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# **ASSOCIATION OF SOUTHEAST ASIAN NATIONS**

AUTHORED BY - JAYA SINGH

## **ABSTRACT**

The main purpose of this paper is how the Association of Southeast Asian Nations (ASEAN)<sup>1</sup> aims to protect and preserve the economic and security cooperation among its ten members Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. As, Asean countries have a total population of 678 million which makes it the third populous region in the world. It is basically a regional intergovernmental organization formed by the governments of 10 countries which are now known as the members of the Asean. ASEAN mainly works towards a purpose as of "One Vision, One Identity, One Community" through political, economic, and socio-cultural cooperation. In this paper it includes the goals, structure the main motto, key principles of the Asean which affected socially, economically and politically all the 10 countries. In this paper it also includes how the Asean has maintain its foreign alliance with other regional intergovernmental organization on international level.

## **INTRODUCTION**

The Association of Southeast Asian Nations (ASEAN) is a regional organisation dedicated to fostering economic and security collaboration among its ten member countries: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. As of 2024, ASEAN's combined population stands at 678 million, making it the third most populous region globally, with a collective gross domestic product (GDP) of \$3.9 trillion. ASEAN has been a key driver of economic integration across Asia, participating in talks to establish the world's largest free trade agreement and concluding six trade agreements with various regional partners. The 2025 ASEAN Summit, hosted in Kuala Lumpur under Malaysia's chairmanship, takes place amid growing global trade uncertainty, driven in part by U.S. President Donald Trump's proposed tariff hikes—measures expected to significantly impact the region's export-reliant economies.

However, analysts contend that ASEAN's overall effectiveness is hindered by the absence of a clear strategic direction, internal divisions among member states, and insufficient leadership.

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<sup>1</sup> Establishment through Bangkok Declaration (8 August 1967)

The bloc's most pressing challenges include forging a unified response to the ongoing civil conflict in Myanmar and managing rising tensions with China, particularly concerning competing territorial claims in the South China Sea.

## HISTORY

Southeast Asia, by virtue of its geographical position, has long been regarded by scholars as a cultural bridge between East Asia and South Asia. Situated at the strategic intersections of the South China Sea and the Indian Ocean, the region evolved into a major center of intercultural interaction and came under significant Islamic and Persian influence well before the onset of European colonial domination.

From around 100 BCE, the Southeast Asian archipelago assumed a central role in maritime trade, lying at the convergence of Indian Ocean and South China Sea routes. This position not only stimulated economic growth but also facilitated the circulation of religious, intellectual, and cultural traditions. Among these exchanges was the dissemination of abugida writing systems throughout Southeast Asia and the introduction of Chinese characters into Vietnam. Although a number of indigenous scripts developed locally, Brahmic-derived systems—including Pallava, Kawi (rooted in Sanskrit), and Rencong (Surat Ulu)—were widely employed until the Islamic expansion, when Jawi script gradually replaced them in the Malay Archipelago.

The advent of European colonialism marked a profound restructuring of the region. France established control over Indochina (Vietnam, Laos, and Cambodia), Britain extended authority over Burma, Malaya, and Borneo (present-day Myanmar, Malaysia, Singapore, and Brunei)<sup>2</sup>, the Dutch ruled the East Indies (Indonesia), Spain governed the Philippines and its associated territories, and Portugal retained influence in Timor-Leste. Siam (modern Thailand) alone avoided formal colonization, serving as a buffer between British and French spheres. However, its independence was curtailed by unequal treaties, political pressure, and territorial concessions, most notably following the Franco-Siamese conflict of 1893 and the Anglo-Siamese Treaty of 1909. Colonial regimes introduced Christianity, Western technologies, and the Latin alphabet, leaving lasting cultural and institutional legacies.

