

Timor-Leste and ASEAN

Presentation by Douglas Kammen¹ at

Timor-Leste National Political Consensus: One Vision and Commitment Towards ASEAN Membership

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I want to thank the Dili Institute for Strategic and International Studies for the invitation to participate in this conference, and the opportunity to address you all today. I would also like to express my appreciation to the many distinguished individuals here.

I was initially reluctant to accept the invitation from DISIS for two reasons. First, I have never conducted research or written on ASEAN, but having worked on topics related to social movements, mass violence, and human rights in both Indonesia and East Timor I have not seen much evidence that ASEAN has ever played an active or positive role in addressing these issues. Second, I was reluctant to accept the invitation because, as I repeatedly tell my students, we cannot study something that has not yet happened. This is, in other words, to highlight the divide between political science, in which the focus is necessarily on that has already happened (or, at a stretch, is happening in the present), and the field of public policy, in which scholars are more likely to address what might be and how to get there (the future). So when I communicated with Antonio Freitas from DISIS, I explained these reservations but said that perhaps I could still have something to offer, however modest that might be. The perspective I bring is one from 'below' – drawing on some knowledge of Timor-Leste's past and comparisons with the newer ASEAN members – not from 'above' – based on expertise about ASEAN and its internal mechanisms.

I do not like making predictions, but let me begin by saying that I am confident Timor-Leste will be accepted as a member of ASEAN. There was, to be sure, a setback last year when Timor-Leste's first application for admission to ASEAN was rejected, but that was temporary. Timor-Leste will be accepted, and from what I hear from those who follow ASEAN affairs in Singapore that is most likely to be in 2015. Timor-Leste has the firm backing of the largest and arguably the most influential state in ASEAN, Indonesia; Timor-Leste has the support of the Philippines; and if media reports are to be believed there is general agreement among most other members that Timor-Leste should be admitted. To put it in the starkest possible terms: the danger perceived by ASEAN if Timor-Leste remains outside of the association is far, far greater than the growing pains that may be experienced if Timor-Leste is admitted.

¹ Dr. Kammen taught at the Universidade Nacional de Timor Lorosa'e in 2001-2003 and is currently Assistant Professor in the Department of Southeast Asian Studies, National University of Singapore.

I would like to divide my comments into two sections: first, some comparative thoughts on the admission of new ASEAN members over the past two decades and the expectations that membership brings; and second, considerations on what I think Timor-Leste can contribute to the ASEAN community.

Admission to ASEAN and expectations

The arguments made against Timor-Leste's first application for admission to ASEAN were not terribly persuasive. While there may be reasons that were not made public, the primary argument was that Timor-Leste's current level of economic development would cause difficulties for the association. ASEAN is first and foremost a political grouping, and I do not see reasons how the level of economic development would be an obstacle to full participation. Nor are there obvious reasons why the level of development would hinder participation in the ASEAN security community. So on the surface it would appear that the concerns about development apply most directly to ASEAN's plan for the creation of an economic community, currently slated to begin in 2015. The primary objectives of the ASEAN economic community are to enhance trade and investment, with secondary aims of allowing the free movement of skilled labour and talent, the free movement of tourists.

Given the complexity of synchronizing the very different ASEAN economies, it is extremely unlikely that full economic integration will be achieved in the near future. Consider just two examples. The Philippines, which like Timor-Leste is a major importer of rice, is unlikely to agree to completely free trade in rice for fear that cheap rice from Vietnam and Thailand will have an adverse effect on domestic agricultural output. Indonesia, similarly, has over the past year placed restrictions on the import of agricultural products ranging from fruit to garlic to chili in an effort to protect its own producers, often with the unwanted result that prices have soared. So instead of viewing 2015 as the onset of full economic integration, experts (including those in the ASEAN secretariat) have suggested that 2015 be viewed as the beginning of a long-term process, and that a great many exceptions and loopholes will have to be built into the ASEAN Economic Community from its inception. Timor-Leste, in fact, is unlikely to pose the variety of problems that other members will.

