population in East Asia during the twentieth century, this type of western-inspired identity could not alter the fact that within East Asia the blending process was far more stronger than the annihilating process in cultural intercourse. Even among a same group of people identifying themselves as



having the same “nationality” nowadays, differences in detailed mixture of cultural way of life and thinking between them can be observed. National identity (or “nationality”) could be much important whenever they encountered with state-related activities such as registering for political rights, traveling across borderline between different nation-states, importing and exporting economic goods, or even paying taxes, and so on; however, the significance of “nationality” was less irrelevant for laymen in most part of their socio-cultural everyday-life activity. People did not identify themselves with “nationality” most of the time.

Nationality provided another conceptual framework for defining people’s identity in addition to formerly-established frameworks using ethnicity and religion as well as philosophical ideology. The essence of “nationality” was related tightly to western philosophy of state elaborated through the eighteenth and nineteenth century. It (the nation of “nationality”) referred to a “bordered identity”.

Conceptually, it would not be possible to conceive either the whole East Asian region or a given single nation-state in East Asia as a geographic area within which population had a single common set of identity. Nationality, with its cultural meaning relevant to state politics, was as artificial as every cultural artifact. Thus, one could conceptually eliminate the theoretical-geographical state boundary and reach more easily to an assumption that East Asian population (as a whole) had lived, reproduced and experienced a common set of blended cultures and identities within the framework of the “four plus one” cultural pillars.



This assumption provided more conceptual space to elaborate further a conception of “borderless identity” that could be shared by different groups of people within a certain region.

Ironically, a major sector of western subpopulation who encouraged the significance of “bordered state” in order to lay effective political infrastructure for their ventures and interests during the period of mercantilism and colonialism (that is, the private sector) was among the first who encouraged a newly-formulated conception of “borderless” framework for transnational economic ventures within the latter part of the twentieth century, multinational corporations conducting transnational investment had more tendency to realize that the significance of state’s political boundary and people’s national identity had laid obstruction as well as more politico-economic burden for them to invest and accumulate freely across different nation-states. Significant attempts to reduce such burden, as easily seen and conceptualized within the practical outcomes of “Free-Trade Area” (FTA) negotiations among state and private sectors from different nation-states, also paved way to reformulate the notion of people’s identity from bordered to borderless identity, more suitable to objectives of economic ventures in the new century.

More ironically, not only the private sector focusing on their economic interests within an established legal framework but also the “undergrounded” private sector focusing on their economic interests without justification by state-related legal framework was among those whose interests had been obstructed by the legitimacy of state’s



borderline. This subset of private sector, undergrounded and illegal in terms of state politics, conducted transnational politico-economic ventures ignoring or avoiding the existence and significance of state borderlines.

As it could be seen more easily in late twentieth century that a new framework of borderless identity and a new conception of the state with less border-related obstruction to transnational economic ventures would be further elaborated regionally ; educational institutions within East Asian countries could rationally facilitate by reviewing and disseminating facts and data on socio-historical development of East Asia, as a whole regional part of the world, in order to develop a common set of knowledge on East Asia to be distributed and included within each country's curriculum.

More-organized activity within educational circle among East Asian countries including Southeast and Northeast Asian states should be encouraged both politically and economically in order to proceed their venture aiming at reinterpretation and building more mutual understanding among East Asian population on the value of their cultures and identities.



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- Independent Newspaper columnist for Krungthep Turakij

### Research and Publication

1. Symbolic Communication : Nature, Development, Impacts.
2. What do People Need in the New Constitution?
3. Thai Printing : Early Development and Trends.
4. Disintegrated Culture : Destruction and Reconstruction under Private Capitalist Trends.
5. Radio 2000

### Teaching Experience

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(Draft)

# “ NEAT Charter ”

by

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prepared for the Second Annual Conference  
Of the Network of East Asian Think-Tanks (NEAT),  
16-17 August, 2004, Siam City Hotel,  
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**(Draft)**

## **NEAT Charter**

### **Article 1: the name of the network**

The name of the network shall be the “Network of East Asian Think-Tanks” henceforth to be referred to as NEAT.

