

# MEANINGFUL “VOICE OF ASEAN” IN LEGISLATION MAKING: THE IMPACT OF AIPA’S COMPLEMENTARY ROLE IN REGIONAL INTEGRATION

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## ABSTRACT

This paper assesses whether, and through which mechanisms, the ASEAN Inter-Parliamentary Assembly (AIPA) can shape domestic legislation within ASEAN’s sovereignty-preserving order. It reconceptualises AIPA’s contribution as a conversion function that translates regional deliberation into nationally usable legislative inputs. The analysis focuses on three questions: how AIPA channels structured constituent preferences into parliamentary agendas; how institutional constraints, non-binding outputs, uneven parliamentary capacity, and weak interfaces with ASEAN policy cycles—condition effectiveness; and which design features most reliably produce domestic uptake. Drawing on institutional and legalization literatures, the paper specifies a practical sequence of domestic consultation, regional comparison, national drafting with shared definitions and model clauses, and peer-visible follow-up for example through the AIPA Caucus. Evidence and comparative practice indicate that these tools lower drafting and coordination costs, clarify problem frames, and support incremental cross-jurisdictional convergence. The conclusion is that supranational law-making is unnecessary for now; parliamentarising practice offers a credible path to meaningful legislative impact.

**Keywords:** ASEAN Inter-Parliamentary Assembly (AIPA), Parliamentary Diplomacy, Legal Harmonization, Regional Integration, ASEAN.

## I. INTRODUCTION

### A. Background

As the Association of Southeast Asian Nations (ASEAN) strives to build a “rules-based” regional community, attention has increasingly turned to the alignment of national laws and regulations with ASEAN’s collective commitments. In this context, the ASEAN Inter-Parliamentary Assembly (AIPA) has emerged as a key parliamentary diplomacy mechanism to support ASEAN’s legal harmonization efforts from the legislative side.<sup>1</sup>

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<sup>1</sup> AIPA, *What Is AIPA?*, n.d., accessed 1 August 2025, <https://aipasecretariat.org/what-is-aipa/>.



AIPA, established in 1977 (as the ASEAN Inter-Parliamentary Organization, AIPO, before its 2007 reform), is a regional body comprising the national parliaments of all ASEAN countries.<sup>2</sup> It is formally recognized as an “*Entity Associated with ASEAN*” under the ASEAN Charter’s Annex 2<sup>3</sup>, underscoring ASEAN’s acknowledgement of the important role of parliamentarians in the integration process.<sup>4</sup>

In the meantime, these organizations started with five member parliaments (Indonesia, Malaysia, the Philippines, Singapore, and Thailand) had been substantially enlarged. Membership later expanded to Viet Nam (1995)<sup>5</sup>, Lao PDR (1997)<sup>6</sup>, Cambodia (1999)<sup>7</sup>, and Brunei Darussalam (full membership in 2009)<sup>8</sup>, with Myanmar’s accession in 2011 bringing AIPA to the current ten ASEAN parliaments.<sup>9</sup>

By 2025, Timor-Leste is poised to become AIPA’s next member: ASEAN leaders agreed in principle in November 2022 to admit Timor-Leste and granted it observer status in ASEAN meetings, with full accession slated for the October 2025 summit;<sup>10</sup> meanwhile, Timor-Leste’s National Parliament has already taken part in AIPA agendas as an Observer delegation (e.g., at the latest forum of AIPA: 16<sup>th</sup> AIPA Caucus).<sup>11</sup>

Under the ASEAN Charter, ASEAN’s institutional framework is composed of ASEAN Organs, Sectoral Bodies, and Entities Associated with ASEAN. Organs (Arts. 7–15) are the core institutions of ASEAN, such as the Committee of Permanent Representatives (CPR) and the ASEAN Intergovernmental Commission on Human Rights (AICHR), which have defined mandates and report directly to the ASEAN Summit or relevant Councils. Sectoral Bodies (Arts. 9, 12–13) operate under the three ASEAN Community pillars, including the APSC, and are responsible for

<sup>2</sup> The initiative for a regional parliamentary forum began with Indonesia’s DPR in August 1973, prompted by visits from Malaysian and Singaporean legislators. In 1974 the DPR consulted the other ASEAN members, then convened a Jakarta conference (Jan 1975) proposing draft statutes. Agreement was reached after further meetings in Kuala Lumpur (1975) and Manila (1977), paving the way for the first AIPO General Assembly in Singapore (Sept 1978). See Olivier Costa, Clarissa Dri, and Stelios Stavridis, eds, *Parliamentary Dimensions of Regionalization and Globalization* (London: Palgrave Macmillan UK, 2013), 172, <https://doi.org/10.1057/9781137322746>.

