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**Membership Status of Timor Leste In Asean Based On Asean Charter 2007:
Problem and Prospect**

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Abstract

As the youngest country in Southeast Asia, Timor Leste realizes that becoming a member of ASEAN is important, and even the Timor Leste government says joining ASEAN is a priority for the country. Following up on its seriousness, in 2011, Timor Leste officially submitted an application to become a member of ASEAN, but 11 years later, the application has not yet been approved. Based on this background, this study was conducted to determine the current status of Timor Leste's membership in ASEAN based on the ASEAN Charter 2007 and to find out what hinders Timor Leste's acceptance as a member of ASEAN and how the prospects for Timor Leste's membership in ASEAN in the future. The results of this study show that first, in terms of Article 6 paragraph 2 of the ASEAN Charter, Timor Leste's membership status in ASEAN has not been ratified because Timor Leste has not fulfilled all the requirements contained in the article so currently, it is still a non-member observer country. Second, the thing that hinders Timor Leste's acceptance as a member of ASEAN is the use of a rigid and absolute consensus as well as the growing era which makes ASEAN countries increasingly see many factors to accept Timor Leste, then seen from Timor Leste's economic growth which is the slowest in Southeast Asia and one of the poorest countries in the world makes the authors feel that Timor Leste's membership status in ASEAN will not be accepted in the near future.

Keywords: ASEAN, ASEAN Charter, Consensus, Member, Timor Leste.

**Status Keanggotaan Timor Leste di Asean Ditinjau Dari Asean Charter 2007:
Permasalahan dan Prospek**

Abstrak

Sebagai negara termuda di Asia Tenggara, Timor Leste menyadari bahwa menjadi anggota ASEAN merupakan hal yang penting, bahkan pemerintah Timor Leste menyebut bergabung menjadi anggota ASEAN merupakan prioritas negara tersebut. Menindaklanjuti keseriusannya, tahun 2011 Timor Leste

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resmi mengajukan permohonan untuk bergabung menjadi anggota ASEAN, namun 11 tahun berlalu permohonan tersebut masih belum disahkan. Berdasarkan latar belakang tersebut penelitian ini dibuat untuk mengetahui status keanggotaan Timor Leste di ASEAN saat ini ditinjau dari ASEAN Charter 2007 dan mengetahui hal apa yang menghambat diterimanya Timor Leste menjadi anggota ASEAN serta bagaimana prospek keanggotaan Timor Leste di ASEAN kedepannya. Hasil penelitian ini menunjukkan yang pertama, ditinjau dari Pasal 6 ayat 2 ASEAN Charter, status keanggotaan Timor Leste di ASEAN belum dapat disahkan karena Timor Leste belum memenuhi semua syarat yang terdapat di pasal tersebut sehingga saat ini masih berstatus sebagai negara pengamat non-anggota. Yang kedua, hal yang menghambat diterima Timor Leste menjadi anggota ASEAN adalah penggunaan konsensus yang kaku dan absolut serta semakin berkembangnya zaman yang membuat negara-negara ASEAN semakin melihat banyak faktor untuk menerima Timor Leste, kemudian dilihat dari pertumbuhan ekonomi Timor Leste yang paling lambat di Asia Tenggara dan termasuk salah satu negara termiskin di dunia membuat penulis merasa status keanggotaan Timor Leste di ASEAN tidak akan diterima dalam waktu dekat.

Kata Kunci: Anggota, ASEAN, Konsensus, Piagam ASEAN, Timor Leste.

A. INTRODUCTION

República Democrática de Timor Leste or people more familiarly call it by the name Timor Leste, is a small country that directly borders the territory of the Republic of Indonesia. This country was recorded to have been colonized by the Portuguese for centuries from 1702 to 1975, the colonization then ended after the occurrence of the Carnation Revolution on April 25, 1974. The influence of this revolution was not only felt by the Portuguese but also by their colonies, including Timor Leste which at that time was called Portuguese Timor, the influence that was felt the most by Portuguese Timor is the emergence of an opportunity to self-determination, this can happen because at the time of the Carnation Revolution the Portuguese government issued a decolonization policy which made Portuguese troops required to leave all of their colonies including Portuguese Timor. The Carnation Revolution that took place in Portuguese also provided the opportunity for the establishment of various political parties in Portuguese Timor, several parties that were born

after the departure of the Portuguese from the region were the UDT (União Democrática Timorese), Fretilin (Frente Revolucionária de Timor-Leste Independente), Apodeti (Associação Popular Democrática Timorese), KOTA (Klibur Oan Timor Asu'wain), and Partido Trabalhista.⁴

On November 30, 1975, or exactly two days after the Democratic Republic of Timor was proclaimed by the Fretilin Party issued a declaration known as the Balibo Declaration, the contents of the declaration were an agreement on behalf of the people of Portuguese Timor to integrate with the territory of the Republic of Indonesia, after the issuance of the declaration the Indonesian government troops then carried out an invasion known as Operation Lotus into Portuguese Timor, while the implementation of Operation Lotus was supported by the United States which did not agree with the rule of the communist from Fretilin Party in Portuguese Timor. After the incident, Soeharto, who at that time served as President of the Republic of Indonesia, formed a joint fact-finding team tasked

⁴ Nila Tri Hardiyani. "Dinamika Hubungan Indonesia Australia Pasca Integrasi Timor-Timur ke Wilayah Indonesia Tahun 1974-2002." *Fakultas Keguruan dan Ilmu Pendidikan Universitas Muhammadiyah Purwokerto*, 2014, at 10. http://repository.ump.ac.id/6619/2/BAB%20I_NILA%20TRI%20HARDIYAANI_SEJARAH%2714.pdf. Accessed 29 April 2022.

with the aspirations of the Portuguese Timorese people stated in the Balibo Declaration, the results of the investigation were later ratified by the People's Council into a law which in its development was passed by The People's Consultative Assembly in TAP MPR VI/MPR/1978 since the issuance of the TAP MPR Portuguese Timor has officially become part of the territory of the Republic of Indonesia and changed its name to East Timor.⁵

