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Conclusion

In the year 2008, Thailand politics went in to very complicate political confrontation and divided political camps. It means that civil society is losing into very confused phenomena as well. Since 2006 after four prime minister (Thaksin Shinawatra, Surayud Julanond, Samak Sundaravej and Somchai Wongsawat), a coup d'etat September 2006¹⁸ and clash September-Black October 2008 with four die and more than 500 in jure, many civic groups grew as mushroom. They claimed they are representing either civil society or people politics, but, almost of them are just organized mass. Under name 'Caravan of the poor-CP', 'People's Alliance for Democracy-PAD', 'United Democracy against Dictatorship of Thailand-UDDT', they were occasionally assembled farmer groups from the northeast, the rural people from the north, labour union members, merchant, Intellectual, student and Bangkok Taxi drivers for show of support their political campaign. Organized mass remain blossom as far as their political target not finish and it is a matter of fact on politics, but how Thai society understand actual civil society. And how civil society in Thailand revatitized their role as alternative.

From East Asia Summit to ASEAN Charter: Indonesia and the Politics of Regional Integration in the Post-Asian Crisis

Syamsul Hadi

Introduction

In March 2004, the Research and Development Section of Indonesian Ministry of Foreign Affairs asked our institution, Centre for International Relations Studies, University of Indonesia, to assist them in formulating Indonesian position concerning

¹⁸ See Ukrist Pathmanand, "A Different coup d'etat ?" *Journal of Contemporary Asia* Vol. 38 No.1 (2008) pp. 124-142.

the issue of East Asian Summit that would be held in Kuala Lumpur, December 2005. After around six months, our research group succeeded to finish a report that underlined the necessity for Indonesia to support and actively participate in accelerating the community building of East Asian regionalism through the forum of East Asian Summit. Our idea was that the European Union model of integration in East Asia will be hopefully strengthened the Indonesian economic resilience. By joining in a relatively stronger block, Indonesian economic fragility will be significantly reduced, particularly in dealing with negative impacts of globalization in financial sector, as happened in 1997-1998.

However, some months later we were invited to join the experts and Indonesian foreign policy makers meeting in Yogyakarta. At the time, the speaker of Indonesian Ministry of Foreign Affairs, Mr. Marty Natalegawa, said that Indonesian government has decided to 'defend' ASEAN as the single important regional institution in East and Southeast Asia. According to Natalegawa, it is of Indonesian national interest to ascertain ASEAN as the driving force of any forums or cooperations in East Asia. The reason is because Indonesia has controlled the driving seat of ASEAN since the time it was born. "We will not give the driving seat to other countries, especially to our 'cousin', Malaysia", Natalegawa said.

This article will explore further the Indonesian position in the discourse of regional integration in the Post-Asian Crisis, from the idea of East Asian Community to the formulation of ASEAN Charter. It will also expose the complexities of political interests as well as different opinions on how the regional integration in ASEAN should be managed after the decision to position ASEAN as a 'driving force' of regional integration in East Asia. The ratification of ASEAN Charter has become a controversial issue amongst Indonesian policy makers, scholars and parliament members during 2008. Some scholars and parliament members even asked the reasons and benefits of positioning ASEAN as the main venue of Indonesian foreign policy. This is certainly a serious challenge for the Indonesian ministry of foreign affairs which always believes that ASEAN is the country's most important diplomatic instrument in international relations.

The Rise of the Idea of East Asian Community

The Asian economic crisis 1997-1998 has increased awareness amongst Southeast and Northeast Asian countries on the consequence of increasing interdependence amongst them. The contagion effect has markedly taken place in the region when currency crisis hitting Thailand economy firstly, and then spreading into South Korea, Indonesia, Malaysia, the Philippines, and Japan. The crisis evoked a feeling of urgency to have a forum/organization that might facilitate a concrete step towards integration in East (Southeast and Northeast) Asia, in order to establish a stronger "fortress" to face negative effects of globalization, especially financial movement that could easily ruin the region's economies.

