

## THE EFFORTS OF REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE (TIMOR LESTE) TO BE A MEMBER OF ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) AND TAKE AN ACTIVE ROLE IN MAINTAINING AND CREATING THE STABILITY OF SECURITY IN SOUTHEAST ASIA

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### ABSTRACT

*The ASEAN Declaration states that the aims and purposes of the Association are: (1) to accelerate the economic growth, social progress and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian nations, and (2) to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries in the region and adherence to the principles of the United Nations Charter. In 1995, the ASEAN Heads of State and Government re-affirmed that "Cooperative peace and shared prosperity shall be the fundamental goals of ASEAN." República Democrática de Timor-Leste (Timor Leste) declares its independence in 2002 taken from referendum held in 1999. The People's Constitution held a big vote for independence and separated themselves from the Republic of Indonesia. East Timor became the world's newest country, which is still relatively young nation needed great efforts to build this country in reaching its goals in accordance with the constitution of East Timor. As today in 2017 and ASEAN will enter its 50<sup>th</sup> year, Timor Leste is still not a member of ASEAN yet. Timor Leste has made many efforts to be accepted into the 11th member of ASEAN, but until now the effort has not been able to bear fruit. Since becoming an independent state, Timor Leste has been an active participant in each agenda of activities implemented by ASEAN, even Timor Leste has not ceased to continue to take an active role in the Southeast Asian region to maintain stability and create security for the ASEAN's achievement goal.*

Keywords: ASEAN, República Democrática de Timor-Leste, Southeast Asia, Security

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### Introduction

Timor Leste one of the youngest members of the community of states, has entered a new stage of nation-state-building following the withdrawal of the United Nations presence in December 2012. It is possible to define nation-state-building as two separate but interrelated processes of political and social transformation that are shaped by the particular decisions and actions taken by national political leaderships, such as their choice of governance models, what development policies they adopt, and the way they formulate strategic approaches towards memberships in regional and global organisations. Nation-state-building, in other words, entails not only the pursuit of institutional and socio-economic development objectives but also the construction and consolidation of a sovereign state identity that is recognised and respected by other states. Viewed as such, the UN's withdrawal thirteen years after the territory's separation from Indonesia signifies a turning point in this process of socio-political structuring. It is equally worthwhile to note that Timorese leaders, as a result of a growing political experience and increasing wealth from oil and gas over the past few years, have indeed felt more confident in their capacity to lead the fledgling nation's path to socio-economic development as well as to secure its position in the regional and global order (Sahin, 2014).

After independence, however, Timorese politicians chose to assert the newly born state's identity as a Southeast Asian nation by joining the Association of Southeast Asian Nations (ASEAN). Regarding that choice, Ramos-Horta, who had assumed the position of Minister of Foreign Affairs in the transitional cabinet formed by UNTAET, remarked in an interview in 2001, Ideally, we'd prefer membership in both ASEAN and the Pacific Islands Forum. However, ASEAN rules do not permit such double membership. We are taking one step at a time, developing bi-lateral relations with as many ASEAN countries as possible, paving the way for a future application for full membership (*Asia pacificms.com*;2001).

While it might be possible to trace the origins of Timorese policy-makers' policy of positioning their state in Southeast Asia back to 1975,<sup>3</sup> it is important to note that Ramos-Horta's statement followed the comments of an Indonesian diplomat, who argued that Timor-Leste "cannot be accepted as a member of ASEAN if it also wants to be a member of the South Pacific Forum" (*Timor Post*; 2001). Babo-Soares and da Costa (2003) explain the leadership's shifting position as fitting a "logic" of policy and economic interest by gaining access to an influential regional grouping, broadening the newly created state's regional ties beyond Indonesia and connecting it commercially to strong economies. According to Ramos-Horta, though, joining the bloc would be important for Timor-Leste's future "not so much as an economic umbrella [...] but as a means to attain security" (Ramos Horta; 2001; 8).

Ramos-Horta's description of ASEAN membership as a security project exemplifies the constructivist views of identities as being the basis of interests. By choosing ASEAN rather than the Pacific Island Forum – made up of small island states and dominated by Australia and New Zealand – Timorese decision-makers indicated their interest in becoming a part of a bigger and seemingly more flexible and stable regional grouping. Ramos-Horta's remarks also illustrate how foreign policy decisions are made through intersubjectively constituted processes – that is, state officials do not have a predetermined "portfolio" of interests; rather, their calculations are shaped by "intersubjective understandings" of "self" and "other" (Wendt 1999) that are rooted in

historical contexts (Weldes; 1996). The realisation of the “self”, as noted earlier, is closely linked to an understanding of “what ‘we’ fear” (Campbell; 1998).

