

**BURMA/MYANMAR:  
THE CHALLENGES INDONESIA WILL INHERIT AS ASEAN CHAIR**

One of the biggest challenges that Indonesia will face as ASEAN Chair 2023 is how it ensures effective leadership to secure significant progress on the ongoing political and human security crisis in Burma/Myanmar.

On 1 Feb 2021, the **Burmese military took over the country's capital** and detained government officials and elected parliamentarians preparing to convene parliament, dramatically halting the country's 10-year transition to a semi-democratic system. For the people of Burma, this was only the **beginning of a reign of terror** - the junta has consistently ramped up the brutality of attacks against civilians, targeting them with airstrikes, artillery attacks and atrocity crimes. For ASEAN, this was the beginning of a multi-level and multi-dimensional threat to ASEAN's credibility and regional human security.

The regime **used lethal force against opponents** to crush nationwide opposition to its rule. As of 6 Oct 2022, regime troops had killed at least 2,338 civilians and arrested at least 15,770. Junta tribunals also sentenced 126 people, including children, to death.<sup>1</sup> On 23 Jul, the junta **executed** four prominent anti-coup activists; a first since 1976.<sup>2</sup> In Aug 2022, Amnesty International highlighted the regime's **systematic use of torture in custody**. It said the junta was 'flout[ing] the law at every stage of the arrest and detention process'—from making arbitrary arrests to forcing confessions through torture or by threatening of reprisals against relatives.<sup>3</sup>

The junta also tried to destroy the National League for Democracy (NLD), the party that overwhelmingly won the 2015 and 2020 general elections. It **sentenced top officials—on bogus charges**—including President Win Myint, Naypyidaw Mayor Myo Aung, and the Chief Ministers of Mandalay, Magway, Rakhine, Tanintharyi, Mon, Shan, and Karen States/Regions.<sup>4</sup> **Ousted State Counselor Aung San Suu Kyi faces almost 200 years in prison on multiple charges**, and had been **sentenced to 26 years** as of 12 Oct 2022.<sup>5</sup> As of late September 2022, the regime had also killed at least 56 party members.<sup>6</sup>

The regime's escalating violence resulted in nationwide conflict with Ethnic Resistance Organizations and newly formed civilian guerilla groups.

In the first 18 months of the coup, there have been 14,076 armed clashes and attacks against civilians, compared to 12,822 in Syria, 10,204 in Yemen, and 8,110 in Afghanistan during the same period.<sup>7</sup>

During the six months of Jan-Jun 2022, the Armed Conflicts Location and Event Data Project (ACLEL) recorded **668 incidents of violence directly targeting unarmed civilians** by the

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<sup>1</sup> AAPP (6 Oct 2022) Daily Briefing in Relation to the Military Coup

<sup>2</sup> RFA (25 Jul 2022) Global outcry as Myanmar junta executes prominent democracy activists, two others

<sup>3</sup> Myanmar Now (2 Aug 2022) New report highlights Myanmar junta's 'vile and brutal' torture of prisoners

<sup>4</sup> Myanmar Now (6 Dec 2021) Junta sentences Suu Kyi, Win Myint to four years in prison each; Myanmar Now (8 Dec 2021) Ousted Mandalay chief minister Dr Zaw Myint Maung handed 4-year prison sentence; Myanmar Now (31 Dec 2021) NLD leaders, student activists receive prison sentences in year-end blitz; Radio Free Asia (30 Dec 21) Dozens of politicians, activists sentenced in secret Myanmar military tribunals; Irrawaddy (19 Jan 2022) Myanmar Junta Jails Rakhine State Ministers on Corruption Charges; Irrawaddy (12 Nov 2021) Tanintharyi Chief Minister Jailed for 11 Years by Myanmar Junta; EMG (22 Dec 2021) Ex-chief ministers Dr Aye Zan and Dr Myint Naing sentenced to two years in prison for incitement; Mizzima (29 Jan 2022) Shan State Chief Minister sentenced to 16 years in prison on corruption charges; Irrawaddy (23 Dec 2021) New Conviction Pushes Sentence to 80 Years for Jailed Chief Minister of Myanmar's Karen State

<sup>5</sup> Myanmar Now (29 Sep 2022) Myanmar junta sentences Suu Kyi and her Australian economic advisor to three years in prison

<sup>6</sup> RFA (27 Sep 2022) National League for Democracy member arrested and killed in Magway region