<sup>3</sup> ASEAN, *Register of Entities Associated with ASEAN*, 31 October 2024, <https://asean.org/wp-content/uploads/2024/11/REGISTER-OF-ENTITIES-ASSOCIATED-WITH-ASEAN-Oct2024.pdf>.

<sup>4</sup> Imelda Deinla, ‘Giving the ASEAN InterParliamentary Assembly a Voice in the ASEAN Community’, *International Institute for Democracy and Electoral Assistance*, n.d., <https://www.idea.int/sites/default/files/publications/giving-the-asean-inter-parliamentary-assembly-a-voice-in-the-asean-community.pdf>.

<sup>5</sup> Res 16GA/95/01 Resolution on the Admission of the National Assembly of the Socialist Republic of Viet Nam

<sup>6</sup> Res. 18GA/97/01 Resolution on the Admission of National Assembly of Lao PDR

<sup>7</sup> Res. 20GA/99/01 Resolution on the Admission of The Kingdom of Cambodia into AIPO

<sup>8</sup> Res.30GA/2009/PL-01 Resolution on the Admission of Brunei Darussalam into AIPA, See also Costa, Dri, and Stavridis, *Parliamentary Dimensions of Regionalization and Globalization*, 173.

<sup>9</sup> Res. 32GA/2011/PL/01 Resolution on the Admission of the Republic of Myanmar into ASEAN Inter-Parliamentary Assembly, See also AIPA, *History of AIPA*, n.d., <https://aipasecretariat.org/history-of-aipa/>.

<sup>10</sup> Sukegawa Seiya, ‘Timor-Leste Joins ASEAN’, *The Diplomat*, 30 June 2025, <https://thediplomat.com/2025/06/timor-leste-joins-asean/>.

<sup>11</sup> ASEAN, ‘Keynote Remarks by H.E. Dr Kao Kim Hourn at 16th AIPA CAUCUS’, 15 July 2025, [https://asean.org/wp-content/uploads/2025/07/SGs-draft-Keynote-Remarks-16TH-CAUCUS-OF-AIPA\\_-As-Delivered-clean.pdf](https://asean.org/wp-content/uploads/2025/07/SGs-draft-Keynote-Remarks-16TH-CAUCUS-OF-AIPA_-As-Delivered-clean.pdf).

implementing decisions of ASEAN Ministers in their respective sectors (e.g., defence, law, counter-terrorism).

Entities Associated with ASEAN (Art. 16 and Annex 2) are not part of ASEAN's formal structure but are recognized for their contribution to ASEAN's objectives. In the APSC context, these include the ASEAN Inter-Parliamentary Assembly (AIPA) and other specialized bodies like ASEANAPOL and ASEAN-IPR, which maintain consultative relationships with ASEAN and contribute to community-building efforts without having decision-making authority.

*Table 1. Comparison between ASEAN Bodies, Organs, and Entities (APSC Case Study)*

Category	Examples from APSC*	ASEAN Charter Basis
<b>APSC Sectoral Bodies</b>	ADSOM, SOMTC, DGICM, ASOD, ASLOM, SOM-MLAT, ASEANTOM	ASEAN Charter, Art. 9 & Art. 12-13 (Sectoral Ministerial Bodies and their Senior Officials)
<b>ASEAN Organs</b>	CPR, AICHR, ASEAN Foundation	ASEAN Charter, Art. 7-15 (Organs of ASEAN)
<b>Entities Associated with APSC</b>	<b>AIPA</b> , ASEAN-IPR, CACJ, ALA, ASEANAPOL, AGMF, ARMAC, ASEAN-PAC, ASEANSai, ADF	ASEAN Charter, Art. 16 & Annex 2 (Entities Associated with ASEAN)

Unlike the European Parliament or other supranational assemblies, however, AIPA wields no binding legislative or oversight authority over ASEAN; its role is strictly consultative and advisory. In other words, AIPA cannot make laws for ASEAN or compel member governments to act, but it serves as a complementary platform for inter-parliamentary dialogue, cooperation, and consensus-building in support of ASEAN's goals.<sup>12</sup>

Parliamentary diplomacy refers to the use of inter-parliamentary channels and dialogue by legislators to advance foreign policy and regional cooperation objectives.<sup>13</sup> In the ASEAN context, parliamentary diplomacy via AIPA complements the executive-driven diplomacy of ASEAN. Through AIPA's annual General Assembly and associated meetings, legislators from the ASEAN countries engage in dialogue on regional issues, build personal networks, and seek common ground on policy responses. This diplomatic function of AIPA helps to cultivate mutual understanding and trust among ASEAN lawmakers, creating an enabling environment for closer integration. In practical terms, AIPA provides a venue for parliamentarians to discuss how ASEAN agreements and initiatives can be translated

<sup>12</sup> 'Keynote Remarks by H.E. Dr Kao Kim Hourn at 16th AIPA CAUCUS'.

