



**ASEAN**  
**CAMBODIA 2022**

**ASEAN A.C.T:**  
**Addressing Challenges Together**

**SPECIAL ENVOY  
OF THE ASEAN CHAIR  
ON MYANMAR 2022**

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**HANDOVER NOTE**



# Table of Contents

<b>Executive Summary .....</b>	<b>1</b>
<b>Report of the Special Envoy of the ASEAN Chair on Myanmar 2022 .....</b>	<b>4</b>
<b>ANNEX 1: List of Concept Notes .....</b>	<b>20</b>
<b>ANNEX 2: List of Engagements .....</b>	<b>35</b>
<b>ANNEX 3: Photos .....</b>	<b>39</b>



# **HANDOVER NOTE OF THE SPECIAL ENVOY OF THE ASEAN CHAIR ON MYANMAR 2022**

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## **EXECUTIVE SUMMARY**

1. On 01 February 2021, the Myanmar's military launched a coup against the civilian government, arresting Daw Aung San Suu Kyi and U Win Myint, along with other senior leaders of the ruling National League for Democracy, and declaring the results of the November 2020 general election invalid. What started as violence between the Tatmadaw and demonstrators quickly turned into brutal fighting in many parts of the country between the State Administration Council (SAC) and armed groups such as the Ethnic Armed Organizations (EAOs) and the National Unity Government (NUG) and its armed wing the People's Defence Force (PDF).
2. Cognizant of the far-reaching implications of Myanmar's crisis on its own people and the region as a whole, ASEAN Leaders met on 24 April 2021 in Jakarta to discuss the situation in Myanmar, and reached the Five-Point Consensus (5PC). To ensure full and effective implementation of the 5PC, Samdech Techo Prime Minister went to Nay Pyi Taw on 7 January 2021 to meet with Senior General Min Aung Hlaing, and soon afterward, had two videoconferences to follow up on the outcomes of the visit. Moreover, he extensively consulted with his ASEAN colleagues and other world leaders, and also received calls and briefings from the international organizations, including the United Nations Secretary General's Special Envoy (UNSG SE).
3. Guided by the ASEAN Charter and the ASEAN's principles, the Special Envoy of the ASEAN Chair (SEAC) paid two working visits to Myanmar to carry out his mandate as stipulated in the 5PC. Prior to each working visit, the SEAC always shared with his colleagues what he had planned to do, and also sought their views on the best course of action to make progress. Moreover, the SEAC also had numerous meetings with external partners, the UNSG SE, Japan's Special Envoy, UN Specialized Agencies, and other international organizations to receive updates and exchange views on how ASEAN and its partners can promote synergy and cooperation, especially in the area of humanitarian assistance.
4. Despite the complexity and difficulty of Myanmar's political crisis, it is fair to say that the SEAC has managed to make some positive progress in the implementation of the 5PC, though not all points are moving at the same pace and scale. Since the beginning, Cambodia as the present ASEAN Chair and her Special Envoy has prioritized immediate cessation of violence and ceasefire, and in all the engagements with the SAC, Samdech Techo Prime Minister always urged for utmost restraint and dialogue to start without delay. During the working visits, the SEAC extended this call to all armed groups, including the NUG/PDF, because everyone has a share in inflicting harms and suffering on innocent people.



5. Given the SAC being the most powerful actor, the SEAC reminded his counterparts to double the efforts to end the violence, and suggested that they should deploy police instead of armed forces to maintain law and order, especially when civilians are involved. The SEAC also appealed to the EAOs and the political parties to commit to non-violence principle, and actively participate in ceasefire negotiation. In response, the SAC, the EAOs and the political parties have promised to do their utmost ability to achieve full cessation of violence, and they also shared that it was heartbroken to see this tragedy unfolding in their country. Besides heavy human costs, the SEAC emphasized that violence also undermines any efforts to begin a dialogue or even to deliver humanitarian assistance to those most in need.
6. The commencement of the political dialogue is the most difficult among the five points, and even Myanmar's key actors themselves also thought that it is not yet the right time to bring everyone to the table. During the second working visit, the SEAC pressed Lieutenant General Yar Pyae on the possibility of a dialogue with the opposition, and he responded that it may happen but with 3 preconditions: (1) they do not seek to destroy the SAC, (2) they do not seek to replace the SAC; and (3) they agree to use the 2008 Constitution as the basis for talks. After months of intense shuttle diplomacy, the SEAC finally managed to open a small window for dialogue.
7. The SEAC then tasked his good Office to share these preconditions with the NUG Foreign Minister Zin Mar Aung. The Foreign Minister responded by rejecting them, and offered her own preconditions, which aim to put the Tatmadaw under civilian control and send Senior General Min Aung Hlaing to prison. The differences between the SAC and the NUG are gulf apart, making any dialogue impossible, even at the technical level. However, despite this, the SEAC was not discouraged by this lack of political will, and he continued to commence the dialogue process as soon as possible. Moreover, he encouraged the SAC to engage with Daw Aung San Suu Kyi, and not to dissolve her party, without which any democratic solutions will face credibility question.
8. As stated in the 5PC, the SEAC has always involved the Secretary-General of ASEAN in every important activity, including his working visits to Myanmar, and has also been in regular contact with the Secretary-General of ASEAN to seek his view on a wide range of issues and to receive his updates on the progress of the humanitarian assistance to Myanmar. In facilitating mediation of the dialogue process, the SEAC met with 7 EAOs, who are signatories to the Nationwide Ceasefire Agreement, to underscore the need for all concerned parties to participate in peace talks. In response, they were strongly supportive of the SEAC's views, and also pledged to make a dialogue work in the interests of their people.
9. Moreover, the SEAC also had meetings with 8 political parties, 7 of which won votes during the 2020 general election, and he shared with them that he is always ready to facilitate a dialogue among concerned parties, if requested. These political parties pledged their full support to the SEAC, and took turn to offer their perspectives on the current situations in Myanmar and how to solve them. Acknowledging the critical role of external partners, especially Myanmar's immediate neighbours, the SEAC has often provided them with updates of his efforts, sought their view on the situation on the ground, and listened to their recommendations when applicable.



10. Meeting with all concerned parties is also one of the SEAC's top priorities. Besides the above-mentioned EAOs and political parties, the SEAC has also demanded to engage with the EAOs that are now fighting the SAC and 4 political parties that are now under the inspection of the Union Election Commission. The request to meet with Daw Aung San Suu Kyi and U Win Myint has always been on the agenda of the SEAC, but the SAC has taken strong position on this matter, suggesting that it can only be considered upon the completion of their legal proceedings.
11. Humanitarian assistance has always been at the heart of Cambodia's approach to address the political crisis in Myanmar because peace talk can take time, but saving life cannot wait. Even before taking over the ASEAN Chairmanship, Cambodia already provided the people of Myanmar with medical supplies, financial resources and vaccines bilaterally and through ASEAN mechanism(s). The SEAC has also made a lot of efforts to mobilize additional supports for Myanmar and, as a result, 3 million doses of vaccines together with many other medical supplies were donated by external partners. Despite not being clearly specified in the 5PC, the SEAC has worked tirelessly to facilitate, coordinate and support the delivery of humanitarian assistance in Myanmar.
12. In May 2022, he co-chaired with the Secretary-General of ASEAN the Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar, bringing together a wide range of stakeholders and leading to the adoption of two important frameworks, namely Joint Ministry of Health-Partners Vaccines Administration Framework and Humanitarian Assistance Delivery Arrangement Framework. The SEAC has also managed to secure commitments from the SAC in addressing operational challenges facing the AHA Centre and other international organizations, and expanding access to more states and regions. Moreover, he has also facilitated the conduct of the Joint Needs Assessment, especially in pushing for the inclusion of areas requested by the AHA Centre and representatives of the UN OCHA and WFP as observers.
13. Acknowledging that the progress thus far was not sufficient to arrest the deterioration of the situation in Myanmar, at the Informal ASEAN Foreign Ministers' Meeting in September 2022 in New York, the SEAC proposed to hold a Special ASEAN Foreign Ministers' Meeting in October 2022 to review the implementation of the 5PC, and chart the future direction of ASEAN's collective efforts to address the political crisis in Myanmar. After multiple sessions of consultation and hours of negotiation, the SEAC and other Foreign Ministers finally agreed on the *ASEAN Leaders' Review and Decision on the Implementation of the 5PC, which was adopted by the Leaders at the 41<sup>st</sup> ASEAN Summit.*
14. Benefiting from numerous meetings and conversations with many interlocutors inside and outside of Myanmar and, for the purpose of facilitating and supporting the works of the incoming Special Envoy, the SEAC wishes to make 8-point suggestions: (1) the 5PC should be accompanied by a concrete implementation plan, (2) conditions applied to the SAC should also be applied to all concerned parties, (3) ASEAN needs to press the SAC, the NUG and other parties to compromise on their preconditions, (4) concerned parties need to be clearly identified and defined, (5) restoring normal engagements with Myanmar should be based on the progress of the implementation of the 5PC, not on other factors that are outside this framework, (6) the roles of the Special Envoy of the ASEAN Chair in humanitarian assistance should be added to the 5PC or the implementation plan, (7) the engagements of the Special Envoy with non-Myanmar concerned parties are both important and necessary, and (8) the Secretary-General of ASEAN and the AHA Centre should be empowered with an appropriate degree of autonomy for a specific period of time.



