

DECEMBER 2021

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EXPLORING TRANSPARENCY AND ACCOUNTABILITY IN CURBING CORRUPTION AND ADVANCING PHILIPPINE DEMOCRACY

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EXPLORING TRANSPARENCY AND ACCOUNTABILITY IN CURBING CORRUPTION AND ADVANCING PHILIPPINE DEMOCRACY

Transparency and accountability need each other and can be mutually reinforcing. Together they enable citizens to have a say about issues that matter to them and a chance to influence decision-making and hold those making decisions to account. The United Nations identified transparency and accountability (T&A) as part of a set of principles of good governance as well as in advancing human rights. Aside from an array of literature on governance and development studies, international development agencies like the World Bank (WB) and the Asian Development Bank (ADB) considered T&A as main dimensions of good governance (Kaufmann, Kraay, Mastruzzi, 2006) and pillars of sound development management (ADB 1995, 1999).

In over two decades, Gaventa and McGee (2013) reflect that T&A arose as significant governance tools in resolving developmental failures and democratic deficits. It is argued that corruption, inefficiency, and government wastage are substantially addressed when there is a high sense of T&A in government. Likewise, T&A are instruments that ensure that scarce public resources are employed more effectively and efficiently for the benefit of the populace. In addition, strengthening government's T&A serves as a key strategy for improving the delivery of public services and making progress in achieving development goals (Joshi 2013).

Against this backdrop, the paper examines the crucial concerns on transparency and accountability confronting the state of governance of the country. It argues that addressing the critical questions and at the same time transcending the obstacles affecting T&A may be able to increase the opportunity for better governance of the country, hence realize sustainable and multidimensional development goals, build the nation-state, and reinforce social cohesion.



Comprehending the Arena

This part of the paper explores in concise but broad fashion the conceptual denotation of transparency and accountability. It deliberates on the implications of T&A in governance in particular and in society at large. Through this process, it is expected that a clearer and deeper understanding of transparency and accountability is left to the minds of the public.

Transparency

As mentioned earlier, transparency and accountability are inextricably linked to governance. As for transparency, Bodegom et.al. (2008) say it is the “*way of implementing policies through cooperation whereby representatives of the government, market and civil society participate in mixed public and private networks*” (italics provided).

Thus, transparency is about collaboration between and among key sectors of society. In as much as no single actor, whether private or public, has the monopoly of knowledge and information required to solve complex, dynamic, and diversified problems nor a single actor exists who has sufficient overview to apply effective solutions to problems, it becomes imperative that state’s and society’s responsibilities be fused together both at the central and local levels.

For cooperation and collaboration to transpire, it is vital that important information is shared to the public, provided that they do not threaten the security of the state. Transparency, therefore, has a democratic function in view of a high degree of clarity and openness would increase the capacity of the majority of the population, the poor and marginalised people, to play a greater role, at least at the local level, in policy formulation, implementation, and evaluation that affect their lives and future. The wave of democratization in late 1980s to early 1990s

FEATURES

03

COMPREHENDING THE ARENA

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ON THE COVER

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07

BRIEF STATE OF AFFAIRS

Realizing a transparent and accountable government requires a clean government, free from systemic corruption, and able to deliver public goods and services effectively and efficiently



09

TRANSPARENCY AND ACCOUNTABILITY AND THE UPCOMING 2022 ELECTIONS

The public is only able to truly participate in the democratic process when they have information about the activities and policies of government, and when people can see what benefits and services they are entitled to and whether they are receiving what should be expected

11

CONCLUSION

Transparency and accountability are the fundamental elements of abolishing corruption in either local or national government



CONTENTS

transparency & accountability

led the empowerment of civil society organizations (CSOs) and social movements as they demanded states become more transparent not only in making decisions but also in government's and mismanagement of public funds.

In politics, transparency is used as a device in holding public officials liable and in fighting corruption in government. When key executive, legislative, and administrative government meetings are open to the press and the public, the process and results of law- and policy-making are open to discussion including its finances and budgets which may be reviewed by anyone. This makes government officials' actions known to the public and assures principal stakeholders that the government is properly administered and free from systemic corruption. This collective and interactive tri-administration of public affairs (government-private sector-civil society organizations) is an important component of transparent governance.