In short, there was a wide feeling of solidarity between the leaders of Southeast and Northeast Asian countries after the crisis. It was for the first time that the forum of ASEAN+3 (ASEAN countries plus Japan, China and South Korea) was held in Kuala Lumpur in December 1997. The clearest idea toward East Asian Community was voiced by President of South Korea, Kim Dae-Jung in ASEAN+3 Summit in 1998. He proposed that the idea of East Asia Community is directed to face the urgent challenges in the region, and to increase understanding and trust amongst the countries of the region. Kim proposed the formation of 'East Asia Vision Group' (EAVG) to formulate the idea of East Asian Community. EAVG recommended that there is a need to institutionally transform the annual meeting of ASEAN+3 to an *East Asia*, to facilitate the East Asian Community in a concrete manner.

This thinking remind us to the idea of former PM Malaysia, Dr. Mahathir Mohamad in 1991, when he declared his idea of formatting 'East Asian Economic Group' (EAEG). The idea has invited a wide controversy, as Mahathir implicitly invited Japan to be a leader of the region. The US has strongly rejected the idea. The idea was seen as a direct threat to the existence of APEC, in which the US had always been assumed a central role. The idea then gradually been vanished, after being modified to the 'East Asian Economic Caucus' (EAEC), an informal grouping of Northeast and Southeast Asia within APEC.

The idea of East Asian Summit was seemed likely to be manifested, with the held of the first East Asian Summit in Kuala Lumpur December 2005. This event was held as part of events within ASEAN Summit. However, the idea of 'truly' East Asian integration has been modified with the participation of Australia and New Zealand (and also India) which certainly are located outside the region of East (Southeast and Northeast) Asia. This forum then became "another APEC", or it might be described as 'APEC minus the US'.

The Story of ASEAN as a 'Driving Force' and the Indonesian Factor

ASEAN was established in 1967, and firstly became a club of anti-communist countries in Southeast Asia. With the ending of Cold War, countries such as Vietnam, Laos and Cambodia joined the club. ASEAN then appeared as a group of nations discussing matters such as politics, economy and security, and served as 'dialogue partners' like the US, Japan, China and the EU. In 1992, ASEAN launched the arrangement of ASEAN Free Trade Area (AFTA), which was directed to a free flow of commodity within the region by reducing tariff barriers amongst member countries.

The existence of ASEAN as a well-known institution becomes something that Indonesia is always being proud. As the biggest country in the region, Indonesia conceived itself as the most influential actor as well as a 'locomotive' of ASEAN. The success of conflict resolution in Cambodia in 1992, for instance, was seen as a high diplomatic achievement of Indonesia as a *de facto leader* of ASEAN.

The notion of high interdependency level amongst countries in East Asian region finally gave birth to the idea of transforming ASEAN+ 3 to become an *East Asia Summit*, which was expected to develop an East Asian Community in the years to come. This statement pulled together along with ASEAN+3 decision to establish *East Asian Vision Group* (EAVG) in 1998 and the suggestion from President Kim Dae Jung to form *East Asian Study Group* (EASG) in 2000, in an attempt to study the steps and processes needed towards East Asian integration in the future. Not only suggesting to launch an *East Asia Summit*, EASG also proposed the establishment of

East Asia Forum and *East Asian Free trade Area* (EAFTA)¹.

It was interesting that China and Malaysia seemed to be the most enthusiastic ones in realizing the idea of transforming ASEAN+3 to become an *East Asian Community*. China seemed to see this momentum as a chance to play a more prominent role in the political and economic forum in a regional level. On the other hand, Malaysia considered the *East Asian Community* idea as a reincarnation of Mahatir Mohammad's thought in December 1990 about the establishment of *East Asian Economic Group* (EAEG) that failed to be implemented due to the opposition of the United States. China's serious idea was proven in its willingness to sponsor and fund the *Network of East Asian Think Tank* (NEAT), which was expected to hatch progressive ideas about a regional integration in East Asian. Malaysia's intention to realize the idea, on the other hand, was shown by its seriousness in hosting the first East Asian Summit in December 2005.

At the beginning of the process, Indonesia demonstrated a kind of passive position that gave an impression that there would no Indonesian moves to hamper the process of transforming ASEAN+3 to East Asian Summit. Nevertheless, it did not stay long, since Indonesia later on realized the danger of realizing this idea into an institutional form, which would possibly replace the ASEAN position as the only advanced regional organization in East Asia. As a matter of fact, since its establishment in 1967, ASEAN has been a regional organization that becomes the main vehicle for Indonesia to play its role in regional and international level.