<sup>13</sup> Rick Stapenhurst and Dalia Feldberg, 'Parliamentary Diplomacy - an Annotated Bibliography', *SSRN Electronic Journal*, ahead of print, 2023, <https://doi.org/10.2139/ssrn.4655208>.

into national legislation, to exchange legislative best practices, and to jointly advocate for policies that advance regional integration.

This paper examines in depth how AIPA contributes to ASEAN's legal harmonization and regional integration, despite its lack of formal law-making power. It analyzes AIPA's key functions, parliamentary diplomacy, development of model legislation, policy dialogues, and other mechanisms of inter-parliamentary cooperation, through which AIPA supports the alignment of laws and policies across ASEAN Member States. The discussion highlights AIPA's role in facilitating the exchange of legislative experiences, in drafting or recommending '*model laws*' on regional issues, and in serving as a bridge between ASEAN's inter-governmental processes and the national parliaments.

At the same time, the paper critically assesses the challenges and limitations that AIPA faces in performing this complementary role. These challenges include the diverse political and legislative systems among its members, the absence of any binding effect or formal linkage between AIPA resolutions and ASEAN policy implementation, and institutional constraints that can hamper AIPA's impact. Finally, the paper proposes several recommendations to enhance AIPA's effectiveness in promoting legal harmonization and deeper integration. These recommendations include strengthening AIPA's coordination with ASEAN organs and sectoral bodies, improving mechanisms to monitor and follow up on the implementation of AIPA's recommendations, and building the capacity of member parliaments to engage with ASEAN legal frameworks. The aim is to outline a path forward whereby AIPA can more fully realize its potential as a catalyst for a "rules-based" ASEAN Community through parliamentary action.

## B. Research Question

1. To what extent does AIPA enable member parliaments to transmit structured constituent input into regional deliberations and, subsequently, into domestic bill drafting?
2. How do non-binding outputs, uneven legislative capacity, and weak formal interfaces with ASEAN condition AIPA's effectiveness across member states?
3. Will AIPA meaningfully shape domestic laws, and through which observable mechanisms does its influence translate into legislative change at the national level?

## II. DISCUSSION

### A. AIPA's Role in ASEAN Integration And Legal Harmonization

#### 1. Overview of AIPA: AIPA's Institutional Mandate and Parliamentary Diplomacy

AIPA has pledged to work alongside ASEAN to "*bring the Charter for the ASEAN Peoples to the doorsteps of ASEAN citizens.*" In line with that commitment, Article 3 of the AIPA Statutes sets out AIPA's aims and purposes. Institutionally,

AIPA's principal organs are the General Assembly<sup>14</sup>, the Presidency, the Executive Committee, standing/study/ad-hoc committees, Women Parliamentarians of AIPA (WAIPA), the AIPA Secretariat, the National AIPA Secretariats, and the AIPA Caucus.<sup>15</sup> See Figure 1 for the organisational structure.

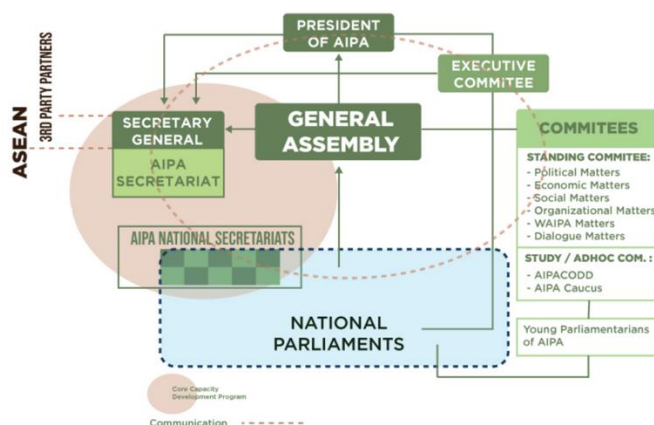


Figure 1. Organizational Structure of AIPA.<sup>16</sup>

Moreover, for the AIPA Secretariat, the current internal structure is set out below. See Figure 2: AIPA Secretariat Structure.