A public well-informed on the politics and governance of the state is essential in peoples' exercise of political and economic power. People are able to hold government officials and institutions to account not only on the successes of public policies but also on their inadequacies, failures, and ways to improve their work in the future. On the contrary, the absence of, or limited accessibility to information, will disempower people, generate mistrust towards government, and infuriate the underprivileged and marginalized masses. Excessive and unwarranted secrecy on the internal affairs of government can undermine the quality of public decision-making and thwart citizens from checking the abuses of those who hold public power. Holding too much information that are deemed valuable to the people will have a corrosive effect on virtually all aspects of society and governance.

Briefly, transparency is about how much access to internally-held information citizens are entitled to, the breadth and scope, correctness and accuracy, and timeliness of this information, and what citizens (as "outsiders") can do if "insiders" are not sufficiently forthcoming in providing such access.

Accountability

The concept of accountability in governance is rooted as a central theme in service delivery following the publication of the 2004 World Development Report (WDR) which acknowledges that service-delivery failures as accountability failure relationships. The Report demonstrates how the "long route" accountability – by way of elected politicians and public officials through to providers – was failing and frustrating the poor. Hence, the WDR advocates service

delivery through the “short route” – direct accountability between users and providers.

Consequently, the WDR triggered a series of work that examine ways of strengthening the short route: increasing transparency by enhancing accountability (Sirker and Cosic, 2007; McNeil and Mumvuma, 2006). This has spawned many innovations, ranging from more institutionalised forms of co-governance to particular Transparency and Accountability Initiatives (TAIs) such as Public Expenditure Tracking Surveys, citizen report cards, community score cards, and social audits.

In defining accountability, Tisé states that it is (2010: 2):

...the process of holding actors responsible for their actions. More specifically, it is the concept that individuals, agencies and organisations (public, private and civil society) are held responsible for executing their powers according to a certain standard (whether set mutually or not).

Generally, accountability ideally involves both answerability and enforceability. The former concerns the obligation of duty-bearers to provide information and explanation and justification about their actions while the latter relates to the possibility of penalties or consequences for failing to answer accountability claims (Goetz and Jenkins, 2005). It is traditionally conveyed to as state-side, supply-side or institutional which is exercised through the mechanisms of elections otherwise known as political accountability, or intra-governmental controls, better known as bureaucratic accountability. Unfortunately, both accountabilities (political and bureaucratic) are judged by the WDR as limited in scope and weak in deterring corruption, specifically from the viewpoint of the poor and marginalized people whom the state needs to be most accountable to but the former do not have the means to challenge the power of the latter (World Bank 2004).

It is in this context that the field of social accountability, similarly termed as “citizen-led,” or “demand-side,” emerged to improve service delivery, enhance transparency and boost access to information with other ways of holding to account the state and its agents (often, for example, private-sector service providers), collectively referred to as TAIs (Gaventa and McGee 2013; Joshi 2013). In Malena et al.’s (2004) definition, social accountability is:



... an approach towards building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organisations who participate directly or indirectly in exacting accountability. Mechanisms of social accountability can be initiated and supported by the state, citizens or both, but very often they are demand-driven and operate from the bottom-up (Malena et al., 2004: 3, italics provided).

Malena et. al's description of social accountability refrains a restricted focus that might obscure the critical roles that should be played by state actors and institutions in a citizen-led initiatives paradigm.

Brief State of Affairs

Realizing a transparent and accountable government requires a clean government, free from systemic corruption, and able to deliver public goods and services effectively and efficiently. Corruption threatens good governance, leads to the misallocation of resources, harms public and private sector development, and distorts public policy. Moreover, it leads to the favouring of inefficient producers, the unfair and inequitable distribution of scarce

public resources and the leakage of reserve from the government coffer to private hands. Conceivably, corruption causes loss of confidence in government. Controlling corruption is thus only possible when government, citizens, and the private sector cooperate to ensure transparency and accountability are upheld.