After merging into a single unit with the territory of the Republic of Indonesia, the issue of East Timor's desire to become an independent country more and more widely heard, the main factor that prompted this issue to arise was the lack of closeness between East Timor and other regions in Indonesia and the invasion by the Indonesian government which was felt to have injured many East Timor people. This made relations between the central government of the Republic of Indonesia and East Timor heated up, coupled with the presence of Australia as a mediator, which was more inclined to support East Timor to gain its independence. Due to the weakening of national political stability and a lot of pressure from the international community, B. J. Habibie who served as President of the Republic of Indonesia proposed a referendum to determine the fate of East Timor to Kofi Annan. He served as Secretary General of the United Nations in 1999. In 1999 after obtaining approval, an agreement regarding the implementation of the referendum was signed by Kofi Annan, Ali Alatas, and Jaime Gama, representatives of the United Nations,

the Republic of Indonesia and the Portuguese. Finally, on August 30, 1999 a referendum was held, the result of the referendum was that the majority of the people of East Timor preferred to be independent from the Republic of Indonesia. Following up on this result on October 30, 1999 Indonesian flags began to be lowered throughout the territory of East Timor because since then, East Timor was no longer part of the territory of the Republic of Indonesia, then on 20 May 2002, East Timor, which had changed its name to Timor Leste officially became an independent and internationally recognized country.⁶

As a country whose territory is located in the Southeast Asian region Timor Leste is certainly very aware of the importance of joining ASEAN as a member, especially as a newly established country it is certain that joining a member of a regional organization in its region is something that must be done, because joining a member of a regional organization is included as one of the efforts in order to fulfill national interests that must be fulfilled by a country. Before expressing his desire to become a member of ASEAN, actually the Minister of Foreign Affairs of Timor Leste at that time, Jose Ramos Horta revealed that Timor Leste was part of the Pacific Island Forum which is a regional organization of countries in the Pacific region, but Xanana Gusmao who served as Prime Minister of Timor Leste at that time it succeeded in convincing its people to prefer to join ASEAN rather than become a member of the Pacific Island Forum because of the characteristics of Timor

⁵ Asyrul Fikri et al. "Sejarah Pembentukan Negara Republik Demokratik Timor Leste Tahun 1998 – 2002." *Jurnal Asyrul Fikri*, 2013, at 2. <https://repository.unri.ac.id/jspui/bitstream/12345678>

[9/2166/1/JURNAL%20ASYRUL%20FIKRI.pdf](https://repository.unri.ac.id/jspui/bitstream/12345678/9/2166/1/JURNAL%20ASYRUL%20FIKRI.pdf). Accessed 29 April 2022.

⁶ *Ibid.*, at 2-3.

Leste which were considered more suitable for ASEAN and the geographical location of the country in the Southeast Asia region.

Being an observer in every meeting held by ASEAN member countries since 2002 is the first effort made by Timor Leste to be able to join as a member of ASEAN, after obtaining status as an observer Timor Leste increasingly shows its existence by being a party to various forums/agreements that organized by ASEAN, including by joining the ASEAN Regional Forum (ARF) and signing the Treaty of Amity and Cooperation (TAC) in 2007 which became the basis for ASEAN countries to coexist peacefully and an instrument for ASEAN member countries to resolve conflicts diplomatically. The country then appointed Roberto Sarmiento de Oliveira Soares as Timor Leste's representative for ASEAN and started diplomatic relations with the ten ASEAN member countries in order to demonstrate its commitment to join ASEAN. Then in 2009, Timor Leste established an ASEAN Secretariat in Dili. The country also took advantage of diplomatic steps to maximize its chances of being accepted as a member of ASEAN.

Timor Leste's desire to be able to join as a member of ASEAN is getting bigger after the country considers that the existence of ASEAN as a regional organization continues to experience positive developments which of course will have a good influence on all its members, one of the advantages is getting the ease of conducting free trade in the Southeast Asia region. Therefore the Government of Timor Leste once said that becoming a member of ASEAN is a top priority for that country. Finally, officially on March 4, 2011, Timor Leste submitted a proposal to be accepted as

a member of ASEAN, the proposal was submitted to the ASEAN Secretariat located in Jakarta at the time Indonesia served as Chair of ASEAN, but 11 years have passed until now the membership status of Timor Leste is still not clear, because the protracted issue makes the issue of Timor Leste's membership in ASEAN an interesting thing to study. Therefore this article was made to find out the membership status of Timor Leste in ASEAN as seen from the ASEAN Charter 2007 and find out what the problems are that cause this problem to protracted, and see the prospects for Timor Leste's membership in ASEAN are in the future.

B. Discussion

1. History of the Establishment of ASEAN and the ASEAN Charter

The Association of Southeast Asian Nations or can be shortened to ASEAN is a regional organization that facilitates the cooperation of all its members who are countries in the Southeast Asia region, ASEAN was formed on August 8, 1967 through the signing of the Bangkok Declaration by representatives of the five founding countries, namely Adam Malik from Indonesia, Tun Abdul Razak from Malaysia, Thanat Khoman from Thailand, Narsisco Ramos from the Philippines, and S. Rajaratnam from Singapore. A powerful desire to create a peaceful, safe, stable, and prosperous Southeast Asia region became the background for the formation of ASEAN, the idea was created because, at that time, Southeast Asia was faced with a conflict-prone situation that could

threaten the balance of the region.⁷ Seeing the development of ASEAN, it can be said that it has a fundamental role in the progress felt by the countries in the Southeast Asia region, the presence of ASEAN has also made the countries in Southeast Asia become more integrated into various fields, especially in the economic field. Basically, the formation of ASEAN can be said as a political statement to assert the independence of each member country, at the same time the formation of ASEAN can also be noted as an effort to legitimize the sovereignty of each ASEAN member country to create stability in the Southeast Asian region.⁸ Initially the establishment of ASEAN was aimed at advancing cooperation in the economic, scientific, and socio-cultural fields, while promoting cooperation in the security and political fields had not been the primary goal when ASEAN was first formed, it was only on November 27, 1971 through the ZOPFAN (Zone of Peace Freedom and Neutrality Declaration) which was declared in Kuala Lumpur Malaysia, cooperation in the field of security and politics began to be discussed, advancing cooperation in the political and security fields itself only became the official agenda of ASEAN in 1976 which was inaugurated at the first ASEAN Summit in Bali with the signing of The Declaration of ASEAN Concord I and the Treaty of Amity and Cooperation in Southeast Asia (TAC), the ASEAN Concord I also became the root of the political and security cooperation of

ASEAN member countries before the birth of the ASEAN Charter.⁹

As a rules-based organization, ASEAN will certainly always be guided by the ASEAN Charter. This is because the ASEAN Charter is one of the sources of law that applies in ASEAN. The ASEAN Charter is also the culmination of the ASEAN transformation with a drafting process of almost three years, the ASEAN Charter was created through a long process from equating to agreeing on the different interests of all ASEAN members into one legally binding forum. The ASEAN Charter, which was made and signed on November 20, 2007 by all ASEAN member countries at the 13th ASEAN Summit and later ratified by all ASEAN member countries, has changed the characteristics of ASEAN itself from what used to be an organization that can be said to be 'loose' to an organization that strictly adheres to the rules or a 'rules-based organization', the existence of the ASEAN Charter also provides a legal framework for ASEAN to be able to develop towards an organization that prioritizes peace, security, stability, sustainable economic growth, prosperity, and social progress.