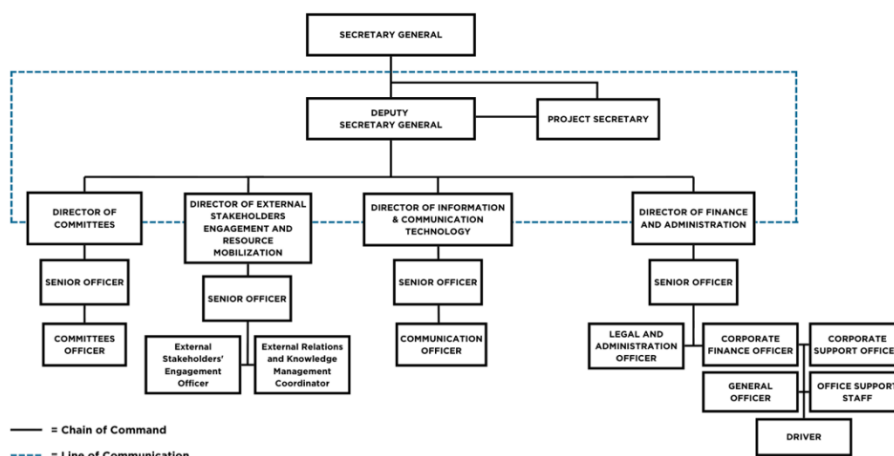


Figure 2. AIPA Secretariat Structure.

## 2. Legal Harmonization: Development of 'Model Laws'

<sup>14</sup> The General Assembly comprises delegations of up to 15 members headed by the Speaker, with at least three women parliamentarians; it meets at least annually, rotates alphabetically among member parliaments, and decides by consensus, with a fallback procedure if consensus cannot be achieved. Vide Article 9, AIPA Statute.

<sup>15</sup> WAIPA was established in 1998 to strengthen women's representation, and the AIPA Caucus was established by Resolution No. 28GA/2007/Pol/03.

<sup>16</sup> Annex 1, AIPA Statute.

AIPA has so far mainly worked through resolutions. Since the first general Assembly in 1978, it has passed more than 1071 resolutions on issues ranging from global politics to virtually all policy fields in which Southeast Asian governments engage.<sup>17</sup>

*Table 2. Number of Resolutions per Standing Committees of AIPA*

<b>Standing Committees</b>	<b>Number of Resolutions</b>
Organizational	436
Social	170
Economic	131
Political	120
Socio-Economic	113
WAIPA (Women)	76
Working Committee	20
YPA (Youth)	5
<b>Total (1977-2024)</b>	<b>1,071</b>

These resolutions serve as collective legislative recommendations which national parliaments are encouraged to consider and act upon. AIPA's resolutions are normally reached by consensus. Once adopted, AIPA resolutions are circulated to all member legislatures and their governments. In fact, AIPA procedures require that national parliaments disseminate the resolutions domestically and report back on steps taken to implement them. This process introduces a degree of peer pressure and transparency: each parliament is expected to inform AIPA of whether and how it has followed up on the collective recommendations. Although AIPA cannot force compliance, this reporting mechanism constitutes a form of accountability and encouragement for legal harmonization, a gentle nudge for national authorities to align their laws with regional objectives.<sup>18</sup>

Technically, AIPA can turn soft resolutions into real ASEAN legal harmonization by prioritizing three moves:

1. **Obligation:** each parliament passes a short "*transpose-or-explain*" law that forces ministries to either implement an AIPA resolution by a set deadline or publicly justify non-action, making regional guidance a domestic legal duty.
2. **Precision:** every resolution ships with a legislative pack, model clauses, shared definitions, and citation notes, so Member Parliaments could possibly refer to the same text in creating certain laws which driving uniform interpretation.

<sup>17</sup> AIPA, *AIPALync*, n.d., <https://aipalync.org/>.

<sup>18</sup> AIPA, 'Status of Implementation of AIPA Resolutions Adopted in 2017-2023.', *AIPALync*, n.d., <https://aipasecretariat.org/status-of-implementation/>.

3. Task force mechanism/*ad-hoc*: formalize a mechanism to address certain issues.<sup>19</sup>

Moreover, several “legacy projects” have been undertaken to strengthen harmonization, supported by adequate technical capacity building within ASEAN parliaments, including initiatives such as Women’s Political Participation and Leadership (WPPL)<sup>20</sup> and the ASEAN Guidelines on Promoting Responsible Investment in Food, Agriculture and Forestry (ASEAN RAI)<sup>21</sup>.