Corruption continues to be a major issue in the Philippine government and domestic politics. Despite the repeated promises of every Philippine President since the post-war until the advent of democratic regimes after the fall of Marcos' authoritarian rule to extirpate graft and corruption in government, this goal has not been realized. In fact, corruption has grown over generations, spreading to the vital centres of government. In 2000, it was widely perceived that corruption had undermined investor confidence and reduced the public's faith in the government's sincerity and capability to combat corruption (World Bank, 2001). In the 2019 Corruption Perceptions Index (CPI) reported by Transparency International



(TI), the Philippines ranked 113 least corrupt out of 180 countries. This is 14 notches below the 2018 ranking and 18 down from 2015 before Duterte became President. The country's rank may seem better compared during the Aquino III presidency when it ranked 129 (TI, 2020).

Among the 10 ASEAN countries, the Philippines is the fourth most corrupt as per TI's 2019 index. This rank has not changed since 1998 when other countries like Indonesia, Vietnam, and Thailand have improved considerably and had overtaken the Philippines in terms of corruption Index. The aforesaid countries have been ranked fourth, fifth, and sixth least corrupt ASEAN countries in 2019 according to TI's index. In the Economist Intelligence Unit's (EIU) Democracy Index for 2019, the Philippines slid down one notch to 54th place (Mourdoukoutas, 2020).

The COVID-19 pandemic has posed unprecedented challenges for transparent and accountable governance focusing on the provision and delivery of public health and the rule of law in the Philippines. On 23 March 2020, the law, Bayanihan to Heal as One Act (also known as Bayanihan 1) was enacted (officially designated as Republic Act No. 11469) that granted President Duterte sweeping authority to “reallocate, realign, and reprogram” more than half of the national budget, almost PhP 275 billion (approx. USD 5.37 billion) from the estimated PhP 438 billion (approx. USD 8.55 billion) national budget approved for 2020, in response to the pandemic. Moreover, the law furnishes for emergency cash subsidies to eighteen million low-income households, as well as cash reimbursements for frontline healthcare workers who fall seriously ill or die while fighting the pandemic to enable him to “temporarily take over or direct the operations” of public utilities and privately owned health facilities and other necessary facilities “when the public interest so requires” for quarantine, the accommodation of health professionals, and the distribution and storage of medical relief; and “facilitate and streamline” the accreditation of testing kits.

This was followed by the Bayanihan to Recover as One Act, otherwise known as Bayanihan 2 or Republic Act No. 11494. Enacted in September 2020, it provides a PhP 165.5 billion (approx. USD 3.287 billion) fund, including PhP 140 billion (approx. USD 2.781 billion) in regular appropriation with PhP 25.5 billion (USD 506 million) in standby funds. Bayanihan 2 was designed to finance several government programs such as improvement of health care resources, cash-for-work program, agriculture support, assistance to industries affected by the pandemic, and procurement of coronavirus vaccines among others. Finally, the yet to be approved Bayanihan 3 (Bayanihan to Arise as One Act) had been endorsed by the House of Representatives to the Philippine Senate. The proposed bill



allocates PhP 405 billion (approx. USD 8 billion) for government interventions to address the COVID-19 pandemic's socio-economic impact and accelerate the country's recovery.

Despite the enormous amount of taxpayers' money being earmarked to address the national response to the global pandemic, there is no effective oversight system on how the money is being disbursed and distributed by both the national and local governments to the marginalized sectors of the country. A few months after Bayanihan 1 was signed into law, a massive corruption scandal was exposed by whistle-blowers alleging that the Philippine Health Insurance Corporation (PhilHealth), which is engaged in financing COVID-19 testing and treatment in the country, had mismanaged and misspent around PhP 67.3 billion (USD 1.3 billion) of COVID-19 funds. Eventually, the Senate of the Philippines, which investigated the alleged corruption, approved the filing of corruption charges to a number of senior officials of PhilHealth, including its Chief Executive Officer and the Secretary of Health.

