

PATHWAYS FOR ASEAN CONTRIBUTIONS TO SUSTAINABLE PEACE AND SECURITY IN RAKHINE STATE, MYANMAR

Policy Report

May 2020

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**NANYANG
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Executive Summary

With changing dynamics between the Rohingya and Rakhine populations and the Tatmadaw (the armed forces of Myanmar), Rakhine State in Myanmar has been in a state of conflict. Most recently, the clash between the Arakan Army and the Tatmadaw saw open conflict erupt on 25 August 2018. These conflicts have resulted in significant loss of lives, livelihoods, and homes with more than 150,000 internally displaced persons (IDPs) in Rakhine State. Some have been living in camps since 2012, and at least 700,000 others in Cox's Bazaar, the main refugee settlement in Bangladesh. From January to March 2020, the RSIS Humanitarian Assistance and Disaster Relief Programme conducted desk research and key informant interviews to examine the humanitarian challenges in Rakhine State. This report summarises and presents the main challenges and key opportunities that emerged from the study. It offers policy recommendations for developing key ASEAN partnerships that can contribute towards achieving sustainable peace and security in Rakhine State.

Introduction

With changing dynamics between the Rohingya and Rakhine populations and the Tatmadaw, Rakhine State in Myanmar has been in a state of conflict. A great deal of published literature points out the chequered history of Rakhine State and Myanmar's political elites attempting to integrate ethnic minorities. Some scholars blame the dominant majority, the Bamar, for practising policies of domination that have exacerbated domestic discord. Most recently, the clash between the Arakan Army and the Tatmadaw saw conflict escalate on 25 August 2018.¹ These conflicts have resulted in significant loss of lives, livelihoods, and homes, with more than 150,000 IDPs in Rakhine State. Some have lived in camps since 2012, and at least 700,000 others in Cox's Bazaar, the main Rohingya refugee settlement in Bangladesh.² This brings the total displaced population from Rakhine State in Bangladesh to an estimated 1.2 million, which includes those displaced in the earlier conflict from 1991–1993.³ Since the conflict in Rakhine State spread from Northern Rakhine to Central Rakhine, prospects for a ceasefire and peace negotiations are limited, particularly in the run up to the national election in late 2020. Most recently, the Myanmar government has listed the Arakan Army as a terrorist organisation under Section 15 of the Unlawful Associations Act.⁴

The current COVID-19 pandemic offers an opportunity to ensure the health security of all in Myanmar and cease hostilities. However, the death of Pyae Sone Win Maung, a World Health Organization driver of a marked UN vehicle, in a security incident on 20 April 2020 illustrates the current insecurity and need for deeper engagement. The ASEAN response so far is limited to providing delivery of essential aid items to the Myanmar government and needs assessments for the voluntary repatriation of Rohingya and other communities displaced in Bangladesh

¹ United Nations Security Council. "Report of the Secretary-General on children and armed conflict in Myanmar." 29 October 2018. www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2018_956.pdf

² OCHA and UNHCR. "Myanmar: Conflict between the Arakan Army and the Myanmar Military." November 1, 2019. <https://reliefweb.int/sites/reliefweb.int/files/resources/Myanmar%20-%20Conflict%20between%20the%20Arakan%20Army%20and%20the%20Myanmar%20Military%20in%20Rakhine%20and%20Chin%20States%20-%201%20Nov%202019%20281%29.pdf>

³ International Organization for Migration. "IOM Bangladesh: Rohingya Humanitarian Crisis Response Monthly Situation Report." December 2019. https://www.iom.int/sites/default/files/situation_reports/file/iom_rohingya_crisis_response-external-sitrep-dec2019.pdf

⁴ "Declaration of Terrorist Group." *Global New Light of Myanmar*, March 24, 2020. www.globalnewlightofmyanmar.com/declaration-of-terrorist-group/

back to their homes in Rakhine State.⁵ ASEAN member states need to collectively invest in sustainable peace that is people-centric and with a whole-of-Rakhine approach to ensure the safety and security of people in Rakhine State.