### 3. AIPA as Platform for Member Parliaments and National Secretariat to Exchange Views on Regional Contemporary Issues

A core function of intergovernmental organizations (such as AIPA) is to lower uncertainty and transaction costs by creating structured forums for repeated interaction and information exchange. Keohane shows that international regimes make it “cheaper for governments to get together to negotiate agreements,” thereby facilitating cooperation.<sup>22</sup> Building on this, Haas explains how “epistemic communities” help policymakers share policy-relevant knowledge and coordinate positions, precisely the kind of expert exchange AIPA committees can enable among ASEAN parliaments.<sup>23</sup>

Intergovernmental organizations also socialize officials into shared norms and provide focal points for agenda-setting. Barnett and Finnemore argue that intergovernmental organizations’ exercise authority by professionalizing and diffusing norms through their bureaucratic processes—effects that support gradual convergence even without binding law.<sup>24</sup> The United Nations’ High-Level Political Forum offers a clear example: Voluntary National Reviews are expressly designed to facilitate peer learning and the sharing of experiences, challenges, and lessons learned, which shapes national agendas through dialogue rather than compulsion.<sup>25</sup>

<sup>19</sup> Building on AIPA’s Myanmar precedent, where Res.43GA/2022/Pol/05 mandated parliamentary diplomacy to implement ASEAN’s Five-Point Consensus and Res.44GA/2023/Pol/06 explicitly explored establishing a mechanism to monitor that implementation; the 45th GA Joint Communiqué then stressed alignment with ASEAN mechanisms (AHA Centre)

<sup>20</sup> AIPA, *Promoting Women’s Political Participation and Leadership (WPPL) Plan of Action and Implementation Framework 2024-2030*, n.d., <https://aipasecretariat.org/plan-of-action-on-promoting-womens-political-participation-leadership-wppl/>.

<sup>21</sup> AIPA, *ASEAN Guidelines on Promoting Responsible Investment in Food, Agriculture and Forestry (ASEAN RAI)*, n.d., <https://aipasecretariat.org/aseanrai/>.

<sup>22</sup> Robert Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton UP 1984, 1984).

<sup>23</sup> Peter Haas, *Introduction: Epistemic Communities and International Policy Coordination*, 46th edn, 1 vol. (1992).

<sup>24</sup> Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Cornell UP, 2004).

<sup>25</sup> United Nations High-Level Political Forum, *Voluntary National Reviews (VNRs)*, n.d., <https://hlpf.un.org/vnrs>.

## B. Challenges Facing AIPA's Effectiveness

Despite its important contributions, AIPA faces a number of structural and practical challenges that constrain its effectiveness in promoting legal harmonization and regional integration. These challenges stem both from ASEAN's intergovernmental nature and from internal limitations within and among AIPA's member parliaments.

### 1. Non-Binding Nature of AIPA's Resolutions

All AIPA resolutions and decisions are non-binding by design. AIPA has no supranational authority, it cannot compel member parliaments to pass certain laws nor sanction those that fail to implement agreed recommendations. The effectiveness of AIPA thus hinges on voluntary compliance and the persuasive power of collective peer endorsement.

While AIPA's non-binding status allows flexibility and inclusivity (countries can agree to general principles without fear of legal obligation), it also means that follow-through is inconsistent. Some resolutions may be implemented quickly by many countries (especially if they align with a pre-existing ASEAN commitment or domestic priority), whereas others may languish. There is considerable variation among Member States in the extent to which they treat AIPA resolutions as actionable.

According to AIPA's data, implementation rates are fairly high: as of mid-2024, over 90% of AIPA resolutions from 2017–2023 were reported as implemented (with the remainder partially implemented or not yet implemented).<sup>26</sup> This suggests that member governments often do eventually carry out the policies urged by AIPA, at least in form.

In practice, AIPA relies on a self-reporting system through its National Secretariats. Member parliaments submit annual updates on implementation, but such reports by nature technically 'biased'. Logically, no parliaments will openly acknowledge "no progress". Thus, some submit only cursory responses, occasionally without supporting adequate documentation.

This creates a dilemma for the AIPA Secretariat. If it attempts to challenge the accuracy or completeness of such reports, it risks being asked: "*On what legal basis?*", a difficult question given the Secretariat lacks authority or resources to independently verify national legislative outcomes.