So what is ASEAN membership likely to mean for Timor-Leste? A good way of beginning to answer this question is to think comparatively about the conditions under which Cambodia, Laos, Myanmar, and Vietnam (CLMV) were admitted to ASEAN in the mid to late 1990s and the expectations they had of membership. First, while ASEAN has long taken pride in the association's success in limiting conflict, the admission of CLMV was not a result of conflict resolution, but rather occurred after conflicts had ended. So too in the case of Timor-Leste. Second, the admission of CLMV was made possible, and indeed became desirable, because of the long economic boom (at the time referred to by the World Bank as the "miracle") that, accepting a few ups and downs, began in the late 1960s and lasted until 1997. The original ASEAN 5 (Indonesia, Singapore, Malaysia, Thailand and the Philippines, with Brunei joining in 1984) were keen to gain access to natural resources (timber, minerals, agricultural products, etc.) and the relatively large markets for their own good. At the time, ASEAN was still fundamentally a political and security community, and had not yet taken the first steps toward the creation of a single economic community, but closer political relations and ASEAN input into reforms in the state-led economies of Vietnam, Laos and Myanmar was clearly seen as helping to pave the way for business

expansion. On this count, Timor-Leste differs considerably: other than oil, Timor-Leste does not have natural resources that are of interest to ASEAN members and the domestic market is extremely small.

The expectations in CLMV at the time of their admission to ASEAN were generally quite high. They hoped that in addition to closer political ties and the building of greater trust, membership would bring with it input on market reforms, the creation of supportive legal regimes, investment, and an increase in exports to other ASEAN members. The timing of their admission – Vietnam in 1995, Laos and Myanmar in 1997, and Cambodia in 1999 – was critical. The onset of the “Asian Economic Crisis” in mid-1997 meant that progress on all of these fronts was far slower than initially expected, as the ASEAN 6 turned inwards to address their domestic troubles. But the crisis also helped to accelerate internal reforms in the new members, most notably in Vietnam where the pace of *doi moi* (renovation) quickened and became irreversible. While trade and investment between CLMV and the ASEAN 6 has risen over the past decade, political and security integration has been far more important than economic integration.

Viewed in this comparative light, what are expectations does Timor-Leste have for admission to ASEAN? Consider three key areas:

Security: at present, Timor-Leste does not face a credible external security threat. The country’s only land border is with Indonesia. While agreements still need to be reached on portions of the border and demarcation, the two countries currently enjoy very warm relations and there is no reason to think that Indonesia poses or will pose a threat to Timor-Leste. Furthermore, given the great investment the United Nations, Australia, Japan and other concerned countries have made since 1999, it is all but assured that the ‘international community’ will remain the guarantor of TL’s security for some time to come.

Trade: as is well known, trade between ASEAN members is a fraction of all trade by ASEAN members, and I see little reason to think that will change dramatically. More specifically, TL’s exports are currently limited to coffee (at last glance a mere US\$10 million per year), and most ASEAN members are also coffee producers. Incoming trade is another matter. On this count, TL is more like Singapore and Brunei than the other ASEAN states: the country is dependent on imported goods, ranging from basic staples (rice, cooking oil, instant noodles, cigarettes, etc.) to clothing, household goods, vehicles – in fact almost everything. This, too, is unlikely to change any time soon. Therefore the planned ASEAN economic community will is not likely to have a serious impact on Timor-Leste, except perhaps in increasing incoming trade and further exacerbating the balance of trade.

Investment: Admission to ASEAN is unlikely to result in increased foreign direct investment in Timor-Leste. Natural resources are not abundant, labor is neither skilled nor particularly cheap, power supply and other infrastructure are not well developed, and Timor-Leste is not on major shipping routes. Over the past ten years there has been a great deal of talk about the potential for development of the tourism sector in Timor-Leste, but even here the potential is relatively limited and foreign investment would necessarily be on a very modest scale. The few serious opportunities for investment in tourism may be filled before admission to ASEAN is granted.

I do not want to be the bearer of bad news, but I am worried that expectations of what membership will mean may be unreasonably high. The greatest benefit of ASEAN membership for Timor-Leste, I fear, will be for members of the diplomatic corps who will

attend meetings, conferences and other junkets in Singapore, Bali, Langkawi, Patthaya, Hanoi and other capitals and holiday destinations. A few Timorese businessmen may attend investment meetings. One or two privileged cultural troops may be asked to perform at the ASEAN secretariat in Jakarta or participate in the ASEAN Socio-Cultural Community. And finally a handful of students may obtain ASEAN scholarships. These are perks that will be enjoyed overwhelmingly by members of East Timor's elite, and should not be assumed to automatically bring benefits for those who toil growing corn and cassava, those engaged in small scale trade in the informal sector, children struggling in rural elementary schools, or parents who hope for rural medical facilities.