<sup>7</sup> Extracted from ACLEL as of 1 Oct 2022

regime - the highest figure worldwide. In the same period ACLED documented over 11,000 fatalities, mostly resulting from battles between the regime and anti-junta armed groups.<sup>8</sup>

The National Unity Government (NUG), a coalition of over 70% of MPs elected in 2020 and Ethnic Resistance Organizations, documented **2,778 war crimes by junta forces** during 1 Dec 2021-31 May 2022.<sup>9</sup> On 9 Aug 2022, the UN Independent Investigative Mechanism for Myanmar (IIMM) said there were ample indications that **crimes against humanity** had been committed in Burma since 1 Feb 2021.<sup>10</sup>

While the numerous crimes have taken place around the country, 3 incidents have sparked international shock and concern:

- On 24 Dec 2021, regime forces **captured at least 37 men, women, and children fleeing conflict** in Karenni State and **burned them alive**.<sup>11</sup>
- On 16 Sep 2022, regime helicopters **fired at a school** housed in a Buddhist monastery in Sagaing Region, **killing at least 14 people**, including twelve children.<sup>12</sup>
- On 23 October 2022, regime airstrikes targeted a music concert in Kachin state, killing up to 80 people – the largest number of people killed in an airstrike by the junta which described it as a “necessary operation”.<sup>13</sup>

Regime troops also **destroyed at least 132 religious buildings** as of late June 2022, mostly in Chin State (66 churches destroyed), Sagaing Region (28 Buddhist monasteries, a Buddhist convent, two mosques, and two churches), Karenni State (20 churches and a mosque), and Magway Region (11 Buddhist monasteries and a church).<sup>14</sup> Junta soldiers **burned down 28,434 houses during Feb 2021-25 Aug 2022**, including 20,153 houses in Sagaing Region and 5,418 houses in Magway Region.<sup>15</sup>

Conflict in Burma also spread to neighboring countries:

- On 30 Jun 2022, a regime MiG-29 fighter jet **crossed into Thai airspace** amid clashes with resistance forces, forcing local officials to evacuate villages and schools.<sup>16</sup> A Thai farmer later reported that his truck was hit by shrapnel from the jet’s missiles.<sup>17</sup>
- On 30 Aug 2022, a regime helicopter **crossed into Bangladeshi airspace and attacked AA fighters**.<sup>18</sup>
- On 16 Sep 2022, five artillery shells fired from Burma killed a young Rohingya refugee and injured at least six others in Bangladesh.<sup>19</sup> The Bangladesh Foreign Minister subsequently summoned the Burmese Ambassador over this incident and multiple other incursions.<sup>20</sup>

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<sup>8</sup> RFA (22 Sep 2022) Myanmar worst for state violence against civilians in first half of 2022

<sup>9</sup> Irrawaddy (13 Jun 2022) Myanmar Regime Committed Almost 2,800 War Crimes in Last Six Months: NUG

<sup>10</sup> UN News (9 Aug 2022) Myanmar: Crimes against humanity committed systematically, says UN report

<sup>11</sup> Reuters (20 Sep 2022) At least 35 charred bodies found in Karenni State village on Christmas; Mizzima (27 Dec 2021) Myanmar army accused of trying to destroy evidence of Kayah State fiery massacre

<sup>12</sup> RFI (22 Sep 2022) Teachers recount carnage of Myanmar school helicopter attack

<sup>13</sup> The Diplomat (26 Oct 2022) Myanmar Military Defends Deadly Airstrike in Kachin State

<sup>14</sup> RFA (8 Jul 2022) At least 132 religious buildings destroyed since Myanmar coup

<sup>15</sup> Irrawaddy (29 Aug 2022) Over 28,000 Homes Torched by Myanmar Junta Forces Since Coup

<sup>16</sup> AP (1 Jul 2022) Thailand says Myanmar apologized for airspace violation

<sup>17</sup> Myanmar Now (30 Jun 2022) Junta airstrikes against Karen resistance intensify on Thai border; Bangkok Post (30 Jun 2022) Myanmar fighter jet crosses into Thailand's air space in Tak

<sup>18</sup> Narinjara News (31 Aug 2022) Myanmar uses Bangladesh airspace to attack AA by helicopters

<sup>19</sup> DVB (19 Sep 2022) Daily Briefing: Monday, September 19, 2022; Irrawaddy (17 Sep 2022) Mortar fired from Myanmar kills Rohingya in Bangladesh