In the case of Timor-Leste, which finally became independent in 2002 following four centuries of Portuguese colonial administration, 24 years of Indonesian occupation and two-and-a-half years of UN transitional rule, foreign interference constitutes a particular source of fear. Timorese politicians’ choice of Southeast Asia, in other words, relates to their search for the identity of the new state *vis-à-vis* its two powerful neighbours. By expressing their willingness to cooperate with Indonesia in a regional organisation that promotes the norms of non-intervention and prevention of great power rivalry in the region, Timorese policy-makers sought to assure Jakarta that Timor-Leste would not become a “Trojan horse” for an external power (Smith; 2005). This assurance became particularly important considering one of the arguments Indonesia had put forward in the past to justify its annexation of East Timor: to prevent the former Portuguese colony from becoming an unviable state vulnerable to intervention by bigger states (Smith; 2005; see also Anderson; 1995).

Timor Leste has indeed come a long way. The nation’s independence came at a high price. Now, the country is gradually moving from fragility to a country that is consolidating and strengthening the necessary foundations of a state. But that is not without obstacles. In ASEAN’s 50th year, many are hoping that the Philippines will use its chairmanship to accelerate Timor-Leste’s formal membership to the regional bloc. Under the theme of “Partnering for Change, Engaging the World” as announced by President Rodrigo Duterte last September 2016 in Laos, it is hope that ASEAN could live up to its inspiration as a model of greater regional integration when it comes to Timor-Leste (Khoo Ying Hooi; 2017).

Timor-Leste has done everything it can to be part of ASEAN. Now, the question is not what Timor-Leste will have to accomplish to be accepted formally as ASEAN’s 11th Member State. The test now lies with ASEAN leaders, and whether they can live up to the ASEAN aspiration as lauded in the ASEAN Community. The longer Timor-Leste’s membership is delayed will only react negatively on ASEAN’s decision-making process that has often been criticised. It is time to demonstrate ASEAN’s commitment to a region made prosperous through the spirit of cooperation and integration and most importantly, a people-centred organization (Khoo Ying Hooi; 2017).

Since the independence of East Timor until now has a great desire to immediately join the 11th ASEAN member. East Timor fulfills the requirements of being an ASEAN member under the ASEAN Charter but the main problem faced by East Timor is that if one of the ASEAN member states does not agree then East Timor can not join ASEAN. All ASEAN members can see the persistence and activities that Timor Leste has undertaken to join ASEAN and to maintain and maintain stability in Southeast Asia by always taking an active role in every activity and taking an active role in creating security in Southeast Asia. In this article will be discussed about *The Efforts Of República Democrática De Timor-Leste (Timor Leste) To Be A Member Of Association Of Southeast Asian Nations (ASEAN) And Take An Active Role In Maintaining And Creating The Stability Of Security In Southeast Asia*.

### Research Methods

Research is a scientific activity related to analysis and construction, which is done methodologically, systematically, and consistently. Methodological means in accordance with a method or a particular way, systematic means based on a system and consistent means that there are not conflicting matters within a certain framework, thus research is conducted through analysis and construction of existing data. Research is an attempt to find objects that have not been clear, blurred or even lack of explanation of it. A logical and systematic study of principles that guide scientific research (methodology) is intended as a basic principle and not as a method (design or way of doing research).

Judging from the purpose of legal research itself there are types of normative research (bibliography) and empirical research (field). Normative research (literature) is a legal research conducted by examining library materials or secondary data only, while empirical research (field) is a legal research conducted primarily by examining the primary data.

In general, instruments that can be used as a means of data collection in a legal research consists of three types, namely: observation, interviews, and document studies. If the type of data collected is sourced from secondary data as well as in normative research or library then document study is used as data collection tool, because the data collected in this study comes from secondary data then the data collection tool used is document study that is by studying, Analyze, and review primary and secondary legal materials related to the object under study.

Data analysis is a description of the ways of analysis is how to use the data collected for use in solving research problems. Data obtained from the results of library research in the form of primary, secondary and tertiary legal materials used to describe the conceptions and theories.

The data in this research is analyzed qualitatively which means this analysis is to seek truth based on the value or quality of data obtained. To conduct this qualitative analysis through the following stages:

- a. Collecting data;
- b. The data obtained are then grouped according to the research object;
- c. The grouped data are then described and explained;
- d. The data described hereinafter are evaluated using the applicable legal provisions for viewing suitability or otherwise, and then being compared, and;
- e. Establish conclusions and *ius constituendum* if necessary.

Research is a scientific activity that is related to the analysis and construction done methodically, systematically and consistently. Methodological means in accordance with a method or a certain way, systematic is based on a system, while consistent means the absence of contradictory things within a certain framework. (Soerjono Soekanto, 2012). This research is descriptive research that provides the data as accurately as possible about The Efforts of República Democrática De Timor-Leste (Timor Leste) To Be A Member of *Association of Southeast Asian Nations* (ASEAN) and Take an Active Role In Maintaining and Creating The Stability of Security In Southeast Asia and this research is a normative research is legal research done by researching library materials or secondary data. The data were analyzed qualitatively is this analysis want to find the truth based on the value or quality of data obtained through the process : collecting the data, the data were then grouped according to the object, the data that have been classified was then outlined and explained, then data described further in the evaluation using legal provisions that apply to see conformity or vice versa and then compared, and establish conclusions and *ius constituendum*.