Due to its large territory and huge population, Indonesia sees itself as the most important member of ASEAN. By no means, Indonesia positioned itself as a *de facto* leader of ASEAN, which can be particularly seen in settling ASEAN headquarters in Jakarta, the country's capital city. This perception is not only adopted by the government, but also by most Indonesian academicians. Bantarto Bandoro, the editor of *Indonesian Quarterly*, wrote as follows:

¹ Syamsul Hadi, "Integrasi Ekonomi di Asia Timur dalam Agenda Politik Luar Negeri Indonesia" (Economic Integration in East Asia in the Indonesian Foreign Politics), in *Quo Vadis Indonesia*, Jakarta: IPS, 2005, p. 77.

“Indonesia burst forth as a strategic regional player more than 40 years ago when the region saw the establishment of ASEAN. Our influence touched almost every aspect of the region. Southeast Asia was and continued to be on the radar of the Indonesian foreign policy. ASEAN was seen as the main venue where Indonesia articulated its foreign policy interests”.²

However, the continuing political economic crisis since the end of 1997 has reduced Indonesian power and capacity in the economy, due to its incapability to be quickly recovering from the crisis. The creation of East Asian Community, a target of Asian Summit in the first place, means that the significance of ASEAN would decline, as such community would simply be bigger and more prestigious, as its membership would include ASEAN members as well as the rich “+3” countries.

Being aware of this, Jakarta then started to think of ‘disrupting’ the processes³. Based on the arguments of open regionalism, Indonesia furtherly suggested that Australia and New Zealand, which are geographically located outside Asia Continent, should be invited as participants in the East Asia Summit. Considering the Philippines’ proposal, India was then also put altogether on the forum. Indonesia also proposed a principle of ASEAN as *the driving force* to any forms of cooperation in the East Asia. The principle of ASEAN as the driving force implicated to the position of East Asia Summit as merely *a part of* ASEAN Summit. Therefore, non-ASEAN or “+3” countries have no right to host the summit. This principle obviously turned out to be a stab for China, which openly proposed to host the second East Asia Summit.

Indonesia’s proposal gained firm support from Japan which would not be happy to have China dominating East Asia Summit. In the first East Asia Summit in Kuala

² Bantarto Bandoro, “Indonesian Foreign Policy 2008 and Beyond”, in *The Indonesian Quarterly*, Vol. 35, No. 4, 2007, p. 327.

³ In regards to the official respond of Indonesian government to the *East Asia Summit* idea, read R.M. Marty M. Natalegawa, “ASEAN+3 versus the East Asia Summit”, in *Duta Indonesia and the World*, April 2005. Marty (2005:3) stated, “*Indonesia does not find it appealing that ASEAN + 3 Summit should simply be duplicated by an East Asia Summit with the same participants and essentially the same agenda, each co-existing with the other. This would be inefficient and cannot possibly be sustainable in the long run*”.

Lumpur, December 2005, Japan supported Indonesia to position ASEAN as the driving force for cooperation in East Asia. East Asia Summit is only part of the dialogue process in ASEAN Summit. In other words, East Asia Summit means only as ASEAN+6 meeting.

The Japanese support toward Indonesian position was clearly based on its political rivalry with China. Japan does not want China to play bigger role in East Asia region, using this EAS forum. Japan seems to be unhappy with the Chinese enthusiasm to see the transformation of ASEAN+3 to a kind of East Asia Community through EAS forum. With the principle of “ASEAN as the driving force” in all forum of cooperation in East Asia, only the ASEAN member countries that have right to become a host of East Asia Summit.

The actual case was that China has proposed to become the host of second East Asia Summit. Things grew even more severe since the coordination of the first East Asia Summit in December 2005 took place in the middle of China-Japan tense relations due to series of PM Koizumi visit to Yasukuni Temple. Japan and Indonesia which were in a same interest in “turning” the direction of East Asia Summit deemed to be successful in completing their agendas. Moreover, at that time, it was decided that the host of ASEAN Summit, which would automatically act as a host of East Asia Summit, would be the Philippines, the United States’ traditional ally which would certainly more supportive to the political agenda of Indonesia and Japan rather than that of China.