2. ASEAN Membership Development

The Bangkok Declaration emphasized that ASEAN is an organization that is open to Southeast Asian countries that have not yet joined as members as long as these countries have a commitment to the goals of ASEAN,¹⁰ in line with this in its development there are several

⁷ Sekretariat Direktorat Jenderal Kerja Sama ASEAN. *ASEAN Selayang Pandang (Edisi ke-22)*. Sekretariat Direktorat Jenderal Kerja Sama ASEAN, 2017. at 4. *Doc Player*, <https://docplayer.info/72300147-Asean-selayang-pandang-edisi-ke-22-tahun-satu-visi-satu-identitas-satu-masyarakat.html>.

⁸ Media Amora. "Arti Strategis Piagam ASEAN (ASEAN Charter) Terhadap Kerjasama Regional ASEAN."

Fakultas Ilmu Sosial dan Ilmu Politik Program Pascasarjana Departemen Ilmu Hubungan Internal Universitas Indonesia, 2010, at 1. *Universitas Indonesia Library*, <https://www.lontar.ui.ac.id/detail?id=132796&lokasi=okal>. Accessed 29 April 2022.

⁹ *Ibid.*, at 1-2.

¹⁰ *Ibid.*, at 1.

countries in Southeast Asia that eventually join and became members of ASEAN, until 2022 there are 10 countries that have officially become members of ASEAN namely:¹¹

1. Indonesia, Malaysia, the Philippines, Singapore, and Thailand

As previously explained, ASEAN was formed on August 8, 1967 through the signing of the Bangkok Declaration by representatives of the five founding countries, namely Adam Malik from Indonesia, Tun Abdul Razak from Malaysia, Thanat Khoman from Thailand, Narciso Ramos from the Philippines, and S. Rajaratnam from Singapore. The signing carried out by the five representatives of these countries also signifies that Indonesia, Malaysia, the Philippines, Singapore, and Thailand are the founding countries as well as the first five member countries of ASEAN.

2. Brunei Darussalam

Brunei Darussalam officially became the sixth country to join ASEAN on January 7, 1984. Brunei Darussalam was declared a member of ASEAN a week after its independence at the ASEAN Ministerial Meeting (AMM) in Jakarta, Indonesia. The stipulation of Brunei Darussalam to become a member of ASEAN only took one year from the time the country became an observer.

3. Vietnam

The inauguration of Vietnam as the seventh member of ASEAN was carried out at the 28th ASEAN Ministerial Meeting in Brunei

Darussalam on July 28, 1995. Similar to Brunei Darussalam, Vietnam only needed one year from when the country became an observer to be accepted as a member of ASEAN.

4. Laos and Myanmar

Laos and Myanmar officially joined as the eighth and ninth ASEAN members simultaneously at the 30th ASEAN Ministerial Meeting in Subang Jaya, Malaysia on July 23, 1997. Specific to Myanmar, even though at that time it was under international isolation caused by human rights violations by the military junta, the status of the membership application submitted by the country is still accepted.

5. Cambodia

Cambodia became the tenth country to become a member of ASEAN officially and was determined in a special ceremony of acceptance of members held in Hanoi, Vietnam, on April 30, 1999. A little longer than previous countries, Cambodia took approximately four years to become an ASEAN member because at that time Cambodia was in crisis due to the power struggle.

Based on the development of ASEAN membership described above, it can be seen that in their journey to become members of ASEAN, Brunei Darussalam, Vietnam, Myanmar, Laos, and Cambodia tended to not go through such a difficult process, this was due to the condition of ASEAN at that time which only focused on how the way to create stability in the Southeast Asia region and not yet

¹¹ Novita Putri Rudianty. "Studi Perbandingan Proses Keanggotaan ASEAN: Vietnam, Myanmar, Kamboja, dan Timor Leste." *Jurnal Analisis Hubungan Internasional*, vol. 4, no. 1, May 2015, at 1687. *Journal Unair*,

<https://journal.unair.ac.id/JAHI@studi-perbandingan-proses-keanggotaan-asean--vietnam,-myanmar,-kamboja-dan-timor-leste-article-8808-media-131-category-8.html>. Accessed 29 April 2022.

focused on other things,¹² besides these factors, another factor that made it easy to accept membership status in ASEAN at that time was because ASEAN was facing international pressure since the end of the Cold War in 1990, with the end of the Cold War it was felt that it would potentially lead to an open war in the future that could threaten regional security and stability, then to ensure regional security, stability, and regional autonomy, especially in the territories of Vietnam, Myanmar and Cambodia which at that time were under pressure and interference from big countries such as the United States, the process of accepting these countries to become ASEAN members is accelerated.

3. Efforts Made by Timor Leste to be Able to Become a Member of ASEAN

Timor Leste's efforts to become a member of ASEAN have been briefly mentioned in the introduction section. Here is a full explanation of the efforts that Timor Leste has made:

1. Act as Observer at Every ASEAN Meeting

In its efforts to become a member of ASEAN, Timor Leste has shown its involvement in events organized by ASEAN, one of which is being an observer at meetings with ASEAN member countries. Referring to what is stated in the Bangkok Declaration that each prospective member country is required to act as an observer before being officially appointed as a member so that the

candidate can know and understand the mechanisms and principles of ASEAN as well as know the evaluation and the latest news from the discussion of the meetings held in ASEAN internal scope.¹³

2. Becoming a Party to the Forum/Agreement Organized by ASEAN

Timor Leste's efforts to obtain full membership status in ASEAN are closely related to the role of political leaders and diplomats from that country, they disseminate Timor Leste's desire to fully become an ASEAN member state through speeches, active participation in several regional and international forums, also dialogue and negotiations with high-ranking officials and important figures from ASEAN member countries, with the aim that Timor Leste will receive support and assistance in making efforts to become a full member state in the organization. After gaining status as a non-member observer country in ASEAN in 2002, Timor Leste has become a party to several forums/agreements conducted by ASEAN. The first Timor Leste is being part of the 12th ASEAN Regional Forum in 2005 in Vientiane, Laos which discusses the issue of defense and security in the Southeast Asia region, the second Timor Leste is became a party to the Treaty of Amity and Cooperation in Cebu, Philippines in 2007,¹⁴ Timor Leste also

¹² Zegi Dias Prameswari. "Penyebab Penolakan Singapura Terhadap Konsensus Keanggotaan Timor Leste di ASEAN", *Program Studi Sarjana Ilmu Hubungan Internasional Fakultas Ilmu Sosial dan Ilmu Politik Universitas Airlangga*, 8 February 2018, at 3 & 5. Universitas Airlangga, https://repository.unair.ac.id/69562/3/JURNAL_Fis.HI.05%2018%20Pra%20p.pdf. Accessed 29 April 2022.