## **REPORT OF THE SPECIAL ENVOY OF THE ASEAN CHAIR ON MYANMAR 2022**

### **I. BACKGROUND**

14. It has been nearly two years since the military took over power in Myanmar, and the situation remains very critical and fragile regardless of many efforts made by ASEAN, the ASEAN Chair, and the Special Envoy, among others. Although violent clashes between the State Administration Council (SAC) and demonstrators that erupted in the first months of the regime change significantly subsided, fighting have been happening almost every day and in many parts of the country, causing severe damages to the communities, the loss of many lives, humanitarian crisis, and long-lasting effects on the economy. What is worrying is that all sides believe that they can win this war, and sadly violence has become the only language they speak.
15. Cognizant of the far-reaching implications of the crises and the need to restore normalcy and democracy in Myanmar the earliest possible, ASEAN leaders met on 24 April 2021 in Jakarta and adopted the Five-Point Consensus (5PC), underlining the three priorities, namely cessation of violence, commencement and mediation of a dialogue process, and delivery of humanitarian assistance to those most in need, and the role of the Special Envoy of the ASEAN Chair (SEAC) to visit and meet all the concerned in Myanmar. A concept note was then developed to provide clarity to the mandate of the SEAC, and outline modalities for the SEAC to carry out his duties.
16. Guided by the ASEAN Charter and the 5PC, Cambodia, in the capacity of the incumbent ASEAN Chair, appointed His Excellency PRAK Sokhonn, Deputy Prime Minister and Minister of Foreign Affairs and International Cooperation, as her Special Envoy. The formalization of the appointment was made at the ASEAN Foreign Ministers' Retreat (AMMR) on 16-17 February 2022 in Phnom Penh with consensus and was welcome by ASEAN external partners and the international community.

### **II. REVISITING THE PAST AND CHARTERING THE NEW APPROACH**

#### **A. Efforts of Brunei Darussalam as the Chair of ASEAN in 2021**

17. On 4 August 2021, the 54<sup>th</sup> ASEAN Foreign Ministers' Meeting (AMM) welcomed the appointment of the ASEAN Chair of the Minister of Foreign Affairs II of Brunei Darussalam His Excellency Dato Erywan Yusof as the First Special Envoy of the ASEAN Chair on Myanmar, who would start his work in Myanmar, including by building trust and confidence with full access to all parties concerned and providing a clear timeline on the implementation of the 5PC before the AMM. Since then, he engaged in extensive consultation with regional and international partners and organizations.
18. In all the engagements, he emphasized his main role, which is to facilitate mediation of a Myanmar-led and Myanmar-owned dialogue process between all concerned parties, and to encourage efforts towards the immediate cessation of violence in Myanmar and for all parties to exercise utmost restraint. He also sought support for ASEAN's efforts and to urgently provide humanitarian assistance to Myanmar in view of the COVID-19 pandemic.



Moreover, he also highlighted the necessity of engaging key individuals, specifically Daw Aung San Suu Kyi and U Win Myint, and sought to obtain the assurances that the National League for Democracy would not be disbanded.

19. Furthermore, he also encouraged the release of prisoners who were held since 01 February 2021 on humanitarian grounds, especially women, children, the elderly and the sick. This would also include releasing foreign detainees and deporting them from the country. He also advocated for the detainees to be given proper medical treatment and COVID-19 vaccinations, if necessary. He also underscored that he remains fully committed to facilitating the implementation of the 5PC, and achieving a peaceful solution in accordance with the will and the interests of the people of Myanmar.

### **B. Assessment of the Situation in Myanmar**

20. Myanmar is a culturally and religiously diverse society with more than 120 ethnic groups, 20 of which are heavily armed, spreading across states and regions. Since its independence from Britain, Myanmar has been plagued by decades-long protracted conflicts, leaving millions of people at risk of death and poverty. The Tatmadaw and the Ethnic Armed Organizations (EAOs) never see each other eye to eye, and prior to the military takeover, partial peace hinged on a fragile nationwide ceasefire agreement, which later fell apart because 3 out of 10 EAOs that were its signatories withdrew from the agreement.
21. What is worse is that the military takeover has further exacerbated these decades-long conflicts, and given rise to more armed groups such as the People's Defence Force, that have been engaging in brutal fighting with the SAC. Moreover, the current crisis also happened against the backdrop of COVID-19 pandemic, rising major power rivalry, and economic slowdown, among others. The ongoing fighting also caused major humanitarian crises, leading to hundreds of thousands of people to leave their home for safety and become internally displaced in their own country. Another issue is the Rohingya refugees in Rakhine State that remain a major concern, and repatriation that has long been planned and discussed has yet to materialize.
22. As a result of the coup and the COVID-19 pandemic, Myanmar last year experienced one of the worst economic contractions in the world. According to the World Bank, elevated levels of domestic conflicts, a sharp rise in price of goods, the imposition of currency surrender rules, and electricity outages, among others, will continue to weaken the country's economy. Recently, the Financial Action Task Force has recommended that Myanmar be blacklisted immediately and be subject to enhanced due diligence. In addition, factory closures have been widespread due to the deteriorating labour conditions and frequent electricity blackouts, leaving 1.6 million people jobless. If this trend continues, and the overall situation remains critical, Myanmar may plunge into severe economic crisis.

### **C. Cambodia's Approach Towards Myanmar's Crisis**

23. Informed by her own experience with the peace and national reconciliation process that took many years to complete, Cambodia has consistently advocated for patience and the need to take a long view to address the current political crisis in Myanmar. Therefore, to guide the efforts to further advance the implementation of the 5PC, Cambodia and her Special Envoy have adopted a step-by-step, practical, flexible, participatory and inclusive approach in accordance with the ASEAN Charter and with ASEAN's Centrality and Unity at its core.



### **III. SAMDECH PRIME MINISTER'S EFFORTS TO HELP MYANMAR**

#### **A. Engagements with the State Administration Council**

24. Seeing the need to speak directly with authorities controlling the country, Samdech Prime Minister decided to pay a working visit to Myanmar on 7-8 January 2022, and met with Senior General Min Aung Hlaing, Chairman of the State Administration Council (SAC), only a week after taking over the Chairmanship of ASEAN. To follow up on the outcomes of the visit, Samdech Prime Minister also had two videoconferences with Senior General Min Aung Hlaing on 28 January 2022 and 02 May 2022 accordingly. In all the engagements, Samdech Prime Minister provided his frank views on the situation in Myanmar, shared Cambodia's past experience, and urged the SAC to fulfil its commitments in the implementation of the 5PC.

#### **B. Engagements with ASEAN Leaders and Other World Leaders**

25. Samdech Prime Minister also had extensive and numerous consultations with some ASEAN Leaders to exchange views and explore practical solutions to help Myanmar address the current political crisis. He met bilaterally with President Joko Widodo of the Republic of Indonesia, Prime Minister Lee Hsien Loong of Singapore, Prime Minister Pham Minh Chinh of the Socialist Republic of Viet Nam, and Prime Minister Phankham Viphavanh of the Lao People's Democratic Republic. Furthermore, he also wrote to his colleagues to provide them with updates on Cambodia's views and positions on major developments in Myanmar, especially his correspondences with Senior General Min Aung Hlaing.