### **The History of ASEAN**

On 8 August 1967, five leaders – the Foreign Ministers of Indonesia, Malaysia, the Philippines, Singapore and Thailand – sat down together in the main hall of the Department of Foreign Affairs building in Bangkok, Thailand and signed a document. By virtue of that document, the Association of Southeast Asian Nations (ASEAN) was born. The five Foreign Ministers who signed it – Adam Malik of Indonesia, Narciso R. Ramos of the Philippines, Tun Abdul Razak of Malaysia, S. Rajaratnam of Singapore, and Thanat Khoman of Thailand – would subsequently be hailed as the Founding Fathers of probably the most successful inter-governmental organization in the developing world today. And the document that they signed would be known as the ASEAN Declaration. Brunei Darussalam then joined on 7 January 1984, Viet Nam on 28 July 1995, Lao PDR and Myanmar on 23 July 1997, and Cambodia on 30 April 1999, making up what is today the ten Member States of ASEAN.

As set out in the ASEAN Declaration, the aims and purposes of ASEAN are :

- 1 To accelerate the economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian Nations;
- 2 To promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter;
- 3 To promote active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific and administrative fields;
- 4 To provide assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres;
- 5 To collaborate more effectively for the greater utilisation of their agriculture and industries, the expansion of their trade, including the study of the problems of international commodity trade, the improvement of their transportation and communications facilities and the raising of the living standards of their peoples;
- 6 To promote Southeast Asian studies; and
- 7 To maintain close and beneficial cooperation with existing international and regional organisations with similar aims and purposes, and explore all avenues for even closer cooperation among themselves.

In their relations with one another, the ASEAN Member States have adopted the following fundamental principles, as contained in the Treaty of Amity and Cooperation in Southeast Asia (TAC) of 1976:

1. Mutual respect for the independence, sovereignty, equality, territorial integrity, and national identity of all nations;
2. The right of every State to lead its national existence free from external interference, subversion or coercion;
3. Non-interference in the internal affairs of one another;
4. Settlement of differences or disputes by peaceful manner;
5. Renunciation of the threat or use of force; and
6. Effective cooperation among themselves.

As a young nation, the Democratic Republic of Timor Leste has immense economic potential and can contribute to the economic well-being of the ASEAN region. If the nation has the economic potential, it would be a factor for ASEAN to consider in terms of Timor Leste's pending application to join ASEAN. Secretary-General of ASEAN Surin Pitsuwan said the language of diplomacy is trade. And your economic potential is the best bargaining power. Apart from vast oil and gas reserves, Timor Leste also has an untapped and undeveloped resource base in agriculture and fisheries, and in tourism, among others. Surin was on an official visit to Timor Leste upon an invitation by the recently elected Fifth Constitutional Government which assumed office in August 2012. During his visit, the Secretary General of ASEAN, and his delegation called on President Taur Matan Ruak, Prime Minister Xanana Gusmao and Senior Minister and Minister for Foreign Affairs and Cooperation Dr Jose Luis Guterres.

During his interactions with Government Leaders and at an interactive dialogue with Ministers and civil servants, the Secretary-General stressed the importance of the private sector and the business community in the economic development and integration of the country. He suggested that Timor Leste give full support and provide all the necessary facilities to the business community of the region to invest in the country. With one of the lowest corporate taxes in the region, many measures are also being put in place to ensure that the country becomes an attractive investment destination. It is currently working on completing its national power grid in 2013, with the integration of wind and solar energy. Work is also in progress to lay fiber optic cables throughout the country. The liberalization of the telecommunication sector is also being worked on. The star of its economic potential remains the oil and gas sector which is centered in the south coast of the country. (<http://asean.org/timor-leste-to-show-economic-potential-to-asean-region/>)

The Democratic Republic of Timor Leste's recently elected Government remains committed to the young nation's aspirations to join ASEAN and is now working hard on all fronts to ensure that it would be able to meet the requirements and future participation in ASEAN. This message was reinforced by top Timorese Leaders and officials during the Secretary-General of ASEAN's official visit to Timor Leste. Timor Leste had applied to join ASEAN in 2011 under its Fourth Constitutional Government. The Fifth Constitutional Government took office on 8 August 2012. Timor Leste's application is currently being considered by the ASEAN Coordinating Council and its Working Group.

All the top echelons of the Timorese leadership reaffirmed that aspirations of joining ASEAN has been a main platform since the past. Guterres said our interest in fact pre-dates our application and goes back to 1975 with the signing of our unilateral declaration of independence, adding that Timor Leste is part of the geography of the ASEAN region and shares similar cultural heritage. He expressed his present Government's commitment to undertake the requirements of membership including the financial resources necessary upon a decision of the ACC. The commitment has been underlined by the recent appointment of Ambassador Roberto Soares as the Secretary of State for ASEAN. Timor Leste has already opened its embassies in six ASEAN Member States and will have embassies in all ASEAN Member States by 2017.