¹³ Rizki Roza, *supra* note 7 at 8.

¹⁴ Dian Ayu Rohani et al. "Posisi Tawar Timor Leste untuk Memperoleh Status Keanggotaan Penuh di ASEAN." *Journal of International Relations*, vol. 3, no. 1, 2016, at 50. *E-Sospol*, <https://jurnal.unej.ac.id/index.php/E-SOS/article/view/5684>. Accessed 29 April 2022.

participated in the Workshop on Improving Fisheries Management held by ASEAN in Honolulu, Hawaii in 2016.¹⁵

3. Establish Cooperation with ASEAN Member Countries

The desire of the government of Timor Leste to join as a member of ASEAN is based on the principles of Timor Leste's diplomacy which is actively cooperating with other countries especially ASEAN member countries, the desire to establish cooperation is stated in the provisions of Article 8 paragraph 2 of the Constitution of the Democratic Republic of Timor Leste which states that, "The Democratic Republic of East Timor shall establish relations of friendship and cooperation with all other peoples, aiming at the peaceful settlement of conflicts, the general, simultaneous and controlled disarmament, the establishment of a system of collective security and establishment of a new international economic order capable of ensuring peace and justice in the relations among peoples."¹⁶ Then paragraph 4 of the Article stipulates that, "The Democratic Republic of East Timor shall maintain special ties of friendship and cooperation with its neighbouring countries and the countries of the region."¹⁷

In practice Timor Leste has carried out various collaborations with ASEAN member countries, for example by opening representative

offices in several big cities such as Jakarta, Kuala Lumpur, Manila, and Bangkok, besides that Timor Leste also signed the Air Services Agreement in 2013 with Singapore as an effort to improve the quality of air services to support cooperative activities carried out by the two countries.¹⁸ Timor Leste also continues to strive to improve its existence in order to obtain full membership status in ASEAN by improving relations in the economic field, this activity is carried out through import and export trade and investment to increase capacity building of the country of Timor Leste.

Maintaining relations with all ASEAN member countries is very important because procedurally Timor Leste must have diplomatic representatives in all member countries in order to be accepted for membership status, this is very important because if Timor Leste does not establish relations with ASEAN member countries it will be difficult for that country to open its representative office, while in practice Timor Leste then opened diplomatic and consular representative offices in ASEAN member countries.¹⁹

4. Establishing an ASEAN Secretariat in Dili

In 2009 Timor Leste officially opened the ASEAN Secretariat in Dili,

¹⁵ Ahmad Zaenudin. "Cerita Timor Leste yang Tak Kunjung Menjadi Anggota ASEAN." *Tirto.id*, 13 September 2021. <https://tirto.id/cerita-timor-leste-yang-tak-kunjung-menjadi-anggota-asean-gjns>.

¹⁶ Article 8 Paragraph 2 The Constitution of The Democratic Republic of Timor Leste.

¹⁷ Article 8 Paragraph 4 The Constitution of The Democratic Republic of Timor Leste.

¹⁸ Loh, Dylan. "Singapore, Timor-Leste sign bilateral Air Services Agreement." *Timor-Leste (East Timor) Embassy of the Democratic Republic of Timor Leste in Washington D.C.*, 3 June 2013, <http://www.timorlesteembassy.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=24&cntnt01reurnid=84>. Accessed 29 April 2022.

¹⁹ Dian Ayu Rohani et al. *supra* note 15 at 50

the ASEAN Secretariat was inaugurated by Jose Ramos-Horta.²⁰

5. Using Diplomatic Measures

Timor Leste also uses diplomatic steps as an effort to gain membership status in ASEAN, this is the main means of efforts made by Timor Leste to build a bargaining position to be accepted as a member of ASEAN. This step is also the right step considering that diplomacy is closely related to a country's foreign policy.²¹ Some of the diplomatic efforts that have been carried out by Timor Leste include:²²

a. Open Diplomacy

In the context of open diplomacy Timor Leste uses a strategy called *halo amigo ba ema hotu-hotu no la halo inimigu ba ema ida* diplomacy or friendly with everyone and not hostile to anyone, apart from using this strategy Timor Leste also uses a pragmatic diplomacy strategy, where Timor Leste open themselves to all countries and do not look at the history of the past but rather look to the future. In carrying out this type of diplomacy, Timor-Leste uses a method in the form of direct and frank declarations, including through direct statements from Timor Leste government officials who openly express the country's desire to join ASEAN, this is done both when conducting visits, cooperation, the opening of an embassy or diplomatic representative office, as well as the participation of Timor Leste in regional or international events,

all of which are carried out openly and accessible to everyone.

b. Economic Diplomacy

Since getting the opportunity to become an observer at every meeting held by ASEAN, Timor Leste has been carrying out economic diplomacy as part of the country's efforts to carry out capacity building that leads to the fulfillment and improvement of several economic pillars such as trade promotion and promotion of investment opportunities.

c. Political Diplomacy

Timor Leste conducts this type of diplomacy with the aim of building a better bargaining position in international contestation or in this case to strengthen Timor Leste's position as a country that wants to join as a member of ASEAN. Timor Leste's interest in establishing a better bargaining position is of course closely related to the role of political leaders and diplomats from that country in seeking to achieve the country's interests in this case to become a member of ASEAN. The parties persuasively and non-violently packaged and carried out socialization related to Timor Leste's desire to become a member of ASEAN in an oration or statement, active participation in various regional and international forums, as well as in other forms with the aim of getting support and assistance to launch Timor Leste's efforts to become a member of ASEAN.

²⁰ DW. "Dili Resmikan Sekretariat ASEAN." *DW*, 30 January 2009. DW, <https://www.dw.com/id/dili-resmikan-sekretariat-asean/a-3989884>.

²¹ Dian Ayu Rohani et al. *supra* note 15 at 49.

²² *Ibid.*

6. Submit a Membership Application Proposal

The most concrete effort that has been made by Timor Leste to be able to join as a member of ASEAN is by submitting a proposal for membership application when Indonesia acted as Chair of ASEAN in 2011, Timor Leste deliberately applied for membership when Indonesia served as Chair of ASEAN in the hope of Timor Leste's membership status as an ASEAN member could be processed more quickly considering that Indonesia is one of the countries that supports Timor Leste's membership.