As a result, AIPA continues to maintain the self-reporting system but has tried to increase transparency by circulating country reports and allowing peers to scrutinize them. The AIPA Caucus has thus become the *de facto* forum for monitoring, where progress is discussed, best practices shared, and, through peer pressure, some measure of accountability introduced. In short, the Caucus serves as AIPA's main mechanism to track implementation, compensating for the structural weakness inherent in a non-binding and self-reported system.

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<sup>26</sup> AIPA, 'Report of AIPA Secretariat on 16th AIPA Caucus', 15 July 2025.

## 2. Lack of Formal Linkage to ASEAN's Decision-Making and Implementation

As highlighted in the previous chapter, AIPA represents the most effective channel for bringing ASEAN's agenda closer to the people, since its members are national parliamentarians who serve as the direct representatives of the citizenry, however, Although AIPA is formally recognized as an "entity associated with ASEAN" under Annex II of the ASEAN Charter, its relationship with ASEAN remains institutionally weak and largely symbolic. Current linkages are limited to the Entities Forum, the ASEAN Leaders' Interface, and the annual AIPA-ASEAN Hearing<sup>27</sup>. While these mechanisms provide visibility and a degree of dialogue, they remain consultative and non-binding.

ASEAN ministerial councils are under no obligation to consult AIPA or to respond to its resolutions, which means that AIPA's contributions often remain advisory inputs that can be acknowledged or ignored without consequence. This institutional gap results in a clear disconnect: AIPA tends to adopt a reactive posture, discussing ASEAN decisions *ex post* rather than shaping them *ex ante*. Without any role in treaty negotiations, blueprint drafting, or formal monitoring, AIPA risks being confined to symbolic affirmation, "supporting," "welcoming," and "endorsing" ASEAN policies, rather than setting agendas or ensuring compliance. As also mentioned on the 3<sup>rd</sup> AIPA-ASEAN Hearing:<sup>28</sup>

*"Considering the importance of this Hearing, we need to elevate our commitment through regular engagements in order to formulate more tangible steps towards realizing the common goals of AIPA and ASEAN."*

## 3. Divergent National Legislative Systems, Capacities, and Interest

ASEAN Member States exhibit a wide diversity in their political systems, parliamentary structures, and legislative capacities. This variance makes inter-parliamentary cooperation inherently uneven. AIPA's members range from full democracies with robust, independent legislatures to states with single-party rule or military influence where parliaments may have more limited roles.

Some ASEAN parliaments are bicameral (e.g. Malaysia, Thailand, Philippines), others unicameral (e.g. Singapore, Indonesia, Vietnam); some have a long history of legislative activism, while others are newer or less developed institutions. Moreover, legislative priorities also differ by country, a parliament preoccupied with domestic political issues or frequent elections might pay less attention to ASEAN matters. Consequently, achieving region-wide harmonization through AIPA is challenging when some members forge ahead and others lag. The diversity of political orientations can also lead to cautious lowest-common-denominator positions in AIPA negotiations.

<sup>27</sup> The AIPA-ASEAN Hearing remains the only meaningful mechanism, compared to other symbolic forums, through which AIPA and ASEAN can actually exchange views and share progress with one another. AIPA, *AIPA-ASEAN Hearing*, n.d., <https://aipasecretariat.org/portfolio-item/aipa-asean-hearing/>.

<sup>28</sup> AIPA, *Report of the 3rd AIPA-ASEAN Hearing* (BKSAP, n.d.), <https://berkas.dpr.go.id/ksap/aipa44/page/Report%20of%20the%20AIPA%20-%20ASEAN%20Hearing.pdf>.

### C. Assessing AIPA's Domestic Impact

#### 1. Will AIPA Meaningfully Shape Domestic Laws?

By design, member parliaments exist to “make present” citizens’ interests in arenas ordinary people cannot access; representation is the core function of a parliament, not a side activity.<sup>29</sup> Because member parliaments practice multiple forms of representation between elections, promissory, anticipatory, gyroscopic, and surrogate, regular, structured channels for gathering public input are essential.<sup>30</sup> When AIPA standardises those channels (hearings, calls for evidence, petitions) and transmits the distilled findings into regional deliberations, the “Voice of ASEAN” becomes a legitimate reference for domestic lawmaking not a plebiscite on every clause, but a credible, documented signal of citizen concerns that member parliaments can carry into national committees and floor debates.