This year marks an important milestone in the development of Timor Leste as an independent nation as it ceases to be an agenda of the United Nations Security Council and will see the full withdrawal of the UN from the country by year end. The Secretary-General was also given the rare honour of becoming only the second official visitor to brief the Council of Ministers of Timor Leste under the current Government, where he took the opportunity to brief all the Ministers on the current process of consideration of the country's application to join ASEAN. Matan Ruak also shared with Prime Minister Xanana Gusmao and the Ministers the diplomatic negotiations and his personal involvement in the deployment of military personnel and other field support by several ASEAN Member States to the country in 1999 to help restore law and order. (<http://asean.org/timor-leste-remains-steadfast-to-asean-aspiration/>)

The Foreign Minister of Timor-Leste, Zacarias da Costa, and the Secretary-General of ASEAN, Dr Surin Pitsuwan, met this morning to discuss Timor-Leste's ongoing preparations to join ASEAN. During the bilateral meeting held at the sidelines of the ASEAN Ministerial Meeting in Ha Noi, Dr Surin emphasised the ASEAN Secretariat's support to assist Timor-Leste in its preparations for ASEAN membership. The Secretary-General also welcomed the accreditation of Mr Manuel Serrano as Timor-Leste's Ambassador to ASEAN. Ambassador Serrano is also Timor-Leste's Ambassador to Indonesia. The accreditation is currently awaiting approval from the ASEAN Foreign Ministers together with several others. Timor-Leste, which is a member of the ASEAN Regional Forum, is preparing to host the ARF Experts and Eminent Persons (EEPs) meeting in the capital Dili in December 2010. ([http://asean.org/?static\\_post=discussing-preparations-for-timor-leste-membership-to-asean-ha-noi-22-july-2010](http://asean.org/?static_post=discussing-preparations-for-timor-leste-membership-to-asean-ha-noi-22-july-2010)).

Timor-Leste last Thursday announced in Dili its donation of US\$500,000 for the ASEAN- led humanitarian operations to aid the survivors of Cyclone Nargis in Myanmar's Ayeyarwady Delta. Prime Minister Kay Rala Xanana Gusmao made the announcement during a ceremony in the Ministry of Foreign Affairs to launch Timor-Leste's "ASEAN National Secretariat", established to organise and coordinate the country's preparations to join ASEAN. He said that the contribution is Timor-Leste's show of "solidarity" with the people of Myanmar suffering from Cyclone Nargis. We in Timor-Leste understand the pains and suffering caused by the cyclone. This modest contribution is also Timor-Leste's show of commitment to supporting the ASEAN Community. He also said the establishment of Timor-Leste's "ASEAN National Secretariat" is yet another special step towards obtaining the ASEAN membership for his country at the earliest possible date. President Dr Jose Ramos-Horta, National Parliament President Fernando Lasama de Araujo, Foreign Minister Dr Zacarias Albano da Costa, Secretary General Imron Cotan of Indonesia's Department of Foreign Affairs, and Mr Termsak Chalermphanupap, Special Assistant to the Secretary-General of ASEAN, among others, were at the ceremony. (<http://www.asean.org/wp-content/uploads/images/archive/PR-TimorLeste-2.pdf>)



### History of Timor Leste

Prior to the arrival of the Portuguese, Timor-Leste was controlled by several small kingdoms ruled by local kings, or liurais. The island's economy was dominated by subsistence agriculture, and it produced little beyond what its people needed to survive. As a result, the liurais battled constantly to secure the island's small surplus. Though the liurais were the authorities on matters of justice, such matters were often resolved by the families of the people involved. The liurais had no obligation to encourage negotiations or reconciliation. In fact, the dominant feature of the justice system was retribution—crimes were often punished by fines of money or goods, or by

death (Erik Jensen; <http://web.stanford.edu/group/tilep/cgi-bin/wordpress/wp-content/uploads/2013/09/Legal-History-and-the-Rule-of-Law-in-Timor-Leste.pdf>).

Sources : [www.bbc.com](http://www.bbc.com)

The Portuguese established the first permanent European settlement on Timor at Lifau in 1702, Throughout the colonial period, the Portuguese colonial government lacked funds and resources. Consequently, the Portuguese relied on liurais to maintain security. Day-to-day administration was left to the heads of sucos (integrated clusters of hamlets). Rule by suco heads meant that justice and administration continued according to traditional principles.

Two major developments in Portugal and Timor-Leste during the mid-1970s led to Timor-Leste's independence. First, the "Carnation Revolution" in Portugal brought to power a government that favored democracy and decolonization. Second, a coup in Timor-Leste led to a brief but bloody civil war. On November 28, 1975 the Revolutionary Front for an Independent East Timor (Frente Revolucionária de Timor-Leste Independente, Fretilin) declared the Democratic Republic of East Timor to be an independent nation. But independence did not last long. Indonesia invaded Timor-Leste on December 7, 1975, beginning a twenty-four year occupation (Erik Jensen).

Both the Indonesian and Portuguese occupations of Timor-Leste failed to do much to dislodge traditional Timorese customs. In the Portuguese case it was due mostly to neglect; in the Indonesian to local resistance and friction with the Indonesian government. Though Timor-Leste officially became a province of Indonesia, the Indonesian government severely limited opportunities for Timorese to participate in the island's administration. This exclusion also contributed to the lack of change in the Timorese economy and society (Erik Jensen).