In fact, the discourse of East Asian Community faded away in the next ASEAN Summit hold in Cebu, the Philippines, in January 2007. In the ASEAN Summit closing venue, the Philippine’s president, Gloria Macapagal Arroyo, voiced her view that considered China (and India) as serious competitors for ASEAN in attracting global investment. She mentioned that the acceleration of ASEAN Community from 2020 to 2015 aimed at strengthening ASEAN competitiveness against China and India.

The case of East Asia Summit 2005 showed a serious difference in the foreign policy agenda of China and Indonesia, which turned it hard to be thoroughly synchronized. It is as if China was pushed to understand that Indonesia would not

want to easily lose its 'traditional' influence, particularly in the Southeast Asian diplomacy, which involved ASEAN as the main "regional pillar" of Indonesian foreign policy. It also provides a valuable experience for China which has a relatively limited experience in involving itself in the regional organization such as ASEAN.

On the other hand, it also shows the silent rivalry between Indonesia and Malaysia. The formal reason behind the idea of inviting Australia and New Zealand is that Indonesia does not want East Asia Summit forum to create an exclusive regionalism. Instead, Indonesia wants an 'open regionalism'. However, as illustrated in the introduction part of this article, it seems that the 'real' reason behind the Indonesian Government's reluctance was the feeling of competition with Malaysia⁴. Indonesia recognized that Malaysia has been really eager to facilitate the transformation process of ASEAN+3 to East Asian Community with European Union as the model to be emulated.

From Cebu to Singapore: ASEAN Community and the Controversy of ASEAN Charter

It was decided that The Philippines would become the host of ASEAN Summit in 2006. However, because of some 'security' reasons, the event delayed, and the ASEAN Summit took place in Cebu in January 2007. Indonesian President, Susilo Bambang Yudhoyono, attended the summit of ASEAN on 13 January. But he went home in a hurry with a reason of many 'domestic problems' ought to be handled in Indonesia. Consequently, *President Yudhoyono did not attend the East Asia Summit on January 15*. This actually had a deep diplomatic meaning. He wanted to send a clear message: Indonesia put its priority to ASEAN instead of East Asia Summit. East Asia Summit was still being held, but without a big exposure like before. In this forum, leaders from ASEAN and other countries spoke about 'soft' political

⁴ In cultural perceptions, most Indonesian and Malaysian people came from the same linkage of ancestors. They are "cousin". Although there are many different ethnic groups within Indonesia and Malaysia, all of them identify themselves as a big entity of *Melayu* or *Malay*. However, Indonesian habitually feels a kind of 'older', superior, and bigger than Malaysia.

matters, especially about the importance of international cooperation in dealing with energy security.

The most important result of Cebu Summit was a decision to accelerate the idea of ASEAN Community, from 2020 to 2015. The idea of ASEAN Community is an important point of Bali Concord II (2003), a declaration to form three pillars of ASEAN: economy, security, and social cultural, that was planned to be realized in 2020. With Cebu declaration, ASEAN would be directed to a kind of 'single market' in 2015, with a more free flow of goods, services and capital. It is a decision based on 'progressive neoliberalism', with a stress of liberalization of trade and investment: (i) within ASEAN region; (ii) between ASEAN and its trading partners.

The results of Cebu Summit highlight a tendency of ASEAN countries to strengthen their 'ASEAN identity'. The discourse of East Asian Community was replaced by the 'ASEAN Community'. In the joint press statement during the ASEAN Summit, President Arroyo as the ASEAN chairman said that the acceleration of ASEAN Economic Community is an important step for ASEAN countries to compete with China and India. It is clear that China and India (both of them participants in East Asia Summit) is no longer seen as 'partner', but 'competitor'. This again reflects a tendency and belief to strengthen 'unity' within ASEAN.

Amongst three pillars of ASEAN Community, only the blue print of ASEAN Economic Community that had been signed in Singapore Summit. According to the blue print, the ASEAN Economic Community envisages the following characteristics: (a) a single market and production base; (b) a highly competitive economic region; (c) a region of equitable economic development; (d) a region of fully integrated into global economy. This all will be implemented gradually, with a clear plan of actions towards the realization of a 'full' ASEAN Economic Community in 2015.