In this regards, AIPA lacks supranational law-making power, but intergovernmental theory shows that well-designed forums still shape national outcomes by reducing information and bargaining costs and by socialising actors into shared norms.<sup>31,32</sup> Concretely, AIPA is most impactful when it pairs issue-framing with draftable outputs: short “key questions,” shared definitions, and model clauses that national drafters can adapt. Comparative experience warns that regionalism dominated by executives can drift into a “democratic deficit” if parliamentary links to citizens are weak; building routine parliamentary scrutiny and public engagement into AIPA’s committee work mitigates that risk and makes uptake at home more likely.<sup>33</sup>

Used in this way, AIPA functions as more than a deliberative forum; it operates as a conversion mechanism that links regional dialogue to domestic lawmaking. The sequence is straightforward: listen domestically, compare regionally, draft at home, and report back. Brief progress notes tabled to the AIPA Caucus create gentle, peer-visible accountability, alignment of AIPA outputs with ASEAN sectoral timelines provides ministries with a concrete planning hook, and the circulation of model provisions lowers drafting costs and accelerates bills while nudging convergence across jurisdictions. These are the very channels through which intergovernmental forums reduce information and bargaining costs and socialize actors into shared norms.<sup>34</sup> AIPA is therefore meaningful, although not yet optimal; its impact increases in proportion to how systematically it channels constituent evidence and delivers ready-to-use legislative tools.

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<sup>29</sup> Hanna Fenichel Pitkin, *The Concept of Representation* (University of California Press, 1967), <https://doi.org/10.1525/9780520340503>.

<sup>30</sup> Jane Mansbridge, ‘Rethinking Representation’, *American Political Science Review* 97, no. 4 (November 2003): 515–28, <https://doi.org/10.1017/S0003055403000856>.

<sup>31</sup> Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*.

<sup>32</sup> Haas, *Introduction: Epistemic Communities and International Policy Coordination*.

<sup>33</sup> Cristina Leston-Bandeira and Sven T. Siefken, ‘The Development of Public Engagement as a Core Institutional Role for Parliaments’, *The Journal of Legislative Studies* 29, no. 3 (July 2023): 361–79, <https://doi.org/10.1080/13572334.2023.2214390>.

<sup>34</sup> Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*.

## 2. Should ASEAN Have Supranational Law-Making Powers?

With all the limitation of AIPA, next question that perhaps related to an old idea which is “*whether AIPA should remain as an Entity Associated with ASEAN under Annex 2 of the ASEAN Charter or be elevated to an ASEAN Body?*” This idea, mirroring what happens in EU for example with their European Parliament has been discussed intermittently since the early 1980s, and more actively since the drafting of the ASEAN Charter in 2007.

While retaining AIPA’s current entity status offers flexibility and avoids politically sensitive treaty changes, it also perpetuates structural limitations that restrict AIPA’s influence on ASEAN’s policy and legal harmonization. Elevating AIPA to an ASEAN Body, though politically challenging, would embed parliamentary perspectives into ASEAN’s institutional core, enhance accountability, and create a direct link between regional policy-making and national legislatures. This alignment could make ASEAN more responsive to its peoples and more effective in implementing commitments, reflecting global best practices in regional governance.

*Table 3. Pros and Cons: AIPA Remaining as Entity vs. Elevating to ASEAN Body*

<b>Option</b>	<b>Pros</b>	<b>Cons</b>
<b>Remain as Entity Associated with ASEAN</b>	<ul style="list-style-type: none"> <li>- Maintains ASEAN’s intergovernmental character and flexibility.</li> <li>- No need to amend ASEAN Charter (avoids lengthy consensus process).</li> <li>- Lower political sensitivity for Member States wary of parliamentary influence.</li> <li>- Allows AIPA to continue informal, frank exchanges without being bound by ASEAN’s diplomatic constraints.</li> </ul>	<ul style="list-style-type: none"> <li>- No formal decision-making power in ASEAN’s institutional structure.</li> <li>- Limited ability to influence ASEAN policy cycles directly.</li> <li>- Dependent on goodwill of ASEAN bodies for engagement.</li> <li>- Weaker role in legal harmonization and oversight.</li> </ul>

Option	Pros	Cons
<b>Elevate to ASEAN Body</b>	<ul style="list-style-type: none"> <li>- Formalizes AIPA's role in ASEAN's decision-making and implementation monitoring.</li> <li>- Enhances parliamentary oversight, legitimacy, and public trust in ASEAN decisions.</li> <li>- Institutionalizes cooperation with ASEAN Community Councils and sectoral ministerial bodies.</li> <li>- Strengthens domestic implementation of ASEAN commitments via direct parliamentary input.</li> <li>- Aligns ASEAN with other regions that have strong parliamentary components (e.g., EU, African Union).</li> </ul>	<ul style="list-style-type: none"> <li>- Requires ASEAN Charter amendment (high consensus threshold).</li> <li>- Potential resistance from executives/governments fearing loss of control.</li> <li>- May politicize ASEAN decision-making if parliamentary debates clash with executive agendas.</li> <li>- Higher administrative and financial demands.</li> <li>- No flexibility on the Internal AIPA itself</li> </ul>

Moreover, ASEAN's constitutional temperament is deliberately intergovernmental: consensus, non-interference, and a strong presumption of state sovereignty. In legalization terms, ASEAN has long preferred soft instruments with low delegation and variable precision—tools that coordinate expectations without transferring binding authority upward. That design choice is not accidental; it reflects the region's diversity in regime type and legal systems and aligns with scholarship showing that softer forms of legalization can be optimal where preferences diverge and domestic ratification costs are high. In short, moving to a supranational legislature would cut against ASEAN's established equilibrium and could outpace what member governments can credibly domesticate, producing gridlock rather than deeper compliance.<sup>35,36</sup>

<sup>35</sup> Kenneth W. Abbott and Duncan Snidal, 'Hard and Soft Law in International Governance', *International Organization* 54, no. 3 (2000): 421-56, <https://doi.org/10.1162/002081800551280>.

<sup>36</sup> See also analyses of the "ASEAN Way," which underline why informality, consultation, and consensus remain functional in this region's politics. Mark Beeson, 'ASEAN's Ways: Still Fit for Purpose?', *Cambridge*

A more realistic path (at least for now) is parliamentarising practice without supranational law-making. Comparative theory and recent ASEAN practice suggest that forums can still shape domestic outcomes by reducing information and bargaining costs and by socialising officials into shared norms, even absent hard delegation. Strengthening AIPA's routines, timed committee opinions, model clauses, shared definitions, and concise national follow-ups, would thicken cooperation while respecting sovereignty. This incrementalism is consistent with contemporary scholarship on ASEAN's gradual "stealth" institutionalisation of scrutiny and review functions, which shows how regionally coordinated soft mechanisms can influence behaviour and implementation at home. Thus, ASEAN is institutionally unique and, on balance, does not need supranational law-making powers for now; it needs better-designed parliamentary interfaces that convert regional priorities into draftable domestic text.<sup>37,38</sup>

### III. CONCLUSION

This study finds that the ASEAN Inter-Parliamentary Assembly can shape domestic legislation in meaningful ways when it is designed and used as a conversion mechanism that translates regional deliberation into nationally usable legislative inputs. The most effective levers are structured public participation that supplies policy-relevant evidence, shared definitions that align concepts, compact model clauses that reduce drafting costs, and time-bound committee opinions sequenced with ASEAN sectoral roadmaps. Where these instruments are present and routinely applied, member parliaments are more likely to introduce bills on AIPA-salient topics, advance them through committee, and adopt text that converges across jurisdictions.

The principal obstacles are institutional rather than conceptual. AIPA's outputs are non-binding, parliamentary capacities remain uneven, and formal interfaces with ASEAN policy cycles are thin. These constraints, however, are susceptible to design solutions. Peer-visible progress notes through for example the AIPA Caucus can generate soft accountability; a living repository of model provisions and common definitions can standardise legislative technique; and scheduled consultations tied to national calendars can ensure that parliamentary work product arrives when ministries can act on it. Taken together, these measures increase the probability that regional priorities are domesticated without requiring changes to ASEAN's constitutional settlement.

The policy implication is to prioritise parliamentarising practice rather than pursuing supranational law-making. Institutionalising short domestic hearings on AIPA-linked agendas, circulating standardised legislative packs for every priority item, and synchronising committee outputs with ASEAN roadmaps offer a credible,

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*Review of International Affairs* 22, no. 3 (September 2009): 333–43, <https://doi.org/10.1080/09557570903137776>.

<sup>37</sup> Abbott and Snidal, 'Hard and Soft Law in International Governance'.

<sup>38</sup> Hsien-Li Tan, 'Adaptive Protection of Human Rights: Stealth Institutionalisation of Scrutiny Functions in ASEAN's Limited Regime', *Human Rights Law Review* 22, no. 3 (June 2022): ngac017, <https://doi.org/10.1093/hrlr/ngac017>.

low-cost pathway to incremental but cumulative convergence. Future research should evaluate this approach using observable indicators such as bill initiation and passage, time-to-enactment, textual similarity to model clauses, and explicit legislative references to AIPA materials. Within ASEAN's sovereignty-preserving architecture, such design choices enable AIPA to operate as a reliable bridge from regional priorities to national statutes.

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