In August 2021, the country was again rocked by another PhP 42 billion (approx.. USD 834) corruption scandal. The Pharmally Pharmaceutical Corporation (PPC), a new and small company, was claimed to have been assisted by President Duterte's former economic adviser, Michael Yang, to secure 13 contracts within the government involving supplies (surgical masks, gloves, gowns, and personal protective equipment, among others) including "ghost deliveries" worth PhP 3 billion (approx. USD 59.6 million) for COVID-19 response. The case is currently being investigated by the Senate's Committee on Accountability of Public Officers and Investigation

TRANSPARENCY AND ACCOUNTABILITY ARE THE FUNDAMENTAL ELEMENTS OF ABOLISHING CORRUPTION IN EITHER LOCAL OR NATIONAL GOVERNMENT AND THE PROSPECT OF SHAPING A CLEAN, FAIR, AND DEMOCRATIC 2022 ELECTIONS. THUS, TRANSPARENCY IS ABOUT COLLABORATION BETWEEN AND AMONG KEY SECTORS OF SOCIETY. IN AS MUCH AS NO SINGLE ACTOR, WHETHER PRIVATE OR PUBLIC, HAS THE MONOPOLY OF KNOWLEDGE AND INFORMATION REQUIRED TO SOLVE COMPLEX, DYNAMIC, AND DIVERSIFIED PROBLEMS...

(popularly known as the Blue-Ribbon Committee) in "aid of legislation."

The Department of Budget and Management (DBM) in August 2012 issued the use of a Transparency Seal in the websites of all national government agencies to warrant transparency and accountability of transactions, including the annual procurement plan, contracts awarded, and names of contractors/suppliers/consultants. However, corruption remains unabated in government. Even the Freedom of Information (FOI) of 2016, which grants Filipinos the right to access information about government transactions and operations — as long as it shall not compromise the country's security — has yet to be exercised to the fullest by citizens and civil society organizations. Notably, FOI covers all recorded information held by a public authority. It is not limited to official documents but also covers drafts, emails, notes, recordings of telephone conversations and CCTV recordings. Furthermore, the United Nations recognizes freedom of information as a fundamental human right that cannot be legally denied by the state once claimed by interested parties, organizations, and individuals.

Transparency and Accountability and the Upcoming 2022 Elections

The forthcoming national and local elections in May 2022 is another

exercise of the peoples' "democratic" rule. Essentially, citizens do not only have a right to participate in elections, but have the right to know and access all relevant information to determine that the electoral process is valid, free from intimidation and violence, and unrepressed. The public is only able to truly participate in the democratic process when they have information about the activities and policies of government, and when people can see what benefits and services they are entitled to and whether they are receiving what should be expected. That knowledge, which is the foundation for public confidence in elections and their resulting governments, cannot be accomplished nor realized without transparency and monitoring by electoral contenders, citizen organizations or civil society organizations, and the tri-media. The electorates' constitutional rights to a transparent electoral process need not be compromised to guarantee a reputable election.

Moreover, indisputable elections have to require that state institutions be politically unbiased, independent, and act effectively to ensure that electoral system is respectable and appropriate. Otherwise, misfeasance and forces of corruption can prevent them from being either free or fair. The administration of the elections by the Commission on Elections (COMELEC) is central in this respect, including the security agencies under COMELEC's control and command in the entirety of the electoral period. Their performance is vital to achieving

authentic election results. Making certain that cheating and other election-related irregularities like vote-buying, rigging of vote-counting machines, and the presence of armed goons and/or private armies at the precinct levels are prevented or mitigated to the minimum, remain to be COMELEC’s responsibility to the nation and electorates.