Externally, ASEAN secretary general, Ong Keng Yong, said that ASEAN is targeting to finish all ASEAN FTAs with its economic partners five year ahead, before the realization of ASEAN Community 2015. According to Yong, ASEAN must accomplish its free trade agreements with China, Japan, South Korea, Indonesia, Australia and New Zealand in 2012. ASEAN also start FTA negotiation

with European Union (EU), but the time schedule to finish it is not definite yet.

The second important point noted from Singapore Summit was the establishment of ASEAN Charter, which contains of institutional rules and regulations of ASEAN as a modern inter-states community. The charter, which proposed by 'eminent persons' of ASEAN, will transform ASEAN from a 'loose' association based on informal rules and consensus, to an institution with a strict rule and an obligation of each member country to implement its agreements. The charter is expected to serve as a legal and institutional framework, as well as inspiration for ASEAN to meet future challenges and opportunities. The charter is thought to be a way to enable them to hang together legally as well as politically.

According to Bantarto Bandoro, an Indonesian foreign policy analyst, the main political and strategic challenges ASEAN might face after Singapore Summit would be to seek ways as to how to build a much stronger and resilient community. Because the Bali Concord II (2003) seemed to have been focusing more on cooperation among regional states – this is indeed the essence of the community, the ASEAN Community will certainly be vulnerable to turbulences unless it also applies national resilience as the key approach to building up cohesive, solid and resilient community.⁵

As for Indonesian position, the Indonesian Minister of Foreign Affairs, Dr. Hassan Wirajuda, said that Indonesia has played a significant role in formulating ASEAN Charter. According to Wirajuda, Indonesia has especially succeeded in pushing the 'universal' and democratic principles adopted in the Charter. Specifically, this charter has highlighted the importance of strengthening democracy as well as pushing the protection of human rights. Secondly, Indonesia also succeeded in pushing the principle of 'Centrality of ASEAN', which ensures Indonesian interest to position ASEAN as the only 'legitimate' regional organization in Southeast Asia. He said that if ASEAN positioned not as the driving force in all forms of cooperation in East Asia, it would be potential for ASEAN to be 'marginalized'. Without a central

⁵ Bantarto Bandoro, "Bali Concord II Revisited and ASEAN Summit 2008", in *Indonesian Quarterly*, op. cit., p. 285-286.

position in regional cooperation, it would be impossible for ASEAN to balance the influence of China⁶.

However, the ASEAN Charter remains to be a controversial issue for many observers and opinion leaders in the Southeast Asian region. Those who are optimistic see that the adoption of ASEAN Charter is a big step for ASEAN to move towards an integrated entity. Although ASEAN still maintains the consensus mechanism, it was decided that in the future the decision would be taken based on agreed rules. Secondly, this charter has given ASEAN a legal personality status that ideally would contribute to a higher leverage in dealing with its members as well as external actors, especially in taking actions as an integrated community. Thirdly, the existence of a more integrated ASEAN is undeniably necessary to deal with new challenges in the region that would require a solid response and action from ASEAN countries.

However, those who are pessimistic about the charter underlines that there is an unwillingness to omit the traditional principles of ASEAN. They perceive that actually ASEAN is only “creating a process” rather than achieving a substantial progress in institutional development. On the one hand, ASEAN has projected itself to become an integrated institution. However, on the other hand, it still hold the principles of sovereignty and non-intervention in a rigid way⁷.

The ratification of ASEAN Charter has become a controversial issue amongst policy makers, scholars and parliament members in Jakarta during 2008. In early 2008, Ministry Foreign Affairs brought ASEAN Charter to be ratified by the parliament. Minister of Foreign Affairs, Hassan Wirajuda, said that ratification of the charter is important, as one important mentioned in the charter is the establishment of ASEAN human right body. He said that as a document, the charter has been already in final its current form. Possibility to change its substances would be provided after five years.

⁶ The speech of Hassan Wirajuda in “ASEAN Charter Socialization Forum”, in the Ministry of Foreign Affairs, 8 February 2008.