<sup>20</sup> New Age (1 Oct 22) Another chapter in Bangladesh-Myanmar relations

On 21 Sep, the Bangladesh Army chief said his personnel was **ready to respond** if regime forces did not stop firing across the border.<sup>21</sup>

## HOW ASEAN RESPONDED

Under Brunei's chairmanship, ASEAN proved itself **incapable of responding swiftly** to the Burma crisis. On 24 Apr 2021, *almost three months after the attempted coup*, the bloc held talks with junta leader Min Aung Hlaing in Jakarta.<sup>22</sup> The meeting led to the adoption of the **Five-Point Consensus** (FPC), calling for: (1) immediate cessation of violence; (2) constructive dialogue among all parties concerned; (3) a special envoy of the ASEAN Chair to facilitate the mediation of dialogue; (4) ASEAN to provide humanitarian aid through its AHA Centre; and (5) the special envoy and delegation to visit Burma and to meet with all parties concerned.<sup>23</sup>

**Within two days, the junta walked back its commitment to the FPC**, saying it would only implement these 'suggestions' after restoring stability in Burma.<sup>24</sup> On 29 Apr 2021, the junta declared itself 'recognized' by ASEAN,<sup>25</sup> making clear that its participation in the Jakarta meeting was merely a publicity stunt to appear as the country's legitimate government. During 24-30 April 2021 (i.e. a week of the ASEAN meeting), **the junta launched 68 airstrikes** on Kachin and Karen states.<sup>26</sup> Brunei **waited until 4 Aug 2021** to appoint an envoy to Burma; and achieved no further results.

On 1 Jan 2022, Cambodia became ASEAN's chair and appointed its Foreign Minister Prak Sokhonn as envoy. On 7 Jan 2022, Cambodian Prime Minister Hun Sen met with Min Aung Hlaing in Burma, drawing widespread condemnation while achieving no results.<sup>27</sup> On 7 Feb 2022, *a little over a month into Cambodia's chairmanship*, Hun Sen said he would leave it to the next ASEAN chair to sort out the Burma crisis, adding that he had 'already tried his best' and did not need the 'headache.'<sup>28</sup> As of Oct 2022, the ASEAN envoy had been **unable to meet with Burma civilian representatives or facilitate dialogue**.

On 25 Jul 2022, ASEAN denounced and expressed disappointment at the four executions carried out by the regime but **abstained from outright condemning them**.<sup>29</sup> Hun Sen had previously called on the junta to reconsider the death sentences.<sup>30</sup> The bloc ultimately prevented the junta from attending its Foreign Ministers meeting in Phnom Penh on 3 Aug 2022, citing its lack of commitment to the FPC. It also demanded the junta changed course before its November summit, and agreed to **continue to bar the regime from high-level meetings** until progress was made.<sup>31</sup>

Although such a stance against a member state is unprecedented in its history, the fact that ASEAN decided to give the junta three more months to implement the FPC is symptomatic of the lack of urgency that has plagued the bloc's response to the regime's attempted coup and all-out war on the people of Burma.

**Malaysia has been the loudest voice calling for ASEAN to harden its stance towards the regime** and engage with the NUG. On 14 May 2022, Malaysian Foreign Minister Saifuddin

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<sup>21</sup> Irrawaddy (22 Sep 2022) Bangladesh Army Chief Says 'Ready to Respond' if Cross-Border Shelling From Myanmar Continues

<sup>22</sup> Government of Brunei Darussalam (21 Apr 2021) ASEAN to hold the ASEAN leaders' meeting in Jakarta, Republic of Indonesia

<sup>23</sup> ASEAN (24 Apr 2021) Chairman's Statement on the ASEAN Leaders' Meeting

<sup>24</sup> Global New Light of Myanmar (26 Apr 2021) Press Release on ASEAN Leaders' Meeting; Bangkok Post (27 Apr 2021) Myanmar's junta rebuffs Asean plan to end months of violence; Thai PBS World (27 Apr 2021) Stability before ASEAN proposals to be considered — Myanmar junta leader

<sup>25</sup> Monstar (29 Apr 2021) The military council declares itself to be recognized by Asean

<sup>26</sup> ALTSEAN-Burma (5 May 21) FACT SHEET: 68 AIR STRIKES ON KACHIN AND KAREN STATES WITHIN A WEEK OF THE ASEAN SUMMIT (24 – 30 APRIL 2021)

<sup>27</sup> Diplomat (9 Feb 2022) Hun Sen Apologizes as Myanmar Gamble Backfires Over Sean Turnell