Apart from having a transparent electoral process, electoral accountability – the use of voters’ right of suffrage to sanction or reward politicians – needs to be exercised and institutionalized in the body politic. Democratic elections are accountability exercises that function in two ways. While on one hand these exercises hold politicians to account on their previous political performance, historical record as public servant or as leader in the private sector or CSOs or through the process of sanctioning – voters are accountable in either electing politicians to power or voting them out of power due to poor performance. On the other hand, voters are likewise accountable for electing candidates/politicians to power simply on the basis of popularity (actors/actresses, basketball players, boxers, etc.) rather than merit and qualifications; membership in a political or warlord clan rather than performance in national or local political, economic, and social development; and amount of money used in the campaign for propaganda, election-related irregularities, and buying votes rather than strength of political platform of government.

Accountability equally applies to the fair conduct of the processes of elections and for those who seek to subvert and undermine fair electoral competition and free expression of peoples’ will. This requires administrative measures to ensure political neutrality of state institutions and personnel, vigorous enforcement

“Realizing a transparent and accountable government requires a clean government, free from systemic corruption, and able to deliver public goods and services effectively and efficiently.”

Characteristics of Candidates Running for National Positions
Should Have/Possess

Table 1

CHARACTERISTICS	PH
1 Has concern for the poor	66%
2 Honest and trustworthy	49
3 Not corrupt	41
10 Honours and respects the law	11
11 Proven ability to respond to future pandemic	9
12 Not beholden to anyone that can influence his decisions	6

of equality before the law and equal protection of the law regardless of political affiliation and loyalty. Effective remedies for infringements of electoral rights and providing access to justice mechanisms are crucial for the electorate and electoral contestants to obtain redress. Devising a transparent system and ready access to information about such mechanisms and the steps taken by governmental institutions to establish accountability in the electoral context is fundamental to creating and reinforcing public confidence in the integrity of elections.

Transgressing impunity for those who contravene election-related rights of citizens as well as those of legitimate electoral contenders is an indispensable step in building public confidence where a strong and robust record of authentic elections is yet to be established like in the Philippines. Demonstrating that governmental institutions that play vital roles in elections are committed to put off malfeasance and prosecuting electoral offenders is important for maintaining and heightening public trust.

A commissioned survey conducted by the Social Weather Stations (SWS) in October 2021 for Stratbase ADR Institute reveals how electorates perceive the features, characteristics, and attributes of candidates running for national positions. By implication, it is assumed that the personalities and qualities of candidates have to reflect their programs and policies for the nation and state. The survey discloses some key findings: (see Table 1)

The top three (3) characteristics unveil the electorates' view of the key traits of candidates – has sympathy

to the interest and affairs of the less fortunate and underprivileged sector of society (66%), sincere, upright, and dependable (49%), and having strong moral principles, honesty and decency, and financial probity (41%). On the other hand, the last three of the 12 characteristics are as follows: integrity and respect for the law (11%), proven ability to address future pandemics (9%), and finally, one who is not obliged to follow anyone in making decisions (6%). Apparently, these survey outcomes reflect the electorates' vision and image of a good politician who may be able to transform the country into a more transparent and accountable government.

Conclusion

As argued in this paper, transparency and accountability are the fundamental elements of abolishing corruption in either local or national government. In as much as corruption is bad governance, tackling it, among others, requires the adequate and credible flow of information, a strong civil society, effective and transparent financial management systems, and procurement regulations whose process are fair and open.

The state's inability to pursue the policy and practice of inclusiveness in governance through deep and expansive engagement with civil society, and accomplish public functions in a transparent and accountable manner will endure to obstruct good public management. Concomitantly, enlarging the capacity of civil society enhances

accountability of public officials, cultivates transparency on the provision of relevant and reliable information affecting public welfare, and strengthens predictability on the application of laws, regulations, and policies. Better governance is now evolving in all aspects because of changes in the economy and society. These encompass efficiency, transparency and engagement.

As contended in the paper, one's right and access to accurate and timely information is the most important weapon against corruption as well as in assuring a credible electoral system. Free and unrepressed information enables citizens, tri-media, and law enforcement agencies to build cases against acts of corruption and irregularities committed by public officials. Likewise, increased transparency enlarges and escalates the risk of detection of corrupt practices, and thus, serves as a deterrent against future acts inimical to good governance.



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