In fact, the concern expressed privately by diplomats and scholars in Singapore is that Timor-Leste does not yet have a sufficiently large and well-trained diplomatic corps to attend all of the ASEAN functions, and will thereby not be able to participate in a meaningful way. I recently spoke with an individual who has held high-ranking positions in the ASEAN secretariat and he quickly noted that Timor-Leste will need to recruit and train a significant number of new diplomats and perhaps also open embassies in the other ASEAN countries. The logical extension of this is that Timor-Leste may not have the resources or facilities to adequately host an ASEAN event. Without wishing to be negative, I am deeply opposed to the expansion of the diplomatic corps simply so that Timor-Leste can send more people to summits, meetings and workshops. Furthermore, I think it would be unfortunate to encourage even more young East Timorese to aspire to become glorified 'gate-keepers'.

What can Timor-Leste contribute to ASEAN?

But perhaps we need to turn the question posed by DISIS around. Rather than asking what ASEAN membership can and will do for Timor-Leste, I would like to ask instead: What can Timor-Leste contribute to ASEAN? And on this count I think there is much about which we can be optimistic. Simply put, Timor-Leste's history and long struggle for the right to self-determination, Timor-Leste's experience over the past decade with a wide variety of international actors, and the issues Timor-Leste currently faces can inform a politics that goes beyond short-term self-interest. As a member of ASEAN, Timor-Leste can and should become the voice that was never heard within ASEAN regarding your own heroic struggle against armed aggression, human rights abuses, and the right of all people to self-determination. Timor-Leste can and should become a voice for the poor, the dispossessed, and a voice opposed to exploitation and elitism.

With admission to ASEAN, Timor-Leste can and should champion peace within Southeast Asia as well as in a broader global context. ASEAN has begun to discuss human rights more seriously. In 2007, with the adoption of the ASEAN Charter, the first substantive steps were taken. Article 14 of the Charter mandates the creation of an "ASEAN human rights body." In order to put the Charter into effect, a High Level Panel was created to operationalize the ASEAN Human Rights Mechanism. There are two obvious difficulties faced in this regard. The first is how to reconcile the desire for regional obligations to protect human rights with varied national legal systems and political concerns. The second is how an ASEAN mechanism relates to international human rights norms and demands emanating from beyond Southeast Asia itself. As part of ASEAN, the human rights mechanism and body are not intended to be an independent body or to have anything like the jurisdiction of the European Court of Human Rights. This has led some to suggest that it will be a "body" without "teeth". In the words of Singapore's Foreign

Minister George Yeo, the body may not have “teeth” but it will “at least have a tongue and a tongue will have its uses.”

In part because of real concern on the part of East Timorese, in part too because of the years of UN tutelage before the restoration of independence, Timor-Leste has already done a great deal to adopt and conform to international human rights norms and mechanisms, putting it far ahead of some of other ASEAN members. This puts Timor-Leste in a very good position to contribute to discussions and press for the strongest possible protections with the association. This will inevitably be a slow process. Take the case of the protection of women and children. Following the ratification of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), ASEAN adopted a Declaration on the Elimination of Violence against Women in the ASEAN region. Several ASEAN members have shown reservation to the wholesale adoption of UN and other international mechanisms.

Timor-Leste can also contribute in the area of conflict resolution. I am generally quite skeptical of academic claims that conflicts are overcome through the application of lessons learned in one conflict to another situation that may vary in almost every conceivable way. And as we know all too well, ASEAN failed to take up the cause of East Timor during the long occupation and was not involved in May 5 Agreement that set you on a course to the referendum in 1999. The recent peace agreement in Mindanao, which initially held so much promise, has experienced a serious setback with the incursion into Sabah and recent armed clashes between the Philippines Armed Forces and rebel groups. Nevertheless, ASEAN and individual member states have engaged in ongoing efforts to address conflicts in the region. Timor-Leste will be able to speak with a level of credibility on certain conflicts, particularly those involving minority groups (as in the case of Mindanao and ethnic minorities in Myanmar). The difficulty, of course, is that ASEAN continues to toe its old line on non-interference in the internal affairs of member states, and hence has yet to play a major role.