Rakhine State is broadly divided into three parts — Northern Rakhine, Central Rakhine and Southern Rakhine — each with their own specific context.⁶ While Northern Rakhine was the site of the original Rohingya exodus and bears the marks of conflict with a much-depleted population, a new conflict has expanded into Central Rakhine between the Arakan Army and the Tatmadaw. Central Rakhine also houses many displaced persons, with at least 103,557 in Sittwe.⁷ Southern Rakhine remains the least directly affected by the conflict. It is critical for ASEAN to consider a collective and calibrated approach with individual member states having niche capabilities to contribute towards sustainable peace and security in Rakhine State.

⁵ The Association of Southeast Asian Nations. "Press Statement by the Chairman of the ASEAN Foreign Ministers' Retreat, Chiang Mai, 17-18 January 2019." Accessed on April 24, 2020. <https://asean.org/storage/2019/01/Press-Statement-by-the-Chairman-of-the-ASEAN-Foreign-Ministers-Retreat-Chiang-Mai-17-18-January-2019-FINAL-FINAL.pdf>

⁶ OCHA. "Special Report – The 2018 FAO/WFP Agriculture and Food Security Mission to Rakhine State, Myanmar, 12 July 2019." July 29, 2019. <https://reliefweb.int/report/myanmar/special-report-2018-faowfp-agriculture-and-food-security-mission-rakhine-state>

⁷ OCHA. "Myanmar: IDP sites* in Rakhine State." December 31, 2019. https://reliefweb.int/sites/reliefweb.int/files/resources/MMR_Rakhine_IDP_Site_A0_Dec_2019.pdf

Methodology

This policy report has been prepared based on desk research and semi-structured interviews with multiple actors. After desk research, 17 interviews were conducted with the international humanitarian community, government, and civil society organisations in Myanmar and other ASEAN states. Due to the current COVID-19 pandemic, in-country fieldwork was deferred. Instead, interviews were conducted using online meeting platforms. There are limitations to this study, including a reduced number of participants interviewed from the target of 30 due to some unwilling to participate and some being hesitant to fully engage through this medium.

Overview of Rakhine State

The Republic of the Union of Myanmar is divided into seven states, seven regions, and one union territory, Nay Pyi Taw, the capital. Coastal Rakhine experiences flooding, landslides, and cyclones. Cyclone Komen made landfall in July 2015 displacing thousands of people from their homes and causing significant damage to their property and crops.⁸ While people in Rakhine State are aware of and used to the threat posed by natural hazards, the lack of infrastructure, political will, and prolonged ethnic conflict has limited humanitarian access.

The first recent iteration of the conflicts in Rakhine State began in June 2012. At the time, the clashes between Muslims and Buddhists in Rakhine State killed hundreds and disproportionately displaced over 100,000 Muslims, mostly Rohingya and ethnic Kaman people.⁹ The humanitarian situation in Rakhine State has also deteriorated further since August 2017 when security operations by the Tatmadaw, allegedly in response to armed attacks by the Arakan Rohingya Salvation Army, led to an exodus of an estimated 700,000 people, mostly Rohingya, into Bangladesh.¹⁰ While voluntary repatriation has been attempted, the most recent of which was in August 2019, only 340 people have voluntarily returned.¹¹ The vast majority feel that conditions are not conducive for a voluntary, safe, and dignified return home.¹² The most recent iteration of conflict in Rakhine State is between the Arakan Army and the Tatmadaw.

Our research indicates that the recommendations of the government-mandated Independent Commission of Enquiry (ICOE), the successor to the Kofi Annan-led Advisory Commission on Rakhine State has the greatest traction with local and

⁸ Desportes, Isabelle. "Getting relief to marginalised minorities: the response to cyclone Komen in 2015 in Myanmar." *Journal of International Humanitarian Action* 4, 7 (2019). <https://doi.org/10.1186/s41018-019-0053-z>.