26. As the incumbent Chair of ASEAN, Samdech Prime Minister has always advocated for ASEAN's Centrality, and strongly urged for international support for ASEAN-led mechanism in helping Myanmar return to normalcy during his engagements with external partners. Samdech Prime Minister also attached great significance to the efforts of the United Nations, in particular its specialized agencies that have been providing humanitarian assistance to the people of Myanmar. Moreover, he received multiple calls from the Special Envoy of the United Nations Secretary-General, Dr. Noeleen Heyzer, and even expressed support for her role during his meetings with Senior General Min Aung Hlaing.

### **IV. THE WORKING VISITS OF THE SPECIAL ENVOY OF THE ASEAN CHAIR TO MYANMAR**

27. With the support and approval of Samdech Prime Minister, His Excellency Prak Sokhonn, Deputy Prime Minister and Minister of Foreign Affairs and the Special Envoy of the ASEAN Chair, paid the first working visit on 21-22 March 2022, and he was joined by His Excellency Senior Minister Cham Prasidh, who accompanied Samdech Prime Minister during the whole Cambodia's peace negotiation process, His Excellency Dato Lim Jock Hoi, Secretary-General of ASEAN, and senior representatives of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre). On 30 June-02 July 2022, the SEAC paid his second working visit to Myanmar, and he was accompanied by His Excellency Ekkaphab Phanthavong, Deputy Secretary-General of ASEAN, and representatives of the AHA Centre.



28. Prior to the working visits, the SEAC also had intense consultation with ASEAN Foreign Ministers and ASEAN Secretary-General to share the key issues that he is planning to discuss with his counterparts in Nay Pyi Taw, and to exchange views on how his working visits could contribute to the implementation of the 5PC in a substantive and meaningful way. In addition, he also sought views and updates from the Special Envoy of the United Nations Secretary-General, Japan's Special Envoy, key external partners, in particular Myanmar's neighbours and many international organizations.
29. To prepare for each working visit, the SEAC also dispatched advance team of the Office of the Special Envoy of the ASEAN Chair to Myanmar to discuss about expected outcomes of the visit, the meetings that he would like to have, and the issues he would like to raise, among others. This meticulous planning allowed the SEAC and his Myanmar's counterparts to have open, frank and productive discussions on some of the toughest issues they faced, leading to several important outcomes and breakthroughs, albeit the complexity and difficulty of the crisis.
30. For example, the SEAC sent the advance team to convey to the SAC five requests, namely (1) a meeting with Daw Aung San Suu Kyi, either physically or virtually, (2) release of political prisoners including foreign nationals, (3) a meeting with more EAOs, (4) a meeting with the remaining four political parties that are under the inspection of the Union Election Commission, and (5) genuine commitments to facilitate the delivery of humanitarian assistance to those most in need. However, the SAC did not immediately provide positive feedback to the five requests, leading to the delay of the third visit of the SEAC.

## **V. PROGRESS OF THE IMPLEMENTATION OF THE FIVE-POINT CONSENSUS**

### **A. First, There Shall be Immediate Cessation of Violence in Myanmar and All Parties Shall Exercise Utmost Restraint**

31. Violence became widespread shortly after the coup in February 2021, causing many injuries and deaths and severe disruptions to the livelihood of the people. It is also important to note that violence in Myanmar has two aspects. First, it is the fighting between the Tatmadaw and the EAOs that has been going on for more than seven decades. Second, it is the clashes between the SAC and the opposition groups emerging as a result of the coup, and this has led to the collapse of the country's fragile ceasefire agreement, creating a fertile ground for major conflicts to break out anytime in the future.
32. What is challenging is that growing violence has severely undermined any efforts to build a conducive environment for the commencement of a dialogue process, not to mention about finding peaceful solutions to the current crisis. Worse still, such unabated violence has also made the delivery of humanitarian assistance to those most in need extremely difficult, if not impossible. As a victim of decades-long protracted conflicts that resulted in the death of one third of the population, Cambodia does not want to see another tragedy happening in Myanmar, and we strongly believe that war cannot end war.



33. During the visit to Myanmar and the two videoconferences with Senior General Min Aung Hlaing, Samdech Prime Minister strongly urged the SAC to exercise utmost restraint and avoid deploying disproportionate forces against the opposition and civilians. Acknowledging that in the context of war, those who bear arms may have a share in inflicting harms on innocent people, his call for restraint has also been extended to the EAOs and the People's Defence Force (PDF), an armed wing of the National Unity Government (NUG), albeit not in a direct manner. Furthermore, he underscored the urgent need for all conflicting parties to negotiate and conclude the nationwide ceasefire agreement as soon as possible.
34. When the SEAC met the SAC leaders including Senior General Min Aung Hlaing in Nay Pyi Taw, he openly and frankly expressed his concerns over the persistent violence in many parts of the country, and reminded the SAC to double its efforts to achieve full cessation of violence by suggesting that they should deploy police instead of military to maintain law and order. At the same time, he also recognized that other armed groups including the PDF/NUG shall be accountable for the destructions of properties and the loss of the innocents. Moreover, the SEAC has consistently urged the EAOs and the opposition to join peace talks with an aim to reach a ceasefire agreement, and would do everything at his disposal to support the process.
35. While facilitating the cessation of violence, Cambodia in her capacity as the present ASEAN Chair also issued various statements to express her deep concerns over the growing violence and deteriorating humanitarian situation, and condemn armed activities targeting public properties, humanitarian workers and the innocents. During the Foreign Ministers' Meeting and Post Ministerial Conference, Cambodia also asked external partners to play a constructive role in discouraging both the SAC and the PDF/NUG from pursuing their objectives through violent means. In fact, all the EAOs and political parties that the SEAC met during the working visits spoke against the use of violence, especially violence against civilians, and ASEAN should offer full support for this voice of peace.
36. The SAC, the EAOs, the ethnic political parties and the opposition have shared the same view with the SEAC, and have promised not to commit violence against civilians. In fact, they even informed the SEAC that these victims were their people, and it was heartbreaking for them to see this tragedy unfolding in Myanmar. The SAC and several signatories and non-signatories to the Nationwide Ceasefire Agreement (NCA) have been engaging in peace talks for months now, and Senior General Min Aung Hlaing himself also told the SEAC during their meetings in Nay Pyi Taw that he is committed to find a peaceful solution to the current crisis.
37. Despite the fact that violence between the SAC and demonstrators has significantly subsided, armed clashes remain a daily occurrence, and some parts of the country have experienced fierce fighting in recent months. What we are seeing is the shifting from the clashes between the military forces and demonstrators to brutal fighting with armed organizations, in particular the PDFs and the EAOs. Perhaps, another worrying trend but less visible is the rapid growing of drug smuggling, human trafficking and the looting of natural resources, and without effective measures, these criminal activities will exacerbate the already complicated situation on the ground, and severely affect Myanmar's neighbouring countries.