In late 1998, the Timorese and Indonesians opened negotiations on the future of Timor-Leste. The next year, Indonesian President B.J. Habibie announced that Indonesia would grant independence to Timor-Leste if the province rejected autonomous status within Indonesia. A referendum was held on August 30, 1999. Over 78% of the country voted in favor of independence (Timor Chooses Independence." BBC News. September 4, 1999, <http://news.bbc.co.uk/2/hi/asia-pacific/438145.stm>).

After Timor-Leste voted to become independent from Indonesia in August of 1999, Indonesian-sponsored militias and the Indonesian military caused chaos throughout the province. United Nations (UN) peacekeepers were deployed to restore order. Timor-Leste was governed by the United Nations Transitional Authority for East Timor (UNTAET) from October 1999 until the country's independence on May 20, 2002. UNTAET had a remarkably broad mandate that included the power to exercise all legislative and executive authority, including enacting new laws.

UNTAET worked to build governments at both the local and national levels. It established a system of local governance by creating District Administrations and sub-district offices in Timor-Leste's thirteen districts. To support these local administrations, UNTAET built judicial and political institutions. At a national level, UNTAET called for general elections for a Constituent Assembly that drafted Timor-Leste's Constitution. The Assembly became Timor-Leste's first parliament. Finally, UNTAET administered Timor-Leste's first presidential elections (Erik Jensen).

#### **Timor Leste Became The 191<sup>ST</sup> Member of United Nations**

The Democratic Republic of Timor-Leste, the first country to be born in the 21st century, won a seat at the United Nations on Friday, bringing to 191 the membership of the world organization. At a flag-raising ceremony for Timor-Leste, held at the UN headquarters in New York Thursday morning, UN Secretary-General Kofi Annan said he looks forward to seeing Timor-Leste's active participation in the United Nations (<http://en.people.cn>).

The Democratic Republic of Timor-Leste, or otherwise called East Timor, was approved as a new member state of the United Nations by the UN General Assembly by acclamation. At the flag-raising ceremony, Xanana Gusmao, president of Timor-Leste, pledged that his government will strive for democracy, justice and social well-being for its people. He also reaffirmed the country's commitment to strengthen peace and cooperation and friendship among peoples and nations (<http://en.people.cn>).

Timor Leste, a former Pacific territory, became independent four months ago, capping centuries of colonization by Portugal, 24 years of occupation by Indonesia and 3 years of United Nations administration. Its membership follows closely on that of Switzerland, which joined the United Nations on Sept. 10. The United Nations has a long history in Timor Leste, which came under United Nations rule a few months after its people voted overwhelmingly to break free from Indonesia, which seized the territory in 1975 after Portugal pulled out. About a thousand East Timorese died after an independence referendum in August 1999 when gangs organized by the Indonesian military went on a rampage. Australia, with Indonesia's consent, sent in troops to establish order until the United Nations could organize a peacekeeping force to take over (<http://www.nytimes.com/2002/09/27/world/east-timor-becomes-191st-un-member-today.html>).

More than three years after the Timorese people voted to begin the process of independence from Indonesia, the General Assembly today voted to admit the Democratic Republic of Timor Leste as the 191st Member State of the United Nations. "This milestone embodies the realization of its people's hope to take their place among the community of independent nations," Secretary-General Kofi Annan said at a ceremony to raise the Timorese flag outside UN Headquarters in New York. "None of us can forget the sacrifices made by the people or the courage of its leadership," Mr. Annan said. "Even before this day, Timor-Leste showed that greatness among nations is not a matter of size or resources, but rather one of global citizenship and adherence to the highest principles of our Charter" (<https://www.un.org>).

The first act of Timor Leste newly elected 88-member Parliament was to sign the Universal Declaration of Human rights and to apply to join the United Nations. Although 5,000 United Nations troops, 850 police officers and 400 civilian staff members remain in Timor Leste, officials said, the mission is on schedule to wrap up its work and shut down in 2004 after gradually turning over its functions to East Timorese. Timor Leste has also joined the World Bank and International Monetary Fund, and is working to delineate its border with Indonesia over the next year. It is lagging, though, in setting up its justice system and naming civilian experts to government support posts, United Nations officials said.

### **The Efforts of República Democrática De Timor-Leste (Timor Leste) To Be A Member of Association of Southeast Asian Nations (ASEAN)**

Indeed, East Timor is nowadays entering in “a new phase of its history”. The country is currently in the process of formally seeking ASEAN membership. This process has commenced since its formal application on 4 March 2011. East Timor’s interest in ASEAN is worthy of note, since it marks a “remarkable turn-around” as Ramos Horta admitted. It relates to East Timor’s inconsistent view on ASEAN (Hugh Williamson and Amy Kazmin, “East Timor seeks ASEAN entry”, *Financial Times*, 24 July 2000, in <http://www.etan.org/et2000c/july/23-31/24etseek.htm>). Underscoring the East Timor government’s effort to join ASEAN, it has carried out a number of steps. The most visible indication of this path is in the form of statement by the East Timorese leaders. They have expressed East Timor’s intention to be an ASEAN member since the early days of independence. The early statement, for example, is found October 2002. The East Timorese Minister of Foreign Affairs, Jose Ramos Horta raised the newly born country’s intention to be an ASEAN member in Ministry Bilateral Meeting between Indonesia-East Timor. Similar statements have been also reiterated by the East Timorese leaders in many regional meetings within ASEAN and bilateral meetings when they visited to ASEAN member countries (Ganewati Wuryandari; 2002;9).