⁹ Holliday, Ian. "Addressing Myanmar's Citizenship Crisis." *Journal of Contemporary Asia* 44 (2014): 1–18. <https://doi.org/10.1080/00472336.2013.877957>

¹⁰ International Organization for Migration. "IOM Bangladesh: Rohingya Humanitarian Crisis Response Monthly Situation Report." December 2019. https://www.iom.int/sites/default/files/situation_reports/file/iom_rohingya_crisis_response-external-sitrep-dec2019.pdf

¹¹ Nyan Lynn Aung, "Twenty-nine refugees return to Rakhine from Bangladesh: govt." *The Myanmar Times*, October 23, 2019. www.mmtimes.com/news/twenty-nine-refugees-return-rakhine-bangladesh-govt.html

¹² McPherson, Poppy, and Shoon Naing. "People were hiding": Bangladesh bid to repatriate Rohingya stalls as refugees refuse." *Reuters*, August 22, 2019. www.reuters.com/article/us-myanmar-rohingya/people-were-hiding-bangladesh-bid-to-repatriate-rohingya-stalls-as-refugees-refuse-idUSKCN1VC1FN.

international partners.¹³ In the ICOE's executive summary, the government has for the first time acknowledged alleged war crimes during the 2017 Rohingya exodus. Broadly complementary to the Annan recommendations presented in 2017, ICOE has become a road map for the Myanmar government in their Rakhine strategy.

The approximately 241,000 IDPs living in camps or camp-like situations overall — with more than 150,000 in Rakhine State alone — are also a key concern.¹⁴ As such, the Myanmar government announced the National Strategy on Resettlement of Internally Displaced Persons and Closure of IDP Camps in 2018. This national strategy was a key recommendation presented by the Advisory Commission on Rakhine State in 2017. While camps are in the process of being shut down, questions surrounding the safety, ease of movement, and livelihood sustainability of affected communities remain.

The start of a regional response to the humanitarian issues facing Rakhine State began in 2016.¹⁵ In 2019, the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre) was given the mandate to identify areas of cooperation for ASEAN and Myanmar to work towards the repatriation and resettlement of the Rohingya refugees.¹⁶ Coordinated by the Union Enterprise for Humanitarian Assistance, Resettlement and Development (UEHRD) in March 2019, their visit produced the Preliminary Needs Assessment report, which identified options for strengthening reception and transit centres, as well as recommendations on information dissemination and provision of basic services.¹⁷ A number of concerns were raised by the international humanitarian community over the level of engagement undertaken by the assessment team with affected communities and the international humanitarian community. However, with active conflict in Rakhine State, it is unlikely that significant voluntary repatriation from Bangladesh will happen soon. It is therefore critical to devise and implement a more substantive and comprehensive ASEAN approach to addressing human insecurity in Rakhine State.

¹³ See Advisory Commission on Rakhine State, "Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine: Final Report of the Advisory Commission on Rakhine State", http://www.rakhinecommission.org/app/uploads/2017/08/FinalReport_Eng.pdf; See ICOE 'Executive Summary', <https://reliefweb.int/sites/reliefweb.int/files/resources/BM.pdf>

¹⁴ OCHA. "Myanmar." Accessed on April 24, 2020. www.unocha.org/myanmar

¹⁵ Lewis, Simon. "Malaysia calls for ASEAN to coordinate aid for Myanmar's Rohingya." *Reuters*, December 19, 2016. www.reuters.com/article/us-myanmar-rohingya-asean-malaysia-idUSKBN1480E1

¹⁶ The Association of Southeast Asian Nations. "Press Statement by the Chairman of the ASEAN Foreign Ministers' Retreat, Chiang Mai, 17-18 January 2019." Accessed on April 24, 2020. <https://asean.org/storage/2019/01/Press-Statement-by-the-Chairman-of-the-ASEAN-Foreign-Ministers-Retreat-Chiang-Mai-17-18-January-2019-FINAL-FINAL.pdf>

¹⁷ The AHA Centre. "Preliminary Needs Assessment for Repatriation in Rakhine State, Myanmar." May 2019. <https://asean.org/storage/2020/03/13.-June-2019-Preliminary-Needs-Assessment-for-Repatriation-in-Rakhine-State-Myanmar-ad-hoc-AHA-Ctr.pdf>

Policy Recommendations

The preliminary policy recommendations are divided into two strategies. The first focuses on “immediate needs” and covers the acute humanitarian needs of affected communities in Rakhine State. The second focuses on “activating ASEAN engagement” governing of short, mid, and long-term sustainable peace efforts.