**B. Second, Constructive Dialogue among All Parties Concerned Shall Commence to Seek a Peaceful Solution in the Interests of the People**

38. The commencement of the political dialogue is the most difficult among the five points, and even Myanmar's key actors themselves also thought that it is not yet the right time to bring everyone to the table. While the SAC has designated the NUG, the PDF, Committee Representing Pyidaungsu Hluttaw (CRPH), National Unity Consultative Council (NUCC) as terrorists, the Tatmadaw has also been labelled as murderer. Both sides are committed to win this war with the outcome of their opponent being annihilated.
39. Reflecting on Cambodia's historical experience, Samdech Prime Minister shared with Senior General Min Aung Hlaing that to give peace a chance, he had to talk with the Khmer Rouge, so he expressed his hope that the SAC would reconsider engaging with all parties concerned regardless of their deep and irreconcilable disagreements. When the SEAC met with his counterparts in Nay Pyi Taw, he also pointed out that if the opposition is ostracized, they will have no choice but to pick arms to fight against the Tatmadaw.
40. Given her strong non-violent principle, Daw Aung San Suu Kyi has an indispensable role in the peace process, and with her support and participation, the EAOs, ethnic political parties and the opposition will join the dialogue, thus it is important that the SAC should consider, at least, engaging her, if not yet releasing her. The SEAC also encouraged the SAC not to dissolve the National League for Democracy (NLD), which won a clear majority in the 2020 general election, and underscored that any democratic solutions to the current crisis without the participation of the NLD will face credibility challenge, and strong opposition from the majority of the people of Myanmar, who massively voted for the NLD.
41. During the second working visit, the SEAC pressed Lieutenant General Yar Pyae, Chairman of the National Solidarity and Peace-Making Negotiation Committee (NSPNC) for an answer on whether a dialogue with those designated as terrorists is possible, and in response, he affirmed that the SAC welcomes such dialogue, but with three preconditions: (1) they do not seek to destroy the SAC, (2) they do not seek to replace the SAC, and (3) they agree to use the 2008 Constitution as the basis for talks. After months of intense shuttle diplomacy, the SEAC has finally managed to open a small window for dialogue.

**C. Third, the Special Envoy of the ASEAN Chair Shall Facilitate Mediation of the Dialogue Process with the Assistance of the Secretary-General of ASEAN**

42. A huge gulf of differences and the total absence of trust and confidence among all the concerned parties have not stopped the SEAC's efforts to help Myanmar return to normalcy and restore democracy. As outlined in the 5PC, the SEAC has engaged the Secretary-General of ASEAN in every important activity including his working visits to Myanmar. The SEAC has also been in regular contact with the Secretary-General of ASEAN to seek his view on a wide range of issues and to receive his updates on the progress of the humanitarian assistance to Myanmar.
43. While in Nay Pyi Taw, the SEAC also met with 7 EAOs, who are signatories to the Nationwide Ceasefire Agreement. The SEAC shared with them how ASEAN has been doing to help Myanmar bring about a peaceful end to the current crisis and explained them his mandate as the Special Envoy. These EAOs also informed the SEAC about their positions, and expressed strong aspiration to see peace in their country as soon as possible. The



SEAC emphasized the importance of a Myanmar-led and Myanmar-owned dialogue, and urged them to support and participate. In response, they were strongly supportive of the SEAC's view, and also pledged to make a dialogue work in the interests of their people. They also wish to have regular, or monthly if possible, meeting with the SEAC and want the SEAC to be deeply involved in the peace process.

44. Furthermore, the SEAC also met with 8 political parties, 7 of which won votes during the 2020 general election. He briefly shared updates on ASEAN's collective efforts to implement the 5PC and his mandate as the Special Envoy. Then, he also underscored that he is ready to facilitate a dialogue among concerned parties, if requested. These political parties offered their full support to the SEAC, and took turn to share their perspective on the current situations in Myanmar and how to solve them. Of course, each of them presents its own vision for the country, but they all agreed that their differences are best addressed through dialogue.
45. Although the SEAC has not directly met with any senior representatives of the NUG, his office already had two meetings with them including Her Excellency Zin Mar Aung, the NUG's Foreign Minister, to express Cambodia's readiness to facilitate a dialogue between them and the SAC. While rejecting the SAC's preconditions, the NUG also presented its own preconditions, which are seen as a non-starter for the Tatmadaw. The NUG does not support a technical-level meeting with the SAC without any preconditions either, suggesting that it is not yet the right time for dialogue.
46. Cognizant of the critical role of external partners, especially Myanmar's immediate neighbours such as China, India, Thailand, and Bangladesh, among others, the SEAC has often shared with them the updates of his efforts, sought their views on the situation on the ground, and listened to their recommendations when applicable. Importantly, the SEAC has also requested the assistance from these partners in urging or even putting pressure on the SAC, the NUG, the PDF, the EAOs and the ethnic political parties to soften their positions, narrow their differences, and make compromises in order for a dialogue process to take place.

**D. Fourth, ASEAN Shall Provide Humanitarian Assistance through the AHA Centre**

47. If history is any guide, innocent people are often the ones who suffer the most from armed conflicts, and Myanmar is no different. As the incumbent Chair of ASEAN with the responsibility to implement the 5PC, Cambodia always makes unhindered delivery of humanitarian assistance to the people of Myanmar her top priority. For example, when Samdech Prime Minister visited Nay Pyi Taw in early January, he did not just come with a set of pertinent issues to discuss with Senior General Min Aung Hlaing, but he also brought medical supplies for Myanmar, including 3,200,00 masks, 30,000 PPE, 50 ventilators, 50 patient monitors, and 50 oxygen concentrators, and this does not include additional supports that came before and after his visit.
48. Since the beginning, the SEAC has emphasized that peace talk can take time, but saving life cannot wait. With the support from the Secretary-General of ASEAN and the AHA Centre, the SEAC has been working tirelessly on six humanitarian priorities: (1) lobbying for access to heavily affected areas, (2) ensuring safety and security of humanitarian workers, (3) mobilizing sufficient resources, (4) engaging local and international partners to support the AHA Centre, (5) procuring as many vaccines as possible and (6) creating several frameworks for relevant stakeholders to work together.



**D.1. Consultative Meeting on Humanitarian Assistance In Myanmar**

49. On 06 May 2022, the SEAC and the Secretary-General of ASEAN co-chaired the Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar in Phnom Penh as part of Cambodia's overall efforts to advance the implementation of the 5PC. The Consultative Meeting was attended by Ms. Joyce Msuya, Assistant-Secretary General for Humanitarian Affairs and Deputy Emergency Relief Coordinator as well as high-level representatives from all ASEAN member states, Myanmar's Taskforce, United Nations Specialized Agencies, ASEAN External Partners, and relevant international organizations inside and outside of Myanmar. Despite major differences among participants, the SEAC managed to successfully conclude the Consultative Meeting with an agreement on two important frameworks, and strong commitments from the SAC to facilitate the works of the AHA Centre in Myanmar.

**a. ASEAN Humanitarian Assistance Delivery Arrangement Framework**

50. This Framework identified 7 regions and states including Kayah, Kayin, Magway, Sagaing, Bago, Rakhine and Shan for the first phase of the implementation. The AHA Centre as the primary coordinator will facilitate any request for access through this delivery arrangement from ASEAN member countries, external partners and trusted international organizations. In addition, the AHA Centre will also propose a list of implementing partners such as local agencies, members of the AADMER Partnership Group, and international organizations. The Myanmar Task Force and the NSPNC are fully responsible to ensure that humanitarian assistance will be delivered to all affected communities including the EAOs' areas. Prior to the adoption of this crucial Framework, access was the biggest challenge, and the SAC only considered request for access on a case by case basis.

**b. Framework For COVID-19 Vaccine Administration In Myanmar**

51. This Framework will offer space for ASEAN member states, external partners, and international organizations to jointly administer COVID-19 vaccines to those most in need in a safe and timely manner, especially in hard-to-reach areas. Under this Framework, operational teams of 50:50 distribution between the SAC's Ministry of Health and partners will be deployed to administer vaccines in communities with low vaccination rate including the EAOs' areas, where internally displaced persons (IDP) camps locate. The AHA Centre and the SAC's Ministry of Health will identify and assess implementing partners, and they will jointly monitor and verify the administration of vaccines under this Framework as well.

**c. Assisting The AHA Centre In Addressing Its Operational Challenges**

52. The SEAC has also actively supported the AHA Centre to fulfil its mandate as tasked by the ASEAN leaders in implementing the Point 4 of the 5PC. During the Consultative Meeting, the SEAC pressed the SAC to provide full cooperation to the AHA Centre. In response, the Myanmar Task Force pledged to do its utmost ability to expedite the approval process for the delivery of humanitarian assistance. It also reassured that the safety and security of the ASEAN-ERAT team members, staffs of the AHA Centre and ASEAN Monitoring Team are its top priority. In addition, the Myanmar Task Force promised to offer supports to the ASEAN Monitoring Team to fulfil its role as outlined in the executive paper that was adopted at the 54<sup>th</sup> AMM in August 2021.