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<sup>2</sup> Brunei Became ASEAN's Sixth Member on 28<sup>th</sup> July 1995

During the Second World War, the Japanese Empire sought to promote the concept of the Greater East Asia Co-Prosperity Sphere, framing it as an effort to unify Asia against Western imperialism. Yet Japan's alliance with the Axis powers weakened its credibility among Western-controlled territories and the United States. The eventual defeat of Japan accelerated anti-colonial movements across the region, which culminated in the independence of Southeast Asian states and, ultimately, the creation of the Association of Southeast Asian Nations (ASEAN).

## 5 MAIN OBJECTIVES OF ASEAN

### 1. To Accelerate Economic Growth, Social Progress, and Cultural Development

ASEAN aims to enhance the overall development of the region by promoting economic advancement, social well-being, and cultural exchange. This objective recognizes that sustainable development is multifaceted and interlinked, requiring cooperation across various sectors. Member states commit to collaborative policies and regional programs that aim to reduce disparities and improve quality of life across the region.

### 2. To Promote Regional Peace and Stability

A fundamental aim of ASEAN is to uphold peace and security throughout Southeast Asia. This includes fostering an environment in which disputes are resolved through peaceful means, in accordance with international legal norms such as those outlined in the United Nations Charter. ASEAN rejects the use of force and advocates for diplomatic dialogue, thereby creating a legal and political framework for regional stability.

### 3. To Foster Collaboration and Mutual Assistance on Matters of Common Interest

ASEAN seeks to establish platforms for cooperation on issues that are of shared concern to its members, including public health, environmental protection, education, science, and technology. The legal framework encourages joint initiatives, technical exchanges, and intergovernmental agreements that strengthen the institutional capacity of member states through solidarity and support.

### 4. To Provide Assistance to Each Other in the Form of Training and Research Facilities

Recognizing the disparity in development among member nations, ASEAN is committed to reducing gaps by facilitating access to education, training, and research infrastructure. Legally, this reflects an obligation among members to promote equal opportunities and capacity building, enabling less-developed countries to progress through shared resources and institutional development.

## 5. To Promote Southeast Asian Studies<sup>3</sup>

ASEAN promotes deeper understanding among its peoples by encouraging the study and dissemination of Southeast Asian history, culture, and identity. This cultural objective supports regional integration and unity by fostering a shared sense of belonging, which is vital for long-term peace and cooperation. Legally, it aligns with the organization's aim to build a cohesive regional identity under international law frameworks related to cultural rights and preservation.

### UNDERSTANDING THE CULTURAL STRATEGY OF ASEAN

The Association of Southeast Asian Nations (ASEAN) has consistently recognized the value of its cultural heritage and has undertaken numerous initiatives to preserve and promote the region's rich artistic and cultural diversity. These efforts go beyond mere cultural diplomacy—they serve as strategic instruments to solidify ASEAN's collective identity, enhance its global standing, and foster internal unity, all while advancing its broader regional goals.

One of the three pillars of the ASEAN Community is the ASEAN Socio-Cultural Community (ASCC), which plays a key role in promoting social and cultural development within the bloc. In alignment with this mission, ASEAN established the Working Group on the Culture of Prevention (CoP), tasked with implementing the ASEAN Declaration on a Culture of Prevention for a Peaceful, Inclusive, Resilient, Healthy, and Harmonious Society. This declaration, adopted at the 31st ASEAN Summit in Manila in 2017, outlines ASEAN's commitment to building a cohesive and peaceful regional society.

The Declaration identifies six core focus areas: promoting peace and intercultural understanding; fostering mutual respect; ensuring good governance at all levels; strengthening environmental resilience; encouraging healthy lifestyles; and upholding moderation as a shared value. These areas reflect ASEAN's dedication to sustainable development, social harmony, and overall societal well-being.

Prior to this, ASEAN had introduced the Strategic Plan for Culture and Arts (2016–2025) to support the community-building agenda. This strategic document emphasizes the role of

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<sup>3</sup> ASEAN Delegation at the EU-ASEAN Youth Diplomat Program 2023 in Faculty of International Relations of University Malaya

culture and the arts in nurturing diversity and intercultural dialogue across the region<sup>4</sup>.