4. ACCWG's Efforts in Assessing Timor Leste's Membership Readiness

In 20th ASEAN Summit was held in Cambodia, all ASEAN member countries agreed to establish the ASEAN Coordinating Council-Working Group (ACCWG) which was given the task of monitoring the preparation process for Timor Leste to become a member of ASEAN, Regarding on that it can be said that ASEAN has created an 'additional layer' which makes it more difficult for Timor Leste to become a member of ASEAN, the establishment of the ACCWG is not only for the trivial purpose, but also aims to provide observations on ASEAN to Timor Leste regarding the developments or progress made by Timor Leste in its efforts to become a member of ASEAN. The ACCWG itself has been regulated in the ASEAN Charter as a membership requirement, the efforts made by the ACCWG are to hold several meetings with the agenda of discussing the development of the study of the implications of Timor Leste's

membership in ASEAN and discussing what activities Timor Leste can participate in. There are three pillars of the ASEAN Community that serve as the basic reference for the ACCWG study, namely the socio-cultural pillar, the political and security pillar, and the economic pillar. This study makes the process of accepting Timor Leste appear more complex than the process of expanding ASEAN membership that has occurred before.

5. Response of ASEAN Member States Towards the Request for Timor Leste's Membership in ASEAN

Although Timor Leste has shown its seriousness to be able to join as a member of ASEAN, in fact it is still not able to ensure all member countries to accept Timor Leste as one of ASEAN. The response shown by ASEAN member countries are as follows:

1. Singapore

Singapore still does not want to accept the application for Timor Leste's membership in ASEAN, there are several reasons given by Singapore, the reasons are as follows:²³

- a. The economic capacity of Timor Leste is still not well established;
- b. The number of skilled human resources in Timor Leste is still limited;
- c. Timor Leste is deemed unable to deal with the many dynamics that are happening in ASEAN; and
- d. Timor Leste will be burdened with the share costs that must be paid by each ASEAN member country at each meeting.

2. Laos

²³ Rizki Roza. *Supra* note 7 at 10.

Laos shares the opinion of Singapore regarding its response towards Timor Leste's application for membership in ASEAN. Quoted from Dio Herdiawan Tobing who is a researcher at the ASEAN Studies Center (ASC) at the Faculty of Social and Political Sciences Universitas Gadjah Mada, it is known that Singapore and Laos do not agree with Timor Leste to become part of ASEAN with the argument that Timor Leste is not yet economically ready and also in the future it is feared that it will greatly hamper ASEAN because of the Timor Leste's security, economic and political factors which are still easily influenced and carried by the average, Singapore and Laos consider this to be a burden for ASEAN and hinder ASEAN's mission to reduce economic disparity between countries.²⁴

3. Indonesia

In contrast to Singapore and Laos, Indonesia actually supports Timor Leste's efforts to become a member of ASEAN. In 2011 Timor Leste submitted a proposal for membership application when Indonesia served as Chair of ASEAN, this was deliberately done by Timor Leste because the country hoped that Timor Leste's membership status as an ASEAN member could be processed more quickly considering that Indonesia was one of the countries that supports Timor Leste's membership in ASEAN. As a form of diplomatic effort and

approach to Indonesia, in 2013 the President of Timor Leste at the time, Taur Matan Ruak made a state visit to Indonesia, the visit discussed Timor Leste's membership in ASEAN and the improvement of economic and political relations between Timor Leste and Indonesia. The diplomatic approach taken by Timor Leste was not only carried out during the presidency of Susilo Bambang Yudhoyono but continued until the presidency of Joko Widodo, Indonesia's support for the application for Timor Leste's membership in ASEAN was reaffirmed on 26 April 2020, at that time the Indonesian Minister of Foreign Affairs, Retno Marsudi said that "Indonesia fully supports Timor Leste's application as an ASEAN member state," she added that she hoped the process of accepting and ratifying Timor Leste as an ASEAN member could be completed quickly.²⁵

4. Malaysia

The Malaysian government has fully supported Timor Leste's efforts to become a member of ASEAN with the strongest reason being that Timor Leste is located in the Southeast Asian region. This support for Timor Leste was emphasized by the Malaysian Foreign Minister, Datuk Saifuddin Abdullah when asked about Malaysia's stance on the application for Timor Leste's membership in 2019, Datuk Saifuddin had also informed the Malaysian stance that supports

²⁴ Fisipol. "Bincang ASEAN; Tantangan Timor Leste Menjadi Anggota ASEAN." *Fakultas Ilmu Sosial dan Ilmu Politik Universitas Gadjah Mada*, 20 May 2019, <https://fisipol.ugm.ac.id/bincang-asean-tantangan-timor-leste-menjadi-anggota-asean/>.

²⁵ Yashinta Difa Pramudyani. "Indonesia Dukung Timor Leste Segera Jadi Anggota ASEAN." *Antaranews.com*, 24 June 2020. Antara, <https://www.antaranews.com/berita/1572666/indonesia-dukung-timor-leste-segera-jadi-anggota-asean>.

Timor Leste to become a member of ASEAN to the former Minister of Foreign Affairs of Timor Leste, Dionisio de Costa Babo Soares when he visited Malaysia in July 2019.²⁶

5. The Philippines

The Philippines is included as a country that supports Timor Leste to become a member of ASEAN, this can be seen at the closing of the 22nd ASEAN Summit where Benigno Aquino as President of the Philippines at that time stated that, "On this note, allow me to express the Philippines' support for Timor-Leste's bid to join the ASEAN community. We look forward to working more closely with you in the future in advancing regional dialogue, which we know will redound not only to the growth of our people and our countries, but will also contribute to the stability and continued development of our region."²⁷

6. Thailand

Referring to a literature published in 2011, it can be seen that Thailand supports Timor Leste in its efforts to become a member of ASEAN. Former Thai Minister of Foreign Affairs, Kasit Piromya once confirmed Thailand's support for Timor Leste's planned membership in ASEAN on the grounds that the country's location in Southeast Asia and its leadership in promoting democracy and human rights are

recognized by the international community. According to a report by the Thai Ministry of Foreign Affairs, the country has expressed its readiness to support Timor Leste's development in various fields through the following efforts:²⁸

- a. Exchange of experience in economic and social development and regional processing for migrants, displaced persons and victims of human trafficking;
- b. Support for human resource development in the agricultural sector;
- c. Rice exports to Timor Leste; and
- d. Cooperate with Timor-Leste in infrastructure development in sectors such as ports, shipbuilding, travel, trade, investment and fisheries.

7. Brunei Darussalam

Reporting from The Scoop, in 2019 the Minister of Foreign Affairs of Timor Leste said that Brunei Darussalam had given guarantees that it would support Timor Leste's efforts to join ASEAN, Brunei Darussalam also carried out the diplomatic stage of the ten ASEAN member countries with the hope that the ten countries would support Timor Leste's membership in ASEAN.²⁹

8. Vietnam

At the 11th ASEAN Coordinating Council Working Group Meeting

²⁶ Agus Setiawan. "Malaysia Dukung Timor Leste Masuk ASEAN." *Antaraneews.com*, 11 July 2019. Antara, <https://www.antaraneews.com/berita/951429/malaysia-dukung-timor-leste-masuk-asean>.