## **D.2. Joint Needs Assessment**

53. When the SEAC met with the Myanmar Task Force during his working visits to Nay Pyi Taw, he never forgot to underscore the need to ensure that the Joint Needs Assessment has to reflect the actual situation on the ground, and urge the SAC to allow the AHA Centre to access areas that it has requested without disruption and delay including those under the control of the EAOs. The SEAC also warned that failing to complete the Joint Needs Assessment on schedule will negatively affect the implementation of the 5PC. Committed to engage relevant UN specialized agencies, the SEAC pressed the Myanmar Task Force multiple times until they agreed to allow two representatives from UN OCHA and WFP to join the AHA Centre in the conduct of the Joint Needs Assessment as observers.

## **D.3. Facilitating the Delivery of Humanitarian Assistance**

54. The SEAC has been regularly requested by the ASEAN Secretariat and the AHA Centre to help facilitate the delivery of humanitarian assistance, especially when they face difficult obstacles. In response, the SEAC always conveyed the requests and concerns when he met the leadership of the SAC including Senior General Min Aung Hlaing. As a result, his strong and unwavering position on unhindered delivery of humanitarian assistance has always secured repeated assurance from the SAC in supporting and facilitating the works of the AHA Centre in Myanmar.

## **D.4. Supporting the Works of the United Nations Specialized Agencies**

55. During the first working visit, the SEAC also took the chance to meet a group of United Nations Specialized Agencies to receive their updates and hear their views on what need to be done, in particular in the area of humanitarian assistance. At the end of the meeting, they requested the SEAC to help urge the SAC to facilitate their works. When the SEAC visited Nay Pyi Taw for the second time, he underlined the need to forge closer cooperation with the United Nations, and address the issues of renewing the registration and access to different parts of Myanmar.

## **D.5. Procuring Vaccines for Myanmar**

56. Having the Framework for COVID-19 Vaccine Administration at his disposal, the SEAC has appealed to ASEAN member states, external partners and international organizations to donate vaccines to Myanmar. During the Consultative Meeting, the People's Republic of China was the first country to pledge 2 million doses of vaccines to be implemented under this Framework. On 06 August 2022, His Excellency Dr. A. K. Abdul Momen, M.P., the Honourable Foreign Minister of the People's Republic of Bangladesh wrote a letter to the SEAC, donating another one million doses of vaccines for the people of Myanmar.

## **E. Fifth, the Special Envoy and Delegation Shall Visit Myanmar to Meet with All Parties Concerned**

### **E.1. Senior Representatives of the State Administrative Council**

57. During both working visits, the SEAC met with Senior General Min Aung Hlaing, Chairman of the SAC and other senior representatives of the SAC including Foreign Minister His Excellency Wunna Maung Lwin, International Cooperation Minister His Excellency Ko Ko Hlaing, Health Minister His Excellency Dr. Thet Khaing Win, Social Welfare, Relief and Resettlement Minister Her Excellency Dr. Thet Thet Khine and Lieutenant General Yar Pyae, Chairman of the NSPNC. Furthermore, Senior Minister His Excellency Cham Prasidh, who has been tasked to assist the SEAC, also met with Planning and Finance Minister His Excellency Win Shein and Investment and Foreign Economic Relations Minister His Excellency Aung Naing Oo.



## **E.2. Ethnic Armed Organizations**

58. On 01 July 2022, the SEAC met with 7 Ethnic Armed Organizations, which are also signatories to the Nationwide Ceasefire Agreement, in Nay Pyi Taw. These EAOs include Karen National Union/Karen National Liberation Army-Peace Council, Lahu Democratic Union, Arakan Liberation Party, Democratic Karen Benevolent Army, New Mon State Party, Pa-O National Liberation Organization and Restoration Council of Shan State. The SEAC also requested to meet with Chin National Front, All Burma Students' Democratic Front, and Democratic Karen Buddhist Army-Brigade 5, which were also signatories to the Nationwide Ceasefire Agreement, but the SAC rejected and accused them of supporting the NUG/PDF to fight the Tatmadaw.

## **E.3. Political Parties**

59. On 02 July 2022 in Yangon, the SEAC was supposed to meet 8 political parties that won votes during the 2020 general election, but Wa National Party was not able to join due to travel difficulties, so only 7 of them were present. These political parties include Pa-O National Organization, Ta-ang National Party, Union Solidarity and Development Party, Zomi Congress for Democracy, Arakan National Party, Mon Unity Party and Arakan Front Party. He also met with the People's Party during his first working visit to Myanmar. Moreover, the SEAC also asked to meet with Shan National League for Democracy, Kaya State Democratic Party and Kachin State People's Party, but the arrangement could not be made because they have been under inspection by the Union Election Committee.

## **E.4. ASEAN External Partners**

60. During the working visits, the SEAC always tried his best to also receive courtesy calls from ASEAN external partners in Myanmar including Australia, China, the European Union, France, India, Japan, and the United States. Furthermore, he also accommodated many requests from foreign delegates including ASEAN external partners to discuss about Myanmar and explore ways forward together when they paid official visits to Cambodia. While acknowledging the important contribution of external partners, the SEAC has consistently underscored the need for international supports for ASEAN's Centrality and ASEAN's leading role, and that the 5PC should be the primary anchor for any efforts to bring an end to the political crisis in Myanmar.

## **E.5. Special Envoy of the United Nations Secretary-General**

61. The SEAC has also expressed support for the Special Envoy of the United Nations Secretary-General, Dr. Noeleen Heyzer, and even pledged to do his utmost ability to help her fulfil her mandate. Urging the SAC to allow her to visit Nay Pyi Taw was just one of many examples of his tireless efforts to promote cooperation with the United Nations. Despite being preoccupied with many urgent tasks, he also took every opportunity to meet with Dr. Noeleen Heyzer, either physically or virtually, to exchange views, share experiences and explore solutions together, in particular in the area of humanitarian assistance.

## **E.6. United Nations Specialized Agencies**

62. During the first working visit, the SEAC made his meeting with the United Nations Specialized Agencies as one of his top priorities, because he was committed to hear their views, especially the challenges they face and what need to be done to bring humanitarian assistance to those most in need in a timely manner. Among those that were present at the meeting with the SEAC include the UN Resident Coordinator and Humanitarian Coordinator ad interim in Myanmar, UN OCHA, WFP, UNDP, UNICEF, WHO and UNHCR. He also instructed his office to maintain regular and close contact with these UN agencies and more to ensure synergy and cooperation between ASEAN and the UN.



**E.7. United Nation Security Council, Diplomatic Corps and the Media**

63. Living true to his principle of complete transparency, the SEAC also spent a huge amount of time and energy to brief the United Nations Security Council on the situation in Myanmar twice on 28 January 2022 and on 27 May 2022 accordingly. During the briefings, the SEAC also attentively listened to the views, concerns and suggestions by members of the United Nations Security Council. The SEAC also reaffirmed his commitments to work closely with all relevant stakeholders to help Myanmar to restore peace and return to democratic path as soon as possible.
64. On the sidelines of the ASEAN-EU Commemorative Summit on 14 December 2022 in Brussels, the SEAC addressed the Political and Security Committee of the European Union (PSC) on the implementation of the 5PC in a closed-door session, and answered all the questions that were posed. Members of the PSC commended Cambodia's efforts and the works of the SEAC, and expressed their strong commitments to support ASEAN's central and leading role in facilitating the implementation of the 5PC. They also sought views from the SEAC on what the European Union can do more to contribute to ASEAN's collective endeavours.
65. During both working visits, the SEAC always took the opportunity to share with ASEAN external partners the issues he discussed with his Myanmar's counterparts, and key outcomes of the meetings. Upon his return from Myanmar, he also briefed in detail the diplomatic corps, and local and international media about the issues he raised, the responses he got, the challenges he faced and the future steps he would take. Moreover, press releases and reports of the outcomes of the visits have also been made available online for the public, especially the people of Myanmar, to see and form their own judgements of the works of the SEAC.