The Strategic Plan identifies six priority themes aimed at making cultural initiatives more contemporary and relevant to ASEAN's evolving socio-political landscape. It seeks to foster appreciation of the region's historical and cultural richness, celebrate diversity, promote sustainable and inclusive development, encourage creativity and innovation, and support regional cooperation in heritage conservation. Moreover, it reaffirms the value of culture in strengthening ASEAN's presence on the global stage.

To facilitate the implementation of these cultural objectives, ASEAN has institutionalized regular ministerial meetings, including the ASEAN Ministers Responsible for Culture and Arts (AMCA) and the AMCA Plus Three sessions with dialogue partners. The most recent 11th AMCA meeting, held in Malaysia on 24 October 2024, was themed "Bridging Cultures, Building Futures: Unity in Diversity." This theme underscored the central role of culture and the arts in promoting inclusivity, sustainable development, and regional solidarity.

The 11th AMCA meeting produced several notable outcomes. The joint statement issued after the meeting acknowledged the region's vast cultural diversity and highlighted the importance of youth engagement, digitalization, and the creative economy. It emphasized the need for youth participation in cross-cultural exchanges to foster a sense of belonging and active citizenship.

Further initiatives included the convening of the ASEAN Youth and Heritage Forum and the adoption of the Vang Vieng Declaration on promoting small and medium-sized cultural enterprises, aligning with ASEAN's 2024 agenda for green growth and sustainable development. The statement also recognized the growing economic contributions of the creative industries in terms of GDP, employment, and cultural preservation.

The creative economy received particular emphasis in the joint communiqué, with ASEAN announcing plans to host a symposium supported by the United Kingdom and the ASEAN Secretariat. In addition, efforts are underway to develop an ASEAN Creative Economy Sustainability Framework, building upon the Siem Reap Declaration of July 2022, which advocates for a resilient and adaptive ASEAN through cultural and creative industries.

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<sup>4</sup> Foreign ministers of member states launched the ASEAN Communication Master Plan (ACPM) 14<sup>th</sup> November(2014)

Digitalization also emerged as a major theme, with ASEAN leaders stressing the importance of digital tools in safeguarding cultural heritage and enhancing innovation. The joint statement reaffirmed the value of partnerships with external stakeholders in positioning culture as a pillar of ASEAN's external engagements. The overarching framework aims to synergize the social, cultural, economic, and environmental aspects of development— instilling hope for a vibrant future of cultural preservation and innovation in the region.

Another significant decision from the 11th AMCA meeting was the designation of Melaka, Malaysia as the 8th ASEAN City of Culture. This recognition coincides with Malaysia's role as ASEAN Chair in 2025 and includes plans to host the International Cultural and Arts Festival (ICAF), among other events.

Previously, the ASEAN City of Culture title was held by Cebu City (Philippines, 2010–2011), Singapore (2012–2013), Hue (Vietnam, 2014–2015), Bandar Seri Begawan (Brunei, 2016–2017), Yogyakarta (Indonesia, 2018–2020), Siem Reap (Cambodia, 2021–2022), and Vientiane (Lao PDR, 2022–2023).

Overall, ASEAN's cultural agenda illustrates its broader vision for a peaceful, inclusive, and resilient Indo-Pacific region. By integrating cultural heritage, education, and technology, ASEAN is reinforcing its role as a key proponent of multilateralism and sustainable regional governance in an increasingly interconnected world.

## **REGIONAL SECURITY CHALLENGES**

ASEAN continues to struggle with internal divisions when it comes to addressing regional security issues. These challenges encompass a wide range of concerns, including China's territorial claims in the South China Sea, human rights violations, political repression by member states, drug trafficking, refugee migration, natural disasters, and the growing threat of terrorism.