²⁷ Zegi Dias Prameswari. *Supra* note 13 at 4.

²⁸ Royal Thai Embassy. "Thailand Confirms Its Support for Timor-Leste's Planned Membership in ASEAN." *Royal Thai Embassy*, https://www.thaiembassy.sg/press_media/news-

[highlights/thailand-confirms-its-support-for-timor-lestes-planned-membership-in-asean#:~:text=Foreign%20Minister%20Kasit%20Piromya%20has,recognized%20by%20the%20international%20community](https://www.thaiembassy.sg/press_media/news-highlights/thailand-confirms-its-support-for-timor-lestes-planned-membership-in-asean#:~:text=Foreign%20Minister%20Kasit%20Piromya%20has,recognized%20by%20the%20international%20community). Accessed 29 April 2022.

²⁹ Bandial, Ain. "Timor Leste says Brunei will support its bid to join ASEAN." *The Scoop*, 6 July 2019. The Scoop, <https://thescoop.co/2019/07/06/timor-leste-says-brunei-will-support-its-bid-to-join-asean/>.

which was held on 29 July 2021 and discussed the application for Timor Leste's membership to become a member of ASEAN, the Vietnamese delegation led by Deputy Foreign Minister Nguyen Quoc Dung agreed to provide positive support to Timor Leste in his preparations to become a member of ASEAN, at the meeting Dung also requested that the ACCWG assess the impact of Timor Leste's membership before sending reports and recommendations to a meeting of Foreign Ministers and high-ranking ASEAN officials.³⁰

9. Cambodia

In 2016 Cambodia reaffirmed its support for Timor Leste to become the 11th member of ASEAN. Prime Minister Hun Sen conveyed several things regarding his form of support for Timor Leste that Cambodia will provide assistance in the form of technicians and experts to Timor Leste, besides that Cambodia will offer ten scholarships every year to Timor Leste students and Cambodia is willing to cooperate with Timor Leste through signing of three important documents related to trade and tourism, oil, visa exemption for diplomatic and service passport holders, and cooperation in the field of manpower.³¹ This support is carried out in order to increase economic growth and the quality of the human resources of the country of Timor

Leste in order to meet the standards set by ASEAN.

10. Myanmar

At first Myanmar was hesitant to accept Timor Leste's application for membership in ASEAN, there were two concerns that were considered by Myanmar, the first was that Xanana Gusmao was considered to have a close relationship with Aung San Suu Kyi who is a Myanmar democracy figure, and the second was that Myanmar considered Jose Ramos Horta as a supporter of humanitarian intervention because of his speech in response to the United States invasion of Iraq, but gradually Myanmar began to express its support for Timor Leste, this statement was made at the 43rd ASEAN Foreign Ministers Meeting in Hanoi, Vietnam in 2010.³² Until now there has been no speech or statement that contradicts Myanmar's statement regarding its support for Timor Leste's membership in ASEAN, therefore it can be concluded that Myanmar is willing to accept Timor Leste to become an ASEAN member state.

In addition to ASEAN member countries, there were also responses from non-state parties such as epistemic circles and non-government organizations (NGOs) regarding Timor Leste's desire to become a member of ASEAN, epistemic circles and NGOs showed the same thing as Singapore and Laos did not agree to Timor Leste's

³⁰ ASEAN Vietnam 2020. "Viet Nam, ASEAN support Timor Leste in membership application." *ASEAN Vietnam 2020*, 5 March 2020, https://www.asean2020.vn/xem-chi-tiet1/-/asset_publisher/ynfWm23dDfpd/content/viet-nam-asean-support-timor-leste-in-membership-application.

³¹ Sokha, Cheang. "Cambodia Supporting Timor-Leste for ASEAN." *Khmer Times*, 22 August 2016. *Khmer Times*,

<https://www.khmertimeskh.com/7714/cambodia-supporting-timor-leste-for-asean/>.

³² Seraphima Shalomita Arun. "Dinamika Masuknya Timor Leste untuk Mendapatkan Status Keanggotaan Penuh dalam ASEAN." *Program Studi Hubungan Internasional FISKOM-UKSW*, 2019, at 12. https://repository.uksw.edu/bitstream/123456789/19435/7/T1_372014021_Judul.pdf. Accessed 29 April 2022.

membership in ASEAN, reports provided by epistemics and NGOs show that there is a gap between the ASEAN pillars that all ASEAN member countries want to realize and the current condition and situation of Timor Leste.

Meanwhile in 2013, the Foreign Ministers of ASEAN member countries had discussions to discuss the strategy that will be used in making decisions on Timor Leste's membership in ASEAN, from the discussion it was concluded that there was evidence of a large gap between the ASEAN pillars which all ASEAN member countries want to realize with the conditions and situation of Timor Leste as previously reported by epistemic circles and NGOs. Epistemic circles even think that ASEAN will bear a heavy burden if it accepts Timor Leste as a member in the near future.

6. Timor Leste's Membership Status Based on the ASEAN Charter 2007

The ASEAN Charter specifically provides provisions in matters that are not regulated in the Bangkok Declaration, one of which is regarding the conditions for the acceptance of new ASEAN members.³³ The rules regarding the conditions for the acceptance of new ASEAN members are contained in Article 6 paragraph 2 of the ASEAN Charter where these conditions consist of:³⁴

- 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.

In the process of fulfillment, these four criteria absolutely must be met by a country that later wants to join as an ASEAN member country. If analyzed based on the provisions of the article, Timor Leste can be said to have fulfilled three of the four requirements listed. For the first requirement which reads "Location in the recognised geographical region of Southeast Asia", Timor Leste certainly fulfills these requirements. As we know Timor Leste is geographically located in the Southeast Asia region, this country is located at the coordinates 8°50'S125°55'E and is directly adjacent to Indonesia. As of 2022, ASEAN member countries also have no problem with the claim that Timor Leste is located in the Southeast Asian region, so it can be concluded that Timor Leste is indeed recognized as belonging to the Southeast Asian region.

For the second requirement which reads, "Recognition by all ASEAN member states", is the only requirement that has not been fulfilled by Timor Leste because not all ASEAN member countries have approved the application for membership status submitted by Timor Leste. As previously explained, Indonesia as one of the founders of ASEAN officially supports Timor Leste's desire to become a member of ASEAN, in fact Indonesia became the first country to agree to accept Timor Leste. Indonesia has on various occasions expressed support for Timor Leste to become a member of ASEAN, upon receiving the arrival of the President of Timor Leste, Francisco Guterres Lu Olo in 2018, the

³³ Rr. Mutiara Windraskinasih & Arie Afriansyah. "The Struggle of Becoming the 11th Member State of ASEAN." *Brawijaya Law Journal*, vol. 5, no. 1, April 2018, at 74.