After being granted as an observer status in ASEAN in the same year of its independence, Timor Leste has subsequently accelerated its efforts in biding ASEAN. In 2005 Timor Leste joined the ASEAN Regional Forum (ARF), and later in 2007, it signed the Treaty of Amity and Cooperation in Southeast Asia (TAC). Furthermore, it established of diplomatic missions in 10 of ASEAN member countries and opened a national ASEAN Secretariat in its capital city, Dili, in 2009. It has also attended a number of ASEAN meetings and empowered its capacity building. Its serious efforts in accessing ASEAN member became unquestionably when Timor Leste finally proposed its formal application on 4 March 2011.

Clearly, all these efforts have shown East Timor’s commitment to fulfill some certain criteria of membership as spelled out in Article 6(2) of the ASEAN Charter on Admission of New Member. In this article it states that : *Admission shall be based on the following criteria: (a) location in the recognised geographical region of Southeast Asia; (b) recognition by all ASEAN Member States; (c) agreement to be bound and to abide by the Charter; and (d) ability and willingness to carry out the obligations of Membership.*

With refer to the article above, East Timor has certainly fulfilled some requirements. In terms of geography, East Timor is in Southeast Asian region. By setting its embassy in 10 ASEAN member countries and signing TAC, it has signified that East Timor basically captures the basic principles and objectives of ASEAN. By signing TAC, it means that East Timor commits itself to non-interference in ASEAN member states’ internal affairs. Although East Timor has showed its large efforts to be ASEAN member, it does not mean that its admission will be instantly agreed by ASEAN. East Timor is still required to meet another terms of condition to be formally accepted in ASEAN family. As stated in Article 6 (3), its admission shall be decided by consensus 10 of ASEAN member countries in the ASEAN Summit (See Article 6 Admission of New Member in the ASEAN Charter).

In 2011 Timor-Leste’s application for membership was submitted. The Vice Minister noted “It is only a matter of time before Timor-Leste joins its brothers and sisters in the ASEAN family.” As a country located in South East Asia, recognized as a sovereign state by all ASEAN members, ready to abide by the Charter and willing to carry out the obligations of membership, Timor-Leste fulfills key membership criteria stipulated in the ASEAN Charter Article 6. Admission is decided by consensus by the ASEAN Summit, upon the recommendation of the ASEAN Coordinating Council (<http://timor-leste.gov.tl>).

Since Timor-Leste’s application in 2011 some of the preparatory steps have included nationwide programs for ASEAN awareness, the establishment of the ASEAN National Secretariat and Focal Points, capacity building through training and dialogue, participation in the ASEAN Regional Forum and other regional and global meetings, the establishment and strengthening of Timor-Leste’s embassies in all ASEAN countries and support to ensure the readiness of institutions and civil society for ASEAN participation. Within Government the introduction and implementation of “ASEAN Blueprints” in national policy development is ensuring that new policies and regulatory frameworks are well aligned and integrated with those of ASEAN (<http://timor-leste.gov.tl>).

The Government of Timor-Leste has indicated that it is committed to joining the Association of Southeast Asian Nations, but as the date for the planned accession draws near, questions regarding the benefits of membership, and the young country’s readiness, remain unanswered. While Timor-Leste has shown glimpses of its capacity for regional cooperation by hosting international diplomatic events (including the 2012 ASEAN Regional Forum Election Observer Mission and the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific in 2013), whether this has been enough to convince existing ASEAN member countries of Timor-Leste’s preparedness remains to be seen. The willingness of these countries to induct Timor-Leste into the “regional family” will depend largely on Timor-Leste’s own efforts in setting the course for its official induction, which includes building the capacity of government officials, amending legislation to comply with ASEAN requirements, and committing considerable human and financial resources to participating in ASEAN activities (Mario;2014).

In June 2013, The Asia Foundation co-hosted a roundtable discussion with the Ministry of Foreign Affairs that brought together representatives from the government, civil society, and international experts on ASEAN affairs to identify strategies on how best to engage civil society in Timor-Leste’s accession efforts.

One explanation that emerged from the discussion for the lack of civil society engagement was the widespread perception that the government is unwilling to work with or listen to civil society. As one participant from a leading Timorese NGO said: “Often, the government doesn’t want to show that it listens to NGOs, simply so it can display to the public that it knows better.” Conversely, others argued that civil society has, at times, been overly critical of the government’s performance, a tendency that

has led to government accusations that NGOs are promoting the opposition's agenda. These kinds of attitudes and behavior have created barriers between the state and civil society (Mario;2014).