One of the most pressing issues for ASEAN has been formulating a response to the coup in Myanmar in February 2021. Following the coup, the military junta violently suppressed protests, which escalated into a civil conflict. Timor-Leste, aligning with Myanmar's exiled government, faced retaliation as Myanmar expelled its top diplomat. In response to the ongoing crisis, ASEAN countries decided in 2023, during their summit in Jakarta, to prevent Myanmar

from assuming the role of rotating chair for the 2026 summit, assigning the position to the Philippines instead.

Another long-standing challenge for ASEAN has been developing a collective approach to the growing tensions with China, especially regarding disputes in the South China Sea. Several ASEAN members, including Brunei, Indonesia, Malaysia, the Philippines, and Vietnam, have competing territorial claims in the contested waters, where China's actions, such as land reclamation and the construction of artificial islands, are perceived as direct violations of national sovereignty. In response, some of these countries have taken steps to modernize their military capabilities.

However, for other ASEAN members, the South China Sea is a geographically distant concern and does not command the same urgency. Countries like Cambodia have even been seen as more supportive of China's position, sometimes blocking joint ASEAN statements on the matter. In 2002, ASEAN and China signed the non-binding Declaration of Conduct of Parties in the South China Sea, yet efforts to establish a legally binding agreement have stalled, and progress on this front appears unlikely in the near future. The United States, seeking to prevent China from asserting control over the South China Sea, has maintained military cooperation with ASEAN members such as the Philippines, Thailand, Singapore, Indonesia, and Vietnam, while enhancing its maritime presence to protect freedom of navigation in international waters. ASEAN's member states also face disagreements in their relationships with the United States and China. While the region urgently needs investments in trade and infrastructure, China has positioned itself as ASEAN's primary trading partner through initiatives like the Belt and Road Initiative. Its vast investments in Southeast Asia, including projects like the \$7.3 billion high-speed rail project in Indonesia, give China substantial economic influence in the region. Despite delays, cost overruns, and local opposition due to land expropriation, the railway is seen as a key component of China's growing influence in the region.

While many ASEAN countries now recognize China's predominant influence in the region over the United States, some states remain concerned about becoming too economically dependent on China. To mitigate this risk, these countries have sought to strengthen defense ties with the United States as a counterbalance to China's growing military power.

### **INDIA–ASEAN RELATIONS**

The 25th ASEAN-India Joint Cooperation Committee (AIJCC) convened on February 14,

2025, at the ASEAN Secretariat in Jakarta—marking a significant waypoint in the deepening of India–ASEAN relations. Far from being an isolated gathering, this assembly forms part of a continuous progression across political, economic, security, and cultural fronts, positioning their partnership as a foundational element of Asia’s regional order, anchored in peace, prosperity, and inclusiveness.

### **Legal and Institutional Genesis of the Relationship**

India’s formal engagement with ASEAN began in 1992, rising to Dialogue Partner status by 1996. This engagement has steadily matured, culminating in the elevation of the relationship to a Comprehensive Strategic Partnership (CSP) in 2022. The shift underscores India’s evolving commitment to ASEAN-centered diplomacy and its Act East strategic framework.

Moreover, at the East Asia Summit in 2023, External Affairs Minister S. Jaishankar reaffirmed ASEAN’s centrality as essential to regional cohesion, emphasizing a shared dedication to a rules-based order and mutual prosperity.

### **Strategic Partnership Milestones**

The AIJCC’s latest meeting evaluated advancements under the ASEAN–India Plan of Action (2021–2025), applauding India’s robust support for the ASEAN Outlook on the Indo-Pacific and its alignment with the 2025 priorities of Malaysia’s ASEAN Chairmanship. India’s role, as perceived by ASEAN, reinforces centrality and stability via ASEAN-led mechanisms (e.g., ARF, EAS, ADMM+).

Ambassador Jayant N. Khobragade highlighted that the partnership’s current phase is “results-driven,” with success across trade, digital economy, and renewable energy initiatives—delivering concrete returns to both sides.

Trade volumes have grown significantly, surpassing USD 120 billion annually, yet the imperative remains to accelerate the ASEAN–India Trade in Goods Agreement (AITIGA) review. Enhancing market access and dismantling non-tariff barriers are key objectives for both parties.