**VI. BUILDING AN ENABLING ENVIRONMENT FOR DIALOGUE PROCESS**

**A. The Case of DAW AUNG SAN SUU KYI**

66. Although Cambodia as the ASEAN Chair has never made a meeting between the SEAC and Daw Aung San Suu Kyi a precondition for a visit, this objective remains at the core of the country's approach to Myanmar. The demand to meet Daw Aung San Suu Kyi reflects Cambodia's fundamental belief that her strong support for peaceful settlement of the current political crisis will also draw opposition groups that have her as their leader including the NUG/PDF to participate in the process. Importantly, her non-violent approach is needed for Myanmar to heal the division and commence the national reconciliation.
67. Thus, when Samdech Prime Minister met with Senior General Min Aung Hlaing, he repeatedly requested the SAC to consider allowing the SEAC to speak with Daw Aung San Suu Kyi, but to no avail. During the working visits, the SEAC also recalled the request of Samdech Prime Minister, but Senior General Min Aung Hlaing simply said that it is not the right time yet, maybe the fourth or the fifth visit of the SEAC. Not being able to meet with Daw Aung San Suu Kyi has already presented a trust problem, but now putting her in prison creates an even bigger issue. After learning the news, the SEAC raised this issue to both Senior General Min Aung Hlaing and His Excellency Wunna Maung Lwin, but it was met with a complete silence.



**B. The Release of Political Prisoners**

68. Given deep animosity among Myanmar's concerned parties, Cambodia believes that releasing political prisoners, especially those who are now seriously sick, on humanitarian grounds will help build trust and confidence. During the visit and the two videoconferences, Samdech Prime Minister never forgot to raise this issue of political prisoners including foreigners with Senior General Min Aung Hlaing. Yet, the SAC has always been inflexible on this matter, pointing out that their legal proceedings are still ongoing.
69. After months of sustained efforts, when the SEAC paid the second working visit to Nay Pyi Taw, and he recalled Cambodia's request for the release of Professor Sean Turnell, Senior General Min Aung Hlaing unequivocally mentioned that his case will be positively considered upon the completion of the legal proceeding. Surprisingly, in the transcript of the meeting between Senior General Min Aung Hlaing and Dr. Noeleen Heyzer, the SAC seems to walk back on its promise by arguing that Professor Sean Turnell will face severe punishment. Immediately, the SEAC expressed his strong view that the commitment made by the SAC on the issue of political prisoners should be kept, otherwise it will face credibility crisis.
70. On 17 November 2022, the SEAC issued a statement welcoming the mass release of nearly 6,000 political prisoners including senior NLD members, prominent opposition activists, journalists and nationals of Australia, Japan, the UK and the US. The SEAC considered this mass release as a positive gesture in the right direction to create a conducive environment for the commencement of a dialogue process among concerned parties in Myanmar. Furthermore, he also expressed his hope that more releases will be made in the near future including the cases of Daw Aung San Suu Kyi and U Win Myint.

**C. Working with the EAOs on Humanitarian Assistance**

71. The SEAC is also of the view that if the SAC and the EAOs manage to put their differences aside and work together to save lives and to protect the well-being of their own people, then these conflicting parties will be able to gradually develop trust for one another. As a result, the SEAC thought that humanitarian assistance potentially offers a common ground for all the concerned parties to cooperate, and the Consultative Meeting and the adoption of key frameworks in May 2022 were just one example. Unfortunately, politicization of humanitarian assistance and the total absence of trust makes cooperation with clear benefits for Myanmar and her people impossible.

**D. Translating Promises into Actions in the Implementation of the 5PC**

72. The building of trust among Myanmar's concerned parties is extremely important, but the SAC needs to maintain trust with its ASEAN fellow members as well. There is a deep dissatisfaction towards the SAC at the moment due to the lack of progress of the implementation of the 5PC. Some ASEAN member states accused the SAC of reneging on what Senior General Min Aung Hlaing already agreed at the Summit in Jakarta. During his numerous meetings with senior representatives of the SAC, the SEAC consistently highlighted that Nay Pyi Taw needs to honour its promises, otherwise it will not be taken at its words. The execution of 4 anti-SAC individuals and the reversal of the decision to release Professor Sean Turnell are just two among many examples.



**VII. ADDITIONAL EFFORTS TO ENSURE CONSTRUCTIVE CONTINUATION OF THE IMPLEMENTATION OF THE 5PC BEYOND 2022**

**A. ASEAN Leaders' Review and Decisions on the Implementation of the 5PC**

73. Although the SEAC assessed that some progress has been made with regard to the implementation of the 5PC, the situation in Myanmar is still plagued with violence and instability, and it requires a review of our current efforts in order to chart the future direction to ensure that ASEAN will continue to play a central and leading role in helping Myanmar return to a democratic path. As a result, at the Informal ASEAN Foreign Ministers' Meeting on 22 September 2022 in New York, the SEAC proposed to have a Special ASEAN Foreign Ministers' Meeting prior to the upcoming 40<sup>th</sup> and 41<sup>st</sup> ASEAN Summit in Phnom Penh.
74. On 27 October 2022, ASEAN Foreign Ministers held the Special Meeting in Jakarta without the presence of Myanmar to discuss about the progress of the 5PC and ways forward, concluding with a draft of recommendations that were not yet agreed by all the participating member states. Thus, on the eve of the 40<sup>th</sup> and 41<sup>st</sup> ASEAN Summit, the SEAC in his capacity as the ASEAN Chair facilitated further consultation at the working lunch that lasted for more than four hours, and continued the negotiation until late night, but did not make a breakthrough. Despite no progress, the SEAC and other Foreign Ministers remained persistent, and in their last attempt, they moved around the room to consult with one another, while the Leaders were deliberating on other agenda, and managed to agree on the draft.
75. The adopted ASEAN Leaders' Review and Decision on the Implementation of the 5PC does not just send an unmistakable message to all concerned parties in Myanmar to double their efforts to end the current crisis, but also inject new idea on how we can make further progress. For example, point 14 mentions about other approaches that could support the implementation of the 5PC, and given the complexity and difficulty of Myanmar's crisis, it is always worth exploring what may work, and try it, instead of dismissing it just because it happens to be what the SAC is also planning to do.

**B. Open-ended Informal Consultation on Myanmar**

76. To give the SAC a chance to update about its efforts to implement the 5PC, and for member states to ask questions and raise concerns, the SEAC proposed to host an informal consultation just days before the ASEAN Summit with the participation of His Excellency Wunna Maung Lwin to discuss about the situation in Myanmar and the status of the 5PC. Several Foreign Ministers confirmed their attendance, while others hinted that they may send their representatives or excuse from the meeting. Unfortunately, the SAC agreed to join on the condition that there must be equal representation from other member countries, resulting in the cancellation of the informal consultation.
77. The SEAC welcomed and supported Thailand's efforts to convene an informal consultation on 22 December 2022 in Bangkok, which was also attended by the SAC's Union Ministers responsible for Foreign Affairs, International Cooperation and Investment and Foreign Economic Relations. Further, he considered this initiative to be in line with Point 14 of the ASEAN Leaders' Review and Decision on the Implementation of the 5PC that was adopted at the 41<sup>st</sup> ASEAN Summit. He also found the discussion meaningful, constructive and useful, and expressed his readiness to participate in such endeavour in the future.