⁷ Lina A. Alexandra, “KTT ASEAN ke-13, Konferensi PBB untuk Perubahan Iklim dan Instabilitas Politik di Pakistan”, in *Analisis CSIS*, Vol. 37, March 2008, p. 69-61.

However, this was only a start of continuing controversies about whether it would be necessary for Indonesia to ratify ASEAN Charter or not. Centre for Strategic and International Studies (CSIS), the most influential think tank in the country that dealing with strategic issues, which usually always in line with the government policy, stood in the most critical stance. Jusuf Wanandi, the CSIS vice director, said that the substances of the ASEAN Charter are no more than the mechanisms that have been practiced for forty years. It is lack of progress because there is no article in the charter that mentions the mechanisms needed to facilitate the civil society participations in the ASEAN processes⁸. In addition to this, there is no mechanism how sanctions would be given to parties that violates the ASEAN rules. The decisions would still be taken based on consensus and given to the hands of head of governments/states. Although the human right body would be established in the framework of ASEAN, its processes would still be in the hands of foreign ministers and diplomats. More seriously, Wanandi also questioned the effectiveness of the government policy that continuously stresses the importance of ASEAN as the main venue for Indonesian foreign policy. Rather than 'stuck' in ASEAN, according to Wanandi, Indonesia could maximize its role in the Group of 77 in the UN, Non-alignment Movement, and Organization of Islamic Conference (OIC) for international leverage⁹.

In line with the Wanandi opinions, Sutradara Gintings, an influential parliament member, said that ASEAN Charter that has been signed in ASEAN Summit in Singapore, November 2007, does not have a meaningful correlation with the efforts to raise the ASEAN effectiveness. He mentioned that the development of ASEAN is too slow to be positioned as the most important pillar of Indonesian foreign policy. Another parliament member, Hajriyanto Y. Thohari from the Golkar Party, said that the parliament would not ratify the ASEAN Charter because of some important reasons. Firstly, there is no clear rule on how ASEAN as an institution should manage its relations with people living in the ASEAN region. Secondly, there were not enough involvements of civil society in formulating the charter. Even parlia-

⁸ Jusuf Wanandi, "ASEAN dan Kebijakan RI", in *Kompas*, 25 July 2008.

⁹ *Ibid.*

ment itself informed about the ASEAN Charter only two days before Singapore Summit in November 2007¹⁰. Until the end of August 2008, ASEAN Charter was still not being ratified yet by the Indonesian parliament.

Closing Remarks

The stronger perception of economic interdependence amongst East Asian countries in the years after the Asian crisis evoked an important idea to manifest a wider regionalism, from (only) Southeast Asia to East Asia (Southeast and Northeast Asia). It was decided that ASEAN+3 would be transformed into East Asian Community. However, conflicts between ‘major players’, especially between China and Japan, and also ‘hidden competition’ between Indonesia and Malaysia, have hampered the process of wider ‘integration’ in East Asia. The realization of East Asian Community was no longer a main priority, as the East Asia Summit then became no more than ASEAN+6 forum. Indonesia has succeeded in its efforts to ‘bring ASEAN back’ to its central role in regional cooperation in East Asia.

However, when the process of intensifying the community building by establishing the ASEAN Charter, Indonesian government (i.e. ministry of foreign affairs) face difficulties to persuade the parliament to ratify the charter. The parliament saw that the process of formulating ASEAN Charter was very elitist, without doing enough consultations with civil society and parliament itself. Another reason is, as mentioned by Wanandi from CSIS, ASEAN Charter does not change the character of ASEAN which is very much determined by the interests of governments. The ASEAN Charter is perceived to be just documenting the way what ASEAN had been done for more than forty years, which exposed the low level of obligations from its members towards its decisions. In this sense, there is no significant progress that would be brought into reality by the existence of the ASEAN Charter.

The issue of ASEAN Charter marked a new era in the history of Indonesian foreign policy. The message is clear enough; in the future the parliament and civil

¹⁰ “Indonesia tak Perlu Jadikan ASEAN Sebagai Pilar Utama”, in *Antara*, 19 February 2008.

society would continuously being more critical towards the practices of Indonesian foreign policy. This is the time for Indonesian government to realize that in this democratic era the participation of civil society must be facilitated and even encouraged in discussing the issues and alternative policies in foreign affairs.

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