<sup>28</sup> Cambodia News (8 Feb 2022) Hun Sen Defends Asean Chairmanship, Handling of Myanmar

<sup>29</sup> ASEAN (20 Jul 2022) ASEAN Chairman's Statement on the Execution of Four Opposition Activists in Myanmar

<sup>30</sup> AP (11 Jul 2022) Cambodian leader asks Myanmar to reconsider foes' executions

<sup>31</sup> Al Jazeera (6 Aug 2022) Myanmar generals banned from ASEAN until peace plan progress

Abdullah met with his NUG counterpart, becoming the first ASEAN minister to do so.<sup>32</sup> On 26 Jul 2022, the country called the regime's executions a **crime against humanity** and a mockery of the FPC.<sup>33</sup> On 19 Sep 2022, Saifuddin Abdullah called on ASEAN to review whether the FPC should be replaced with a better plan.<sup>34</sup> On 20 Sep, he called on the bloc to engage with the NUG and work towards 'a **framework that has a clear endgame to return democracy to [Burma]**.'<sup>35</sup>

## HOW INDONESIA CAN HELP

On 19 March 2021, **Indonesia President Joko Widodo called for ASEAN members to meet as soon as possible 'to discuss Burma'**, also calling for a restoration of democracy and an end to violence.<sup>36</sup> This was the very first initiative of an ASEAN member state to take an action on the military coup in Myanmar. Following the adoption of the FPC, Indonesia constantly urged the junta to **implement it in a transparent and time sensitive way**. On 3 Sep 2021, a top diplomat from Indonesia expressed concerns over ASEAN's delayed action to address the Burma crisis and urged the junta to grant ASEAN's Special Envoy full access to the country.<sup>37</sup>

As time passed, the junta still failed to implement the FPC and continued attacking civilians. On 26 Oct, together with Malaysia, Singapore and the Philippines, Indonesia urged ASEAN to take a more assertive stance towards the regime, suggesting barring the junta from further ASEAN meetings or even revoke its membership, if progress remained elusive.<sup>38</sup> On 23 Feb 2022, Indonesian President Joko Widodo called for an immediate and fair solution for the people of Burma, saying the nation's citizens deserved peace, safety and prosperity. Widodo stressed that the resolution could not be delayed any further. In a meeting with the Singaporean PM, Widodo argued that the implementation of the Five-Point Consensus was critical.<sup>39</sup>

Under two ASEAN chairmanships, the Burma situation wasn't sufficiently addressed and there was a significant increase in the number of atrocities committed by the junta. One and a half years after the adoption of the Five-Point Consensus, the bloc still seems to lack common ground regarding the FPC's implementation. As an ASEAN member state, Indonesia echoed significant initiatives and clearly revealed its stance against the junta. In its upcoming 2023 chairmanship, Indonesia should trade the FPC for a more progressive and pragmatic plan with clear timelines and enforcement mechanisms in the best interest of the Burma people. The plan should also include political dialogue with NUG counterparts and engagement with international and civil society organizations working along the borders of Burma to enable humanitarian assistance.

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<sup>32</sup> AP (15 May 2022) Malaysian foreign minister meets Myanmar opposition figure

<sup>33</sup> Reuters (26 Jul 2022) Malaysia says Myanmar executions make "a mockery" of ASEAN peace plan

<sup>34</sup> Reuters (19 Sep 2022) As U.N. mulls Myanmar action, Malaysia pushes ASEAN to review peace plan; APHR (19 Sep 2022) Malaysian Foreign Minister and international parliamentarians demand stronger action on Myanmar; Bernama (20 Sep 2022) Myanmar Crisis: Malaysia reiterates its position for ASEAN to engage NUG, NUCC

<sup>35</sup> Saifuddin Abdullah, via Twitter (20 Sep 2022) <https://tinyurl.com/53umehr6>

<sup>36</sup> Channel News Asia (19 Mar 2021) Indonesia president calls for ASEAN high level meeting on Myanmar crisis; Tom Allard (via Twitter) (19 Mar 2021) [https://twitter.com/tom\\_allard/status/1372769507438030855](https://twitter.com/tom_allard/status/1372769507438030855)

<sup>37</sup> The Jakarta Post (3 Sep 2021) Indonesia frustrated at ASEAN progress on Myanmar

<sup>38</sup> The Jakarta Post (26 Oct 2021) Suspend Myanmar's membership

<sup>39</sup> Antara (23 Feb 2022) Just solution for Myanmar people cannot be delayed: President Jokowi