Other emphasized domains include defence collaboration, combating transnational crime, advancing the digital economy, and expanding energy cooperation—including civilian nuclear

and renewables—alongside fostering interpersonal and cultural ties. Contributions to the ASEAN Smart Cities Network and MPAC 2025 reveal India's investment in regional infrastructure and innovation.

### **Maritime and Legal Cooperation**

Maritime security constitutes a critical pillar in the India–ASEAN interface. With growing tensions in the South China Sea, India's reiteration of UNCLOS norms as a stabilizing legal framework resonates with ASEAN's call for peaceful dispute resolution. Engagement through naval exercises—such as SIMBEX (with Singapore) and coordinated patrols with Indonesia—demonstrates India's commitment to ensuring collective maritime domain awareness and preserving navigation freedoms.

### **Economic Integration and Institutional Review**

Economically, the ASEAN–India Free Trade Area (AIFTA) has underpinned increasing trade activity, yet both parties recognize the necessity of modernizing AITIGA. Efforts focus on simplifying customs processes, tariff reduction, and addressing contemporary challenges—particularly digital trade and e-commerce considerations.

India's support also extends to ASEAN's connectivity agenda—physical, regulatory, and digital—under MPAC 2025, and ongoing collaboration through smart city initiatives, green finance, and infrastructure development. ASEAN leadership, represented by Secretary-General Kao Kim Hourn, has described such engagement as “critical to fostering resilience and inclusive growth.”

### **Cultural Diplomacy and Future Roadmap**

The India–ASEAN relationship draws from centuries of shared cultural exchange—through trade, migration, and religion. These deep roots provide fertile ground for cultural diplomacy, manifested through scholarship programs (e.g. ITEC) and joint cultural celebrations. This soft-power dimension helps build trust and community resilience in the partnership.

In terms of forward planning, both sides committed to drafting the ASEAN–India Plan of Action for 2026–2030. The new framework aims to capture emerging strategic priorities, including governing artificial intelligence, enhancing cybersecurity, fortifying climate resilience, and harmonizing digital policies. As articulated by Philippines Chargé d'Affaires to

ASEAN Elizabeth Te, the relationship's future hinges on adaptability and shared vision in navigating 21st-century challenges.

## CONCLUSION

To conclude, ASEAN's development demonstrates the delicate interplay between normative ambitions and political pragmatism in regional governance. Established to advance economic progress, social welfare, cultural exchange, and peace, the association has emerged as a central pillar of Southeast Asia's institutional architecture. The ASEAN Charter of 2007 granted it international legal personality; however, its operational framework still rests largely on the doctrines of non-interference and consensus. While these principles safeguard state sovereignty, they simultaneously restrict ASEAN's ability to act decisively in times of crisis, as reflected in its restrained role during the Myanmar political upheaval. The unresolved tensions in the South China Sea likewise reveal the shortcomings of ASEAN's reliance on non-binding instruments, with the 2002 Declaration on the Conduct of Parties yet to crystallize into a legally binding code.

At the same time, ASEAN's socio-cultural agenda—embodied in initiatives such as the ASEAN Socio-Cultural Community and the Strategic Plan for Culture and Arts (2016–2025)—illustrates its recognition of culture as both a diplomatic tool and a means of forging regional identity. Its growing cooperation with external partners, particularly India, further demonstrates ASEAN's relevance in promoting a rules-based Indo-Pacific framework. India's emphasis on the United Nations Convention on the Law of the Sea (UNCLOS) during maritime engagements aligns closely with ASEAN's own legal commitments to peaceful dispute resolution.

## REFERENCES

1. <https://asean.org/asean/about-asean/the-asean-declaration/>
2. <https://asean.org/asean/legal-instruments/treaty-of-amity-and-cooperation-insoutheastasia-indonesia-24-february-1976/>
3. <https://en.m.wikipedia.org/wiki/ASEAN>
4. <https://asean.org/>