### **VIII. CONCLUSION AND WAYS FORWARD**

78. With a fair and neutral assessment, it is undeniably clear that the SEAC has managed to achieve a number of important outcomes in the implementation of the 5PC. Of course, the SEAC also acknowledged that these five points have been progressing at an uneven pace and scale, and it was not due to the lack of efforts or commitments from ASEAN and Cambodia in particular. The SEAC has been investing a huge amount of energy and time, and even at the cost of personal health and safety to bring a peaceful end to the current crisis as long as there is a light at the end of the tunnel.
79. The main obstacle to the cessation of violence and the commencement of an inclusive dialogue is Myanmar itself. The conflicts between the Tatmadaw and the EAOs have been going on for more than seven decades now, and the political crisis in February 2021 has further exacerbated the current situation with the mushrooming of new armed groups such as the PDF. The prospect of a dialogue process depends on whether the SAC, the EAOs, the NUG and other political actors can reconcile their differences and arrive at an acceptable common ground. However, looking at preconditions put forward by each side makes any efforts to bring everyone to the negotiating table futile. If there is anything they can agree with one another, it is not the right time for talk yet. Sadly, all sides strongly believe that they can win this war.
80. Benefiting from numerous meetings and conversations with interlocutors inside and outside of Myanmar, and for the purpose of facilitating and supporting the works of the incoming Special Envoy of the ASEAN Chair, the SEAC would like to make eight-point recommendations for the consideration of the ASEAN member states. These recommendations have one and only aim, which is to ensure effective and full implementation of the 5PC, so that normalcy, peace and democracy can be returned to Myanmar and her people.
81. First, the 5PC sets out broad objectives that ASEAN wants to achieve in its efforts to help Myanmar, but it lacks operational meaning. What ASEAN needs to do may not be to revise the 5PC, but to devise it with an implementation plan that contain clear objectives, practical activities, appropriate indicators and specific timeline. It is also important to include what incentives that the implementing parties will get if they manage to meet the expected outcomes. Such implementation plan will allow member states to measure progress through scientific means, avoiding subjective and biased interpretations that may undermine the efforts to implement the 5PC. Further, member states have to wholeheartedly support such a unified approach, otherwise the ASEAN Chair and its SEAC will be powerless to help Myanmar.
82. Second, while ASEAN holds the SAC accountable to the implementation of the 5PC, the same treatment should also be applied to the EAOs, the NUG and other armed groups. For example, ASEAN has to continue to urge the SAC to exercise utmost restraint given the fact that it is the only one that has the biggest fighting power, but at the same, member states also need to urge other armed groups and require them to also exercise utmost restraint. The sad reality on the ground is that everyone has a share of responsibility in the loss of lives and the damage of public properties.



83. Third, the commencement of a dialogue process can only take place when there is a convergence of positions among Myanmar's concerned parties. What is happening at the moment is that they rejected the preconditions of one another. ASEAN should play a role to bridge instead of pushing one side to make excessive compromises just to get the buy-in from the other side, or to be politically correct in the face of public pressure. If ASEAN cannot make such a call, it will tie its own hands and will not be able to mediate between the concerned parties to end the conflicts.
84. Fourth, concerned parties need to be clearly identified and defined. For example, some member states want to solely focus on violence between the Tatmadaw and the PDFs, and they do not want to include the role of the EAOs in dialogue process, while others seem to equate all concerned parties to the NUG. It is important to note that thus far, Daw Aung San Suu Kyi and her party have not publicly endorsed the NUG yet, albeit having some former NLD ministers as its members. Of course, it is Cambodia's strong view that all concerned parties should refer to groups and individuals that have a stake in the peace process in an inclusive manner.
85. Fifth, restoring normal and full engagements with Myanmar should be based on the progress of the implementation of the 5PC, not on other factors that are outside this framework. The suggestion to link normalcy with legitimate government raises more questions than answers. For instance, what should a legitimate government look like? Who will determine its legitimacy? Will election be one of the answers? In fact, a few member states have voiced strong objection against any discussion about election, when the SEAC informed that the political parties and the EAOs he met believe that election is the only way to end the current crisis peacefully.
86. Sixth, the 5PC only outlined the role of the SEAC in visiting Myanmar and meeting all concerned parties, but when carrying out his mandate, the SEAC has been deeply involved in humanitarian works ranging from initiating a consultative meeting, proposing frameworks, facilitating the works of the AHA Centre, coordinating with the UN, procuring vaccines to mobilizing resources, among others. Importantly, the SEAC has also tirelessly worked to bring about cessation of violence through issuing strong statements, making numerous appeals for utmost restraint, urging all concerned parties to engage in ceasefire dialogues, and advocating for peaceful settlement of disputes. Therefore, these roles and responsibilities should also be properly acknowledged in the 5PC or the implementation plan.
87. Seventh, the 5PC provided that the SEAC should meet with all concerned parties in Myanmar, but in the course of the implementation, it is very clear that achieving progress on the key priorities requires the SEAC to also engage with concerned parties beyond Myanmar. As a result, the SEAC extensively met and consulted with his fellow foreign ministers from across the world such as Australia, Canada, China, the European Union, France, Germany, New Zealand, the United Kingdom, the United States, and the list goes on. Such engagements should also be taken into consideration in order to ensure effective coordination and cooperation among all concerned parties inside and outside of Myanmar.



88. Eighth, given the magnitude and urgency of humanitarian needs in Myanmar, the Secretary-General of ASEAN in his capacity as ASEAN Humanitarian Assistance Coordinator and the AHA Centre should be empowered with an appropriate degree of autonomy for a specific period of time, so that they can have sufficient flexibility to engage with a wide range of stakeholders, collect inputs from diverse sources, explore the most effective ways to bring humanitarian assistance to those most in need, and mobilize resources from any willing partners.

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# ANNEX 1:

List of Concept Papers Initiated and Reformulated by Cambodia to Contribute to the Implementation of the Five-Point Consensus (5PC)





## **ANNEX I: LIST OF CONCEPT PAPERS INITIATED AND REFORMULATED BY CAMBODIA**

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1. Concept Note on Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar
2. Decisions of the Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar
  - Part 1: ASEAN Humanitarian Assistance Delivery Arrangement Framework
  - Part 2: Joint Ministry of Health-Partners Vaccines Administration Framework
  - Part 3: Commitments to Address Operational Challenges to ASEAN Humanitarian Assistance to Myanmar
3. Concept Note on the Proposal to Establish ASEAN Troika on Myanmar
4. Concept Note on ASEAN Humanitarian Friends of Myanmar
5. Non-paper on Exit Strategy to Myanmar's Political Crisis



## CONCEPT NOTE

### ON

## CONSULTATIVE MEETING ON ASEAN HUMANITARIAN ASSISTANCE TO MYANMAR

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### I. INTRODUCTION

The ASEAN Leaders' agreement on the "Five-Point Consensus" on 26 April 2021 calls for ASEAN's positive and constructive role in facilitating a peaceful solution and providing humanitarian assistance in the interest of the people of Myanmar. A notable progress has been made in the implementation of Point 4, namely for ASEAN to provide humanitarian assistance through the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre). To date, ASEAN has provided about USD 700,000 worth of medical supplies and equipment for COVID-19 response, and aims to deliver approximately USD 7 million worth of additional medical supplies to Myanmar in the first quarter of 2022 as part of the ASEAN Humanitarian Assistance to Myanmar in Phase 1 (Life-Saving). Concurrently, the AHA Centre has started the planning for Phase 2 (Life-Sustaining) which will focus on broader humanitarian needs in Myanmar. In order to support the ongoing and broader assistance which is centred on the people and to be conducted in an independent, non-discriminatory, and unimpeded ways, there is a need to review the progress and challenges of the implementation, both in scope and scale, and provide necessary guidance on the ways forward.

### II. OBJECTIVE

Jointly led by the ASEAN Chair's Special Envoy on Myanmar and the Secretary-General of ASEAN in the capacity of the ASEAN Humanitarian Assistance Coordinator (SG-AHAC), the Consultative Meeting will be convened as a high-level platform for ASEAN to initiate a multi-stakeholder dialogue and provide guidance on how to advance ASEAN's humanitarian assistance to Myanmar.

### III. DELIVERABLES

The Consultative Meeting aims to achieve the following:

1. **Guidance on how to enhance the delivery of humanitarian assistance in Myanmar.** Closed session amongst AMS and Myanmar Task Force (e.g. Minister in charge of the Myanmar Task Force) to reach a common understanding and explore the possibility of improving the ASEAN framework such as humanitarian corridor arrangement in Myanmar, ASEAN Humanitarian Friends of Myanmar and soliciting more support from/ through neighboring countries.
2. **Agreement to address the operational challenges faced by the AHA Centre.** Closed session amongst AMS and Myanmar Task Force (e.g. Minister in charge of the Myanmar Task Force) to reach a common understanding on the challenges on-the-ground that hinder the full and unimpeded humanitarian assistance in Myanmar, and to explore practical means and ways to address these challenges.