The second area where Timor-Leste can contribute in a very meaningful way to ASEAN is in human security. Here I would like to highlight two issues in particular. First, refugees have become a topic of growing concern for states in Southeast Asia and for ASEAN. This, of course, includes both internal refugees (Cambodians in Thailand after 1975, Burmese in Thailand after 1988, Rohingyas fleeing Myanmar today), as well as refugees from outside of Southeast Asia (boat people from Sri Lanka and even Pakistan and Afghanistan) trying to reach Australia. Timor-Leste wisely rejected Australia’s unfortunate proposal to set up a refugee processing center here. But the plight of many of these people remains a cause for concern. Alone Timor-Leste is not well positioned to deal with refugees and the illegal movement of people in the region. So it is through ASEAN that you can hope both to alleviate the plight of those fleeing oppression and address your own security needs.

Another aspect of human security for which Timor-Leste can provide an important voice is food security. ASEAN countries are widely spread on the spectrum in this regard, with two of the world’s foremost exporters of rice (Thailand and Vietnam), countries that teeter on the brink of food self-sufficiency (Indonesia), the world’s largest importer of rice (the Philippines), and country’s wholly dependent on the import of their staple food (Singapore). Historically the entire island of Timor has experienced great food insecurity. It is interesting to note that immediately after Portuguese Governor Teles de Meneses made the fateful decision to abandon Lifau and sail for Dili, he sent a letter to Goa requesting that rice be sent to support the new capital, and during the late 19th century the

Portuguese imported significant quantities of rice. Today, of course, this situation persists and despite initiatives by the Ministry of Agriculture it appears that Timor-Leste will remain dependent on imported rice for the foreseeable future. So it is only fitting that as a future ASEAN member Timor-Leste think about raising the question of upgrading the outdated and rather feeble ASEAN rice reserve. This is an issue that is not only of concern here, but in the future is likely to be of increasing importance throughout Southeast Asia.

The third area I want to highlight is what we might call basic needs. ASEAN can and should do far more to address the provision of basic education for all children, to promote more effective rural health care, to ensure clean drinking water for all people in Southeast Asia, and so on. These are all pressing concerns for Timor-Leste, so it makes sense to think about how you can contribute to the ASEAN debates. Far more can be done to support education throughout the region. Granting scholarships is far from sufficient. In fact, as I once suggested to your Foreign Minister, I would propose that for every dollar or rupiah or baht spent on scholarships for East Timorese to study abroad, the same amount should be made available to support basic education here at home. In the area of basic health care, there are important lessons that can be learned and shared from countries as different as Indonesia and Vietnam. In the area of drinking water, Singapore is now among the world leaders in water purification and recycling, and there is every reason to lobby for the sharing of such expertise. The point I want to make is that the much-heralded 'level of development' should not be held above the heads of Laos or Timor as a threat, but rather should create an obligation for the wealthier states in ASEAN to do far more both within and beyond their own borders.

In all three areas – human rights and conflict, human security, and basic needs – Timor-Leste may want to think less in terms of ASEAN as a single entity and rather in terms of sub-regional approaches. This is already being done in ASEAN. Take the example of the ASEAN Mekong Basin Development Cooperation. This is a sub-regional initiative, fully supported by ASEAN, to address a particular area where the use of and competition over resources is acute and has the potential to adversely affect tens of millions of people. Timor-Leste may only share one land border, but greater sub-regional cooperation on fishing (including illegal fishing by Thai and Taiwanese trawlers) impacts you directly. One might extend the idea of sub-regional groups beyond mere geography, as is the case of food security for arid or otherwise threatened ecosystems.

To contribute to ASEAN in a meaningful way, however, Timor-Leste must also set an example: that requires ensuring participatory planning and policy formulation, ensuring that development works for the majority and not a narrow elite, and ensuring that limited resources are not squandered. Your success in these areas will give real credence to your calls for a more socially just and truly inclusive Southeast Asia.

At the same time, we must bear in mind that Timor-Leste will not be able to drive the ASEAN agenda. With the addition of CLVM, ASEAN has developed an unstated two-tiered system. The continued use of the term "ASEAN 6" to refer to the founding members and Brunei clearly reflects the divide. But even within the confines of the ASEAN way and the insistence on consensus, you can and should speak for stronger human rights protections and greater respect for those with grievances, you can and should speak out on the need to address human security, and you can and should lobby for the association to do more in the area of basic human needs.