<https://lawjournal.ub.ac.id/index.php/law/article/view/136/pdf>. Accessed 29 April 2022.

³⁴ Article 6 Paragraph 2 ASEAN Charter 2007.

leadership of the DPR stated that he fully supported Timor Leste's desire to nominate himself as a member of ASEAN.³⁵ Indonesia's move was also followed by seven other ASEAN member countries, Thailand, Malaysia, the Philippines, Vietnam, Brunei Darussalam, Myanmar, and Cambodia who also on various occasions openly expressed their support for Timor Leste. In contrast to Indonesia, Singapore and Laos are the two countries that reject Timor Leste's membership in ASEAN. Singapore as one of the countries with the strongest economy in the Southeast Asia region as well as the 'person in charge' of the economic pillars in ASEAN tends to reject Timor Leste because it sees the negative impact that will be obtained if Timor Leste joins as a member, Singapore considers that although Timor Leste has been able to fulfill the membership requirements contained in the ASEAN Charter and is able to be active in ASEAN regional forums, Timor Leste's limitations in the number and quality of human resources and unstable economic conditions have become Singapore's main focus in rejecting Timor Leste. It is not wrong if Singapore tends to highlight the limitations of Timor Leste in terms of economy and human resources, this is because the elements of the economy and human resources are two elements that must be maximized by each ASEAN member country, for comparison every year ASEAN holds approximately 620 meetings, in attending 620 meetings for one year certainly requires a country to spend a lot of money, this of course will be very difficult especially for a country

that still has a lot to improve like Timor Leste. If it becomes an official member of ASEAN Timor Leste will also be charged with hosting important meetings, each host will have to spend more or less millions of dollars to fulfill and fix all related facilities,³⁶ this certainly requires a large amount of budget and quality human resources, so it would be very inconvenient if a country that does not have good economic conditions and adequate human resources joins ASEAN as a member. In agreement with Singapore, Laos also believes that Timor Leste is still not economically ready to join ASEAN, the unstable economic condition of Timor Leste is feared to be a burden for ASEAN.

For requirement number three which reads, "Agreement to be bound and to abide by the charter," Timor Leste has certainly fulfilled it, this can be seen from Timor Leste's compliance in carrying out the principles contained in the ASEAN Charter, in 2005 Timor Leste signed the Treaty of Amity and Cooperation (TAC), this fact shows that Timor Leste is openly explicitly wants to be bound and subject to one of the main points in the ASEAN Charter which is discussed in the Treaty of Amity and Cooperation, not to interfere in the domestic affairs of other Southeast Asian countries. Lastly, for requirement number four which reads, "Ability and willingness to carry out the obligations of membership", Timor Leste has also fulfilled its requirements, this can be seen from the efforts that have been made by Timor Leste in showing its desire to carry out its obligations as an ASEAN member, such as establishing

³⁵ Rizki Roza. *supra* note 7, at 7.

³⁶ Syifa Ayunda Swastian. "Diplomasi Timor Leste Bergabung Dalam Keanggotaan Tetap ASEAN." *Jurnal Ilmu Hubungan Internasional*, vol. 3, no. 2. October 2016, at

9.
<https://media.neliti.com/media/publications/188691-ID-diplomasi-timor-leste-bergabung-dalam-ke.pdf>.
Accessed 29 April 2022.

good relations with all ASEAN member countries and establishing an ASEAN Secretariat in Dili.

From the explanation above, it can be seen that Timor Leste has not fulfilled all the criteria contained in the ASEAN Charter, even though Timor Leste has fulfilled the other points listed in Article 6 paragraph 2 of the ASEAN Charter as a requirement to become a member of ASEAN, but it will not be meaningful because Timor Leste does not meet requirement number two which reads, "Recognition by all ASEAN member states", so that Timor Leste is currently still holding the status of a non-member observer country for an indefinite period of time until that country fulfills all the criteria contained in the ASEAN Charter.

7. Problems Hindering Timor Leste's Membership in ASEAN and Future Prospects

In making and implementing all forms of policies at the regional level, ASEAN adheres to the ASEAN Way as fundamental principles that must be carried out and respected by all member countries, in practice this ASEAN Way is the main basis used by ASEAN in dealing with problems that occur in internal organization. One of the principles contained in the ASEAN Way that must be implemented and respected, especially in terms of decision making is the application of consensus. This is stated in the opening of the ASEAN Charter which states that all ASEAN member countries must be able to respect consensus as one of the principles adopted by the organization. Consensus itself is a phrase to produce or

make an agreement that is mutually agreed upon between groups after collective debate and research to produce a decision.³⁷

In its development, the use of consensus adopted by ASEAN in every decision-making triggered a lot of concern because the consensus adopted tends to be rigid and absolute, this can be seen from the impossibility of voting if consensus is not reached within ASEAN's internal scope so it is at risk of making a new decision to be decided in a very long period of time, the use of a more flexible principle itself is only possible in the economic field as regulated in Article 21 paragraph 2 of the ASEAN Charter.³⁸ An example of the lengthy decision made by ASEAN as a result of the use of rigid and absolute consensus itself is the issue of Timor Leste's membership status which has not been given by ASEAN until now.

The use of consensus as one of the conditions for the acceptance of new ASEAN members is regulated in Article 6 paragraph 3 of the ASEAN Charter which reads, "Admission shall be decided by consensus by the ASEAN Summit, upon the recommendation of the ASEAN Coordinating Council,"³⁹ from the article it can be seen that the acceptance of new members must be decided by consensus, which means that all ASEAN member countries must agree to the membership application submitted by Timor Leste. The fact is that up to now, only eight of the ten member countries have approved the membership of Timor Leste, the eight countries are Indonesia, Thailand, Malaysia, the Philippines, Vietnam, Myanmar, Brunei Darussalam,

³⁷ Ritzer, George. *Sociological Theory*. New York: McGraw-Hill, 1996, at 284.

³⁸ Sefriani. "ASEAN Way dalam Perspektif Hukum Internasional." *Jurnal Yustisia*, vol.3, no.1, 2014, at 93.

Yustisia *Jurnal* *Hukum*,
<https://jurnal.uns.ac.id/yustisia/article/view/10128/9036>. Accessed 29 April 2022.