A. Immediate needs

- ***Establish the ASEAN Volunteer Programme for Rakhine State.***

The ASEAN Volunteer Programme was a one-off initiative in the aftermath of Cyclone Nargis to support recovery from 2008–2010. Overall, there were 40 volunteers from Brunei Darussalam, Cambodia, Malaysia, Myanmar, the Philippines, Singapore, and Thailand who participated in seven projects that were implemented with five civil society partners.¹⁸ Similarly, ASEAN can draw on this experience to establish a similar but more substantive programme for Rakhine State. ASEAN can also reflect on the experience of the US “Peace Corps” and Australian Volunteers programmes. The spin-off from the Cyclone Nargis volunteer experiences is the ASEAN Youth Volunteers Programme, which can also offer a starting point to build a mechanism appropriate to the needs of the people in Rakhine State.

- *Health Security*

Inadequate access to health facilities is a major problem in Rakhine State, with only 53.3 per cent of ill or injured individuals seeking treatment at medical facilities, including those run by NGOs.¹⁹

However, while individual ASEAN countries and healthcare INGOs have built some hospitals and mobile clinics, there is a need for investment in training medical staff that is vital for the sustainability of the healthcare system in Rakhine State.

¹⁸ The Association of Southeast Asian Nations. “Bringing ASEAN Closer to the People: The Experience of ASEAN Volunteers in Myanmar.” August 2010. https://reliefweb.int/sites/reliefweb.int/files/resources/D8D49FF318CB1C184925779500245E93-Full_Report.pdf.

¹⁹ The United Nations Development Programme. “Myanmar Living Conditions Survey 2017: Socio-Economic Report.” February 2020. www.undp.org/content/dam/myanmar/docs/Publications/mlcs-2017-socio-economic-report.pdf

As such, ASEAN can offer postings in Rakhine State for healthcare professionals from the region to contribute to the acute short-term lack of staff and longer-term capacity development of the healthcare system there.

- *Education*

Education is a sector that bridges immediate needs and longer-term capacity issues in Rakhine State. Low levels of education is a significant challenge, with approximately 74.7 per cent of adults having received only primary school or no education.²⁰

Like the recommendation on health security, ASEAN can offer postings in Rakhine State for educators and education professionals from the region to contribute to the acute short-term lack of staff and longer-term capacity development of the education system there.

In the education sector, we have found that there is inadequate infrastructure i.e., schools. One pathway to both develop infrastructure and contribute to skills training simultaneously is to ensure local access to employment that contributes to a formalised vocational qualification. Further, there is a shortage of teachers and educational professionals. However, unlike the healthcare sector, education is extremely contextual. While ASEAN may be able to provide education professionals to contribute towards building the education system, they will need to work closely with the relevant state and union authorities to train qualified local staff to develop and teach the Myanmar curriculum, and overcome the language barrier.

Health security and education are issues that bridge immediate needs to longer-term system development. These are areas in which ASEAN member states can contribute to professional skills transfer as well as infrastructure development. However, considering the specific religious and ethnic tensions in the context of the Rakhine State, ASEAN should take special care that its programmes “ensure sustainable and equitable development” in the region without discrimination.²¹

²⁰ Ibid

²¹ The Association of Southeast Asian Nations. “Press Statement by the Chairman of the ASEAN Foreign Ministers’ Retreat, Nha Trang, 16-17 January 2020.” Accessed on April 24, 2020. <https://asean.org/storage/2020/01/17.1.2020-AMMR-Press-Statement-Final.pdf>

B. Activating ASEAN engagement

(i) *Establish an ASEAN presence in Rakhine State.*

ASEAN offers its member states an inclusive, consensus-building environment to address key peace and security issues in Southeast Asia. Most recently, ASEAN delivered essential humanitarian assistance and provided support for needs assessment in Rakhine State. This relationship is founded on practical matters and a networked approach to regionalism under the 2016 One ASEAN, One Response declaration where member states work together to respond to collective challenges.²² Often seen as a starting point, rather than an end goal, humanitarian assistance and sustainable peace efforts are areas that illustrate well the potential role for ASEAN in broader non-traditional security issues.