### **Article 2: The purposes and functions of NEAT**

1. NEAT will serve as Track Two for Asean+3 or East Asia Cooperation;
2. pool together academic resources of East Asian countries to provide intellectual support for East Asia Cooperation;
3. study issues and initiatives brought forward by the Asean+3 Summit meetings or other level of meetings and give policy recommendations to the Asean+3 meetings;
4. It will designate its members to participate in Track One meetings of Asean+3/East Asia Cooperation, international conferences and other activities;
5. study issues concerning East Asia Cooperation in key areas and to study strategic and emerging issues concerning the overall situation and the future direction of East Asia Cooperation;
6. to carry out joint researches;
7. to produce and disseminate publications;

8. to organize working groups to address issues and challenges facing the region;
9. to convene regional meetings, workshops and other cooperative activities;
10. to establish linkage with Track One and Track Three of Asean+3/East Asia Cooperation and with other networks, institutions, and organizations in other regions;
11. Initiate discussions on issues that may be too sensitive to be discussed in Track One.

### **Article 3: Membership**

1. NEAT will be composed of 2 categories of members:
  - 1.1 Institutional members: Each country may designate 2-3 institutions to join NEAT.
  - 1.2 Scholar members: Each country may designate 5-10 scholars to join NEAT.
2. Each country should designate one institution as Country Coordinator or National Focal Point which is responsible for domestic and external communications and coordination work.

The founding Country Coordinators of NEAT are:

  - 2.1 The Institute of Policy and Strategic Studies, Ministry of Foreign Affairs, Brunei;
  - 2.2 General Department of ASEAN, Ministry of Foreign Affairs and International Cooperation, Cambodia;
  - 2.3 East Asian Studies Center, China Foreign Affairs University, China;
  - 2.4 Center for East Asian Cooperation Studies, Indonesia;

- 2.5 The Japan Forum on International Relations, Japan;
- 2.6 (The country coordinator from Korea);
- 2.7 Institute of Foreign Affairs, Ministry of Foreign Affairs,  
Laos;
- 2.8 Institute of Strategic and International Studies, Malaysia;
- 2.9 Myanmar Institute of Strategic and International Studies,  
Myanmar;
- 2.10 Philippines Institute for Development Studies, Philippines;
- 2.11 East Asian Institute, National University of Singapore,  
Singapore;
- 2.12 Institute of East Asian Studies, Thammasat University,  
Thailand;
- 2.13 Institute for International Relations, Vietnam.

#### **Article 4: Secretarial works**

- 1. For secretarial works, NEAT will have two general coordinators to be called Co-General Coordinators: one from China and another from the Asean country (Thailand would like to offer to be the Asean coordinator).
- 2. The Co-General Coordinators will perform the following functions:
  - 2.1 serve as the communication/liaison and information center ;
  - 2.2 assist in the organization of the Annual Conference,  
working group meetings, regional meetings, workshops and  
other cooperative activities;
  - 2.3 publish materials;

- 2.4 the secretarial works will be partially funded by the NEAT Fund and by the governments of the member countries;
- 2.5 The website of NEAT will be registered in China.

### **Article 5: The Annual Conference**

1. NEAT shall convene the Annual Conference on a regular basis;
2. The agenda, time and venue shall be decided by the Annual Conference;
3. For hosting the Annual Conference, NEAT will take the individual approach. Each country will have the equal opportunity to host the conference;
4. The Annual Conference should be held before the Asean+3 DGs Meeting which is planning for the Asean +3/East Asia Summit. This will facilitate early consideration of NEAT policy recommendations by the Summit after due scrutiny by the Asean+3 DGs.

### **Article 6: Funding**

1. NEAT Fund will be established with annual contributions from the member countries. Contributions shall be determined by a formula which be agreed upon by the Annual Conference;
2. NEAT will seek other source of funding;
3. The government of each member country should provide financial support for the operation of NEAT;

4. The costs of organizing the Annual Conference will be covered by the host country while the expenses of international travel and accommodation would be born by the participants. However, the participants from CLMV countries will be provided with financial assistance.

Adopted in Bangkok, Thailand, 17 August 2004.

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2 July 2004