³⁹ Article 6 Paragraph 3 ASEAN Charter 2007.

and Cambodia, while the two countries that still do not want to agree to the membership of Timor Leste are Singapore and Laos. Economic factors are the main reason why the two countries still do not want to give approval, because the economic conditions are still unstable. Singapore and Laos are worried that Timor Leste will not be able to fulfill its obligations when it has been accepted as an ASEAN member.

The complexity of the issue of Timor Leste's membership in ASEAN is also influenced by the development of the times, it can be seen that when Brunei Darussalam, Vietnam, Laos, Myanmar, and Cambodia apply to join ASEAN, these countries tend to get convenience because in at that time the criteria by which a country must have a good economic and political system had not become a major concern. For example Laos which at that time was one of the countries with the weakest economic conditions in Southeast Asia could be accepted as a member of ASEAN in a short time, when Laos became Chair of ASEAN in 2016 the country only planned to hold one ASEAN Summit which should have been held twice and also plans not to host the annual ASEAN Civil Society Conference / ASEAN People's Forum (ACSC/APF) citing the lack of adequate human resources, of course if Laos submits an application to become a member of ASEAN today, it will feel the same fate as Timor Leste which will not get approval from all member countries so that it does not reach a consensus even though it has fulfilled other membership requirements.

The increasing number of countries that are members of ASEAN will not only bring positive impacts such as expanding the scope of cooperation between countries in Southeast Asia which will accelerate economic growth and socio-cultural progress in the ASEAN region, but will also lead to consequences where it will be very difficult to directly get one collective agreement on an issue/policy to be determined within the internal scope of the ASEAN organization,⁴⁰ this is very important because as previously explained that ASEAN adheres to a consensus system that tends to be rigid, because the adoption of this rigid consensus system makes the issue of Timor Leste's membership protracted because the ten ASEAN member countries have not yet had a unanimous vote to accept or rejecting the application for membership of the country, even the former Secretary General of ASEAN from Vietnam, Le Luong Minh once said there was no definite time when Timor Leste could join as a member of ASEAN.

To reach a consensus of course it is necessary to get a change of voice from Singapore and Laos to support Timor Leste's membership in ASEAN, but it is unlikely that this will happen in the near future because when referring to the official World Bank report in 2020, economic growth in Timor Leste is still the slowest compared to other Southeast Asian countries, even according to the same report it was stated that Timor Leste's economic growth was ranked 152 out of 162 countries and became one of the poorest countries in the world. In

⁴⁰ Eddy Pratomo, *Prospek dan Tantangan Hukum Internasional di ASEAN dan Indonesia Pasca Piagam ASEAN dari Sisi Perjanjian Internasional.* Jurnal Hukum,

vol. 16, no. 1, 26 January 2009. Jurnal Hukum Ius Quia Iustum, <https://journal.uui.ac.id/IUSTUM/article/view/3836>. Accessed 29 April 2022.

addition the economic sector of Timor Leste is still very dependent on Indonesia and Australia, especially for imported goods. The World Bank also said that the growth of private investment in the country has not experienced significant growth from year to year since Timor Leste's independence, this is due to the economic and political stability of the country which is still volatile today, the fiscal balance of the country also fairly bad because the budget from public spending continues to increase. Timor Leste's economic condition is also getting worse due to the coronavirus pandemic (Covid-19) and unstable political conditions, the presence of the corona virus has worsened Timor Leste's economy which has contributed to the decline in foreign tourist visits to the country, the slowdown in export-import trade, and large government spending to cope with the pandemic.⁴¹

C. Conclusion

Referring to the provisions of Article 6 paragraph 2 of the ASEAN Charter, of the four requirements that must be met by Timor Leste to become a member of ASEAN Timor Leste has only met three requirements, which is location in the recognised geographical region of Southeast Asia, agreement to be bound and to abide by the charter and ability and willingness to carry out the obligations of membership. The only condition that has not been fulfilled is, "Recognition by all ASEAN member states," while the only ASEAN member countries that have not agreed or given recognition to Timor Leste to become a member of ASEAN are Singapore and

Laos. Even though it has not met only one requirement, Timor Leste is still not accepted as a member of ASEAN. Moreover, this requirement which has not yet been fulfilled must go through a consensus process which is one of the main principles held by ASEAN. So if it is reviewed based on the ASEAN Charter, Timor Leste's membership status in ASEAN is still not acceptable and therefore Timor Leste will hold the status as a non-member observer country for an indefinite period of time until the country fulfills all the criteria contained in the ASEAN Charter.

In its development the use of consensus adopted by ASEAN in every decision-making triggered a lot of concern because the consensus adopted tends to be rigid and absolute, this can be seen from the impossibility of voting if consensus is not reached within ASEAN's internal scope so it is at risk of making a new decision to be decided in a very long period of time, an example of the lengthy decision made by ASEAN due to the impact of the use of a rigid and absolute consensus itself is the issue of Timor Leste's membership status which has not been given by ASEAN until now, the complexity of the problem of Timor Leste's membership in ASEAN also influenced by the development of the times, it can be seen that when Brunei Darussalam, Vietnam, Laos, Myanmar, and Cambodia submit applications to join ASEAN members, these countries tend to get easy access to services because at that time the criteria by which a country must have a good economic and political system had not

⁴¹ Amirullah. "20 Tahun Merdeka, Ekonomi Timor Leste Ternyata Masih Bergantung pada Bantuan Dari RI dan Australia." *Serambinews.com*, 26 December 2021.

Serambinews.com,
<https://aceh.tribunnews.com/2021/12/26/20-tahun-merdeka-ekonomi-timor-leste-ternyata-masih-bergantung-pada-bantuan-dari-ri-dan-australia>.

become a major concern. To reach a consensus of course it is necessary to get a change of voice from Singapore and Laos to support Timor Leste's membership in ASEAN, but it is unlikely that this will happen in the near future because when referring to the official World Bank report in 2020, economic growth in Timor Leste which has been in the spotlight of Singapore and Laos is still the slowest compared to other Southeast Asian countries and even tends to experience a decline due to the corona virus and the political condition of the country is still unstable, even according to the same report it is stated that Timor Leste's economic growth is ranked 152 out of 162 countries and became one of the poorest countries in the world. From this explanation it can be seen that the use of consensus that tends to be rigid and absolute within ASEAN as well as the growing era that makes ASEAN countries see economic and political conditions as the main factor in accepting a country as a member of ASEAN is the biggest problem that hinders Timor Leste to becoming a member of ASEAN, as for the economic growth of Timor Leste which has been a factor highlighted by Singapore and Laos it is still slow and even tends to decline due to the corona virus and the political condition of the country which is still unstable and causing Timor Leste to be awarded the title as one of the poorest countries in the world makes the authors argue that Timor Leste's membership status in ASEAN will not be accepted in the near future.

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