In line with the One ASEAN One Response declaration, an Ad-Hoc Support Team was recently formed by the ASEAN Secretary-General to support the implementation of the Provisional Needs Assessment, and identify concrete projects through which ASEAN could contribute to improving the ground conditions in Rakhine State.²³

Establishing an ASEAN presence in Myanmar and in Rakhine State would improve situational awareness and develop key multi-stakeholder interpersonal relationships to facilitate contextual responses.

(ii) *Form an ASEAN Partnership Group for Rakhine State as a bridging mechanism with the international community.*

ASEAN's involvement in Rakhine State is met with general approval and the organisation appears well-placed to further build trust with the INGO community and the multiple layers of the Myanmar government. There is an "openness" from the union government to accept ASEAN contributions, while the international community views ASEAN as having an influence on Myanmar.

The experience of the AADMER Partnership Group (APG) model where ASEAN engages trusted regional and international NGO partners to share information, builds networks among key actors in the field and overall capacity for the various organisations involved provides an important reference point for the development of a specific APG for Rakhine

²² The Association of Southeast Asian Nations. "ASEAN Declaration on One ASEAN, One Response: ASEAN Responding to Disasters as one in the Region and Outside the Region." September 6, 2016. <https://asean.org/storage/2016/09/Declaration-on-One-ASEAN-One-Response.pdf>

²³ The Association of Southeast Asian Nations. "Press Statement by the Chairman of the ASEAN Foreign Ministers' Retreat, Nha Trang, 16-17 January 2020." Accessed on April 24, 2020. <https://asean.org/storage/2020/01/17.1.2020-AMMR-Press-Statement-Final.pdf>

State.²⁴ This could connect through the further development of the Ad-Hoc Support Team with the ASEAN Secretary General in their capacity as ASEAN Humanitarian Coordinator. The APG for Rakhine State can act as a bridging mechanism to bring together humanitarian actors from relevant government bodies. Through such a working partnership, ASEAN could increase coordination among actors on the ground and generate greater participation in policy design and implementation.

(iii) Strengthen the ASEAN Regional Mine Action Centre

Unlike the Kachin and Shan states in Myanmar, the use of landmines and landmine contamination in previously unused areas was only reported in Rakhine State after 2017 when the internal armed conflict intensified.²⁵ As such, there is low public awareness of landmine contamination despite the increase in casualties.

ASEAN can use the ASEAN Regional Mine Action Centre (ARMAC) in Phnom Penh to raise awareness among the general public on mines. ARMAC and the government-led Mine Risk Working Group in Myanmar have previously connected through the Myanmar National Mine Action Authority Workshop. Further development of awareness programmes in affected areas of Rakhine State will assist to minimise physical safety risks. This could be achieved via direct, face-to-face communication or broadcasting awareness sessions on the radio.

(iv) Initiate the ASEAN Defence Ministers' (ADMM)-Plus Expert Working Group on Mine Action to support Myanmar to de-mine Rakhine State to facilitate safe repatriation.

ASEAN should activate the ADMM-Plus Expert Working Group on Mine Action as an avenue to engage the Tatmadaw on safe de-mining efforts. As the highest defence consultative and cooperative mechanism in the region, ASEAN could use the ADMM to work with the military on building capacity to de-mine Rakhine State.

Both non-state armed groups and the military have reportedly engaged in mining the Myanmar/Bangladesh border, and are currently using mines as part of their military strategies in Northern Rakhine State.²⁶ As such, de-mining areas in Rakhine State, particularly Northern Rakhine, will be necessary to fulfil the conditions of repatriation as laid out in AHA Centre's Preliminary Needs Assessment.