The key question now is when exactly admission will occur. The next holders of the ASEAN chair, which rotates annually, are the Philippines in 2017 and Singapore in 2018. Manila could push things further next year, especially given the close ties between the two countries. But should Dili not cross the finish line by the end of 2017, that means it may have to wait till 2018 for Singapore's chairmanship. The city-state had been the main holdout in approving Dili's accession. But regional factors are hardly the only ones that will shape Timor-Leste's admission into ASEAN. Domestically, the country is set for elections next year. Even though we are still months away from polls, some are already worrying about either a return to political bickering or the domination of a national unity government without a meaningful opposition. While it is certainly true that many current ASEAN members have democracy woes of their own, democratic backsliding in Timor-Leste could nonetheless end up coloring perceptions about its admission.

In the meantime, it will be interesting to watch how Dili is gradually eased into ASEAN. One marker of that, for example, is the extent to which it is allowed to attend ASEAN meetings, and the nature of the engagements it is involved in. Though the ASEAN chairman's statement following the latest round of summitry in September noted that "a number of sectoral bodies" have been exploring the possibility of Timor-Leste participating in their activities, a source familiar with the process noted that there have been disagreements about how this will actually play out.

Geographically, we are very much part of Southeast Asia Indonesia has shown statesmanship, vision and a real sense of history by being among those who are most strongly advocating for Timor-Leste's early membership — as early as this year. According to the just-released UNDP Human Development Report 2011, Timor-Leste's Human Development Index value for 2010 is 0.502, placing it in the medium human development category. In 2005, Timor-Leste's Human Development Index value was 0.428, and its level at independence in 2002 was 0.375 (J. Ramos-Horta;2011).

We have moved ahead of some older ASEAN members like Cambodia, Lao PDR and Myanmar, and we are just behind Vietnam in the overall measure of human development. Timor-Leste, with a ranking of 120 out of 169 countries, is above Lao PDR (122), Cambodia (124), Myanmar (132). Timor-Leste is also ranked higher than Papua New Guinea (137) and most Sub-Saharan African countries; notably Kenya (128), Nigeria (142), Angola (146) and Mozambique (165). School enrolment jumped from a modest 63 per cent in 2006 to 82.7 per cent in 2009. Some major population centres are now free of illiteracy, namely the Oe-Cussi and Manatuto Districts, Atauro Island, totalling more than 100,00 people who have graduated from illiteracy to functioning literacy in the last two years. Illiteracy will be eliminated in Timor-Leste by 2015 (J. Ramos-Horta;2011).

Transparency, good governance. The London-based Extractive Industries Transparency Initiative (EITI) rates Timor-Leste the best performer in Asia, and third in the world, in terms of accountability and transparency in the management of our Petroleum resources. In the pursuit of good governance and transparency, and to get rid of the worldwide phenomenon of corruption, our National Parliament has passed the Anti-Corruption Law and we since created the Anti-Corruption Commission. We have also strengthened the offices of the Ombudsman (*Provedor de Justica e Direitos Humanos*) as well the investigative powers of the Prosecutor-General. With active support from Indonesia, Australia and the US, we are strengthening our national police, enabling them to better prevent, intercept and fight all forms of organised crime, ranging from sex slavery to peoples smuggling, drug trafficking and money laundering. We are fortunate in that there is no active organised crime in Timor-Leste. But we are conscious that we have to do much more in this regard so that Timor-Leste may rightly claim to be relatively free of corruption and organised crime will never able to gain a foothold here (J. Ramos-Horta;2011).

We are proud of what we have achieved in the brief years since 2002. We have a dynamic multi-party democracy with nine parties in the National Parliament. Almost 30 per cent of the elected MPs are women, and several women hold key ministerial portfolios. Timor-Leste stands out with its very liberal and humanist Constitution that prohibits the death penalty. We have ratified all major International Human Rights Treaties and have complied with our reporting obligations. Timor-Leste, according to Reporters Without Borders, has one of the freest media in the region.

Since our independence, we have made every effort to harmonise our foreign and security policies with those of our ASEAN neighbours. For instance, we supported every ASEAN member country or national's candidacy to the various United Nations bodies and specialised agencies, programs, etc. This includes Singapore. We have been sensitive to our neighbours' views on regional and global issues, always making every effort not to stray from the ASEAN view whenever there is a consensus on a specific country situation or thematic issue. We have friendly and pro-active relations with all emerging powers like China, India, South Africa, and Brazil while maintaining special relations with Australia, New Zealand, Japan, Republic of Korea, the EU and the US, where Timor-Leste has always enjoyed strong bi-partisan support (J. Ramos-Horta;2011).