3. **Guidance towards a framework to facilitate the administration of COVID-19 vaccines in Myanmar (i.e. complementary to the national vaccination programme).** Closed session with ministerial/senior official participants from Ministry of Health or the Task Force of Myanmar to reach an understanding on the importance of vaccinating all communities in Myanmar swiftly and in a non-discriminatory way, and to explore opportunities for ASEAN and its partners (e.g. specialized UN agencies, INGOs) to contribute practically through a Joint Vaccination Framework for ASEAN Humanitarian Assistance to Myanmar.
4. **Convey ASEAN’s agreed ways forward to the UN to solicit support towards the ASEAN humanitarian framework in practical areas of cooperation in Myanmar.** Open session, in which ASEAN will share relevant outcomes of the closed discussions and to explore practical collaboration with the UN. High level participation from the UN will be invited, led by the ASG of UNOCHA.
5. **Share updates on ASEAN Humanitarian Assistance to Myanmar and to solicit support from ASEAN’s External Partners.** Open session, in which ASEAN will share progress of implementation, priority needs and the plans ahead on the ASEAN Humanitarian Assistance to Myanmar, soliciting support from ASEAN’s External Partners.

**IV. PARTICIPANTS**

The Closed Sessions will have high-level representatives from all ASEAN Member States and relevant stakeholders in Myanmar, including relevant political parties and EAOs involved in humanitarian corridor arrangements.

The Open Sessions will continue afterwards and have high-level representatives from specialized UN agencies, ASEAN External Partners as well as relevant international organisations in Myanmar.

**V. PROGRAMME**

Date: 06 May 2022

Venue: Physical in Cambodia (preferred), and/or Hybrid (i.e. in-person and virtual)

**Part 1: Closed Session (ASEAN only)**

<b>Opening Statements</b>
<ul style="list-style-type: none"> <li>• <u>H.E. Prak Sokhonn</u>, ASEAN Chair’s Special Envoy on Myanmar</li> <li>• <u>H.E. Dato Lim Jock Hoj</u>, Secretary-General of ASEAN</li> </ul>
<p><b>Session 1 - The Need for Non-discriminatory, Unhindered Humanitarian Assistance</b></p> <p>Presentation by</p> <ul style="list-style-type: none"> <li>• <u>H.E. Kung Phoak</u>, Secretary of State, MFAIC</li> </ul> <p>Discussion Facilitated by</p> <ul style="list-style-type: none"> <li>• <u>H.E. Prak Sokhonn</u>, ASEAN Chair’s Special Envoy on Myanmar</li> </ul>



**Session 2 - Operational Challenges to ASEAN Humanitarian Assistance to Myanmar**

Presentation by

- Mr. Lee Yam Ming, Executive Director of the AHA Centre

Discussion Facilitated by

- H.E. Dato Lim Jock Hoi, Secretary-General of ASEAN

**Session 3 - Framework for COVID-19 Vaccine Administration in Myanmar**

Presentation by

- H.E. Ekkaphab Phanthavong, Deputy Secretary-General of ASEAN for ASCC
- Ministry of Health of Myanmar (TBC)

Discussion Facilitated by

- H.E. Prak Sokhonn, ASEAN Chair's Special Envoy on Myanmar

**Part 2: Open Session (ASEAN and External Partners)**

**Opening Remarks**

- H.E. Prak Sokhonn, ASEAN Chair's Special Envoy on Myanmar
- H.E. Dato Lim Jock Hoi, Secretary-General of ASEAN
- Ms. Joyce Msuya, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator

**Session 4 - ASEAN-UN Collaboration for ASEAN Humanitarian Assistance to Myanmar**

Joint Presentation by

- Mr. Lee Yam Ming, Executive Director of the AHA Centre
- Mr. Ramanathan Balakrishnan, UN Resident Coordinator and Head of OCHA Myanmar

Discussion Facilitated by

- H.E. Dato Lim Jock Hoi, Secretary-General of ASEAN

**Session 5 – ASEAN Humanitarian Friends of Myanmar and Support for ASEAN Humanitarian Assistance to Myanmar**

Presentation by

- H.E. Kung Phoak, Secretary of State, MFAIC
- Announcement of supports by Partners (List to be added once confirmed)

Discussion Facilitated by

- H.E. Prak Sokhonn, ASEAN Chair's Special Envoy on Myanmar

**Closing Statements**

- H.E. Dato Lim Jock Hoi, Secretary-General of ASEAN
- H.E. Prak Sokhonn, ASEAN Chair's Special Envoy on Myanmar



## DECISIONS

### OF

## THE CONSULTATIVE MEETING ON ASEAN HUMANITARIAN ASSISTANCE TO MYANMAR

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### **PART 1: ASEAN HUMANITARIAN ASSISTANCE DELIVERY ARRANGEMENT FRAMEWORK**

- The meeting welcomed the progress made in the implementation of the ASEAN Humanitarian Assistance Delivery Arrangement in a step-by-step approach by identifying the states and regions to bring humanitarian assistance to as many people in as many areas in Myanmar as possible. These states and regions include Kayah, Kayin, Magway, Sagaing and Bago.
- With the approval from the Myanmar Task Force, the AHA Centre as the primary coordinator will facilitate any request for access through this delivery arrangement from ASEAN member countries, external partners and trusted international organizations.
- The AHA Centre, in close consultation with the Myanmar Task Force, will propose a list of implementing partners such as local agencies, members of the AADMER Partnership Group, and international organizations, among others.
- The AHA Centre should provide details of the requested parties, assistance they want to provide, areas they want to access, and precise distribution plan for the consideration and approval of the Myanmar Task Force prior to any delivery.
- The Myanmar Task Force will work with the National Solidarity and Peace-making Committee to ensure that humanitarian assistance will be delivered to all communities including the Ethnic Armed Organizations areas.

### **PART 2: JOINT MINISTRY OF HEALTH-PARTNERS VACCINES ADMINISTRATION FRAMEWORK**

- The AHA Centre and the Ministry of Health of Myanmar are tasked to implement the Joint MOH-Partners Vaccination to Hard-to-Reach Areas Framework.
- Under this Framework, operational teams of 50:50 distribution between the Ministry of Health of Myanmar and Partners will be deployed to administer vaccines to the communities in need.
- The AHA Centre, in consultation with the Ministry of Health of Myanmar and based on the findings of the Joint Needs Assessment, will identify and verify states and regions that need COVID-19 vaccine doses.



- The AHA Centre can recommend donors and potential partners to support the distribution of vaccine administration in Myanmar. The AHA Centre and the Ministry of Health of Myanmar will jointly assess the implementing parties.
- The administration of vaccines under this framework will be jointly monitored and verified by the Ministry of Health of Myanmar and the ASEAN Monitoring Team, led by the AHA Centre.
- The Myanmar Task Force will provide tax exemption, import facilitation and other necessary documentation arrangement of vaccines into Myanmar. The Ministry of Health of Myanmar will be responsible for cold-chain storage.
- The Ministry of Health of Myanmar is committed to work with the AHA Centre and relevant partners to vaccinate people in the Ethnic Armed Organisations areas where internally displaced people (IDP) camps and affected communities, including Rakhine State.

### **PART 3: COMMITMENTS TO ADDRESS OPERATIONAL CHALLENGES TO ASEAN HUMANITARIAN ASSISTANCE TO MYANMAR**

- The Myanmar Task Force will do its utmost ability to expedite the approval process for the delivery of humanitarian assistance to Myanmar and urge the AHA Centre and relevant implementing partners to provide required documents in advance and follow necessary processes in a timely manner. The Myanmar Task Force to provide clarity on the procedure and timeline for the approval process.
- The Myanmar Task Force reassures that the safety and security of the ASEAN-ERAT team members, staffs of the AHA Centre and ASEAN Monitoring Team during the conduct of the Joint Needs Assessment and the implementation of Phase 2 are its top priority.
- The Myanmar Task Force, in consultation with AHA Centre, may consider the involvement of other partners in the implementation of Phase 2 on a case-by-case basis.
- The Myanmar Task Force may consider allowing AHA Centre to conduct the Joint Needs Assessment and the implementation of Phase 2 that i.e., provision of humanitarian assistance to hard-to-reach areas.
- The Myanmar Task Force will offer full cooperation and support to the ASEAN Monitoring Team in order for it to be able to fulfil its roles as stated in the executive paper that was adopted at the 54<sup>th</sup> AMM in August 2021.



**CONCEPT NOTE**