²⁴ PreventionWeb. "AADMER Partnership Group (APG)." Accessed on April 24, 2020. <https://www.preventionweb.net/organizations/10337/view>

²⁵ International Campaign to Ban Landmines – Cluster Munition Coalition. "Landmine Monitor 2019." November 2019. www.the-monitor.org/media/3074086/Landmine-Monitor-2019-Report-Final.pdf

²⁶ Ibid.

(v) Convene an ADMM Expert Working Group on military law.

A key contribution as laid out by the ICOE is the accountability of the military in the Rakhine conflict. As the highest defence consultative and cooperative mechanism in ASEAN, ASEAN could use the ADMM to exchange governance experience of conduct in hostilities and the use of force in armed conflict and law enforcement.

Under ADMM-Plus, the expert working group structure focuses on seven key issue areas with additional groups established as needs arise. Establishing a working group on military law would allow the sharing of expertise and experience on military law across ASEAN member states. For example, the various offices of the Judge Advocate Generals in ASEAN could convene during the ADMM and share experiences in military law.

(vi) Support institutional cooperation by building capacity at the sub-national level.

The local government in Rakhine understandably has less capacity to carry out policy than the Union government. As such, ASEAN could potentially contribute to building capacity at the sub-national level.

Personal relationships are key in compensating for institutional weakness and in further building institutional capacity. Currently, ASEAN has several sub-national networks in place including the ASEAN Smart Cities Network, the ASEAN Sustainable Development Goals Frontrunner Cities Programme, and the ASEAN Mayors Forum. While it may be difficult for Rakhine State to fully participate in these engagements due to the ongoing conflict, the state's capital of Sittwe could be the starter city.

About the Authors

Dr Alistair D. B. Cook is Coordinator of the Humanitarian Assistance and Disaster Relief Programme and Senior Fellow at the Centre for Non-Traditional Security Studies (NTS Centre), S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University (NTU) in Singapore. His research interests focus geographically on the Asia-Pacific and Myanmar in particular and thematically on humanitarian assistance and disaster relief (HADR), foreign policy and regional cooperation. He has taught undergraduate, graduate and professional development courses at Purdue University, University of Melbourne, Deakin University, Nanyang Technological University, Australian National University, Singapore Civil Defence Academy and SAFTI.

Ms S. Nanthini is a Research Analyst on the Humanitarian Assistance and Disaster Relief (HADR) Programme at the Centre of Non-Traditional Security Studies (NTS Centre), S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University (NTU), Singapore. She holds a Masters in International Relations (International Security) from the University of Melbourne, and a Bachelor of Arts (Politics and Gender Studies) from La Trobe University. During her time in Melbourne, she volunteered with the humanitarian response agency RedR Australia where she furthered her interest in the security aspects of humanitarian situations.

Prior to joining RSIS, Nanthini was an intern at the Asia-Europe Foundation in Singapore and has written for the *Young Diplomats* as their Regional Content Writer for Southeast Asia. Her research interests include human security in Southeast Asia, looking at the HADR landscape through a gendered lens and the role of multilateralism in the security architecture of the Asia-Pacific.

About the Centre for Non-Traditional Security Studies

The **Centre for Non-Traditional Security Studies (NTS Centre)** conducts research and produces policy-relevant analyses aimed at furthering awareness, and building the capacity to address NTS issues and challenges in the Asia Pacific region and beyond. The Centre addresses knowledge gaps, facilitates discussions and analyses, engages policymakers and contributes to building institutional capacity in the following areas: Humanitarian Assistance and Disaster Relief; Climate Security and Migration. The NTS Centre brings together myriad NTS stakeholders in regular workshops and roundtable discussions, as well as provides a networking platform for NTS research institutions in the Asia Pacific through the NTSAsia Consortium.

More information on NTS Centre and a complete list of available publications, policy briefs and reports can be found here: <http://www.rsis.edu.sg/research/nts-centre/>

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