In the past decade, we haven't had a single diplomatic or security incident involving any of our neighbours. Relations with Indonesia, our nearest neighbour, with whom we share land and sea borders, are exemplary. In view of Timor-Leste's financial circumstance and its proven ability to engage regionally and internationally, Timor-Leste is ready to join ASEAN this or next year. We concede we have many weaknesses and shortcomings. But ASEAN could admit Timor-Leste now and give us a five to ten year transition period, during which we would expand efforts to catch up to the more advanced ASEAN members. This would make sense, in line with past ASEAN practice in relation to other members and in line with the European Union practice in admitting new members and supporting them until they are able to live up fully to their obligations. ASEAN fellow members should not have to worry about any financial costs as Timor-Leste will not beg for economic or financial support (<http://www.eastasiaforum.org/2011/05/16/why-timor-leste-should-join-asean-now/>)

Indeed, Timor Leste's application has intrigued, fascinated and divided the many stakeholders involved with ASEAN. Why is it important for Timor Leste to join ASEAN? Arguably the answer is two fold. On the one hand ASEAN membership will clearly afford benefits to Timor Leste. After its traumatic struggle for independence and initial painful years of nationhood, membership provides a key chance for national reconciliation. Indeed Dili stated that it "views membership in ASEAN as an integral part of our national efforts in peace consolidation." Timor Leste stands to benefit from an ASEAN economy valued at approximately US\$1.5 trillion and a customer base of 600 million people. In the short to medium-term, membership would provide key access to funds for national development through programs like the Initiative for ASEAN Integration aimed at narrowing the development gap between ASEAN member-states. Lastly it will enable Timor Leste to have a greater and stronger presence on the international stage by virtue of joining a 10 member-state strong association that after the Bali Concord III of 2011 seeks a "more coordinated, cohesive, and coherent ASEAN position on global issues of common interest and concern." Timor Leste would thus benefit from having its national interests and concerns protected under the ASEAN umbrella (Almuttaqi;2015).

On the other hand, a more intriguing discussion concerns the benefits Timor Leste's admittance affords to ASEAN itself. It is commonly thought that it is the burden of Timor Leste to prove its assets to the regional organization. However such an argument ignores the potential contribution of Timor Leste to the ASEAN regional integration project. For example, its sovereign wealth fund (largely derived from its petroleum resources) is estimated to reach over \$20 billion in the next decade. Failing to admit and assist Timor Leste, ASEAN may reveal itself as being incapable of solving problems in its "own backyard" given that the former is geographically, historically and culturally a part of Southeast Asia (Almuttaqi;2015).

It is perhaps unsurprising, considering the country's economic and political fragility, that Timor-Leste views ASEAN membership as a priority. Timor-Leste is the only country in Southeast Asia not to have joined the regional institution. Although it has made gradual steps towards admission, becoming a member of the ASEAN Regional Forum in 2005 and signing the ASEAN Treaty on Amity and Cooperation in 2007, full membership has so far eluded Timor-Leste. Not all ASEAN countries have supported Timor-Leste's bid for membership in the past. Singapore in particular has been reticent to accept Timor-Leste's bid, believing the country will hinder ASEAN's hopes to establish an ASEAN Economic Community (AEC) in 2015 (<http://globalriskinsights.com/author/laura-southgate/>).

### Conclusion

The Association of Southeast Asian Nations, or ASEAN, was established on 8 August 1967 in Bangkok, Thailand, with the signing of the ASEAN Declaration (Bangkok Declaration) by the Founding Fathers of ASEAN, namely Indonesia, Malaysia, Philippines, Singapore and Thailand. Brunei Darussalam then joined on 7 January 1984, Viet Nam on 28 July 1995, Lao PDR and Myanmar on 23 July 1997, and Cambodia on 30 April 1999, making up what is today the ten Member States of ASEAN. The ASEAN Charter serves as a firm foundation in achieving the ASEAN Community by providing legal status and institutional framework for ASEAN. It also codifies ASEAN norms, rules and values; sets clear targets for ASEAN; and presents accountability and compliance. The ASEAN Charter entered into force on 15 December 2008. A gathering of the ASEAN Foreign Ministers was held at the ASEAN Secretariat in Jakarta to mark this very historic occasion for ASEAN. With the entry into force of the ASEAN Charter, ASEAN will henceforth operate under a new legal framework and establish a number of new organs to boost its community-building process. In effect, the ASEAN Charter has become a legally binding agreement among the 10 ASEAN Member States.

Many attempts by Timor Leste to become ASEAN members In 2005 Timor Leste joined the ASEAN Regional Forum (ARF), and later in 2007, it signed the Treaty of Amity and Cooperation in Southeast Asia (TAC). Furthermore, it established of diplomatic missions in 10 of ASEAN member countries and opened a national ASEAN Secretariat in its capital city, Dili, in 2009. It has also attended a number of ASEAN meetings and empowered its capacity building. Its serious efforts in accessing ASEAN member became unquestionably when Timor Leste finally proposed its formal application on 4 March 2011.

The Prime Minister, Kay Rala Xanana Gusmão, participates in the 5th Bali Democracy Forum, to be held in Nusa Dua, Bali, on November 8 and 9, 2012. The Head of Timor-Leste's Government has been one of the guests of this international event since it was first held in 2008. Each year, the Forum has become increasingly important and the number of participants has grown, including the participation of heads of State and observers from Europe, America and Africa. In this 5th year of the Bali Democracy Forum, the participation of representatives of 73 countries, including 12 heads of state and 27 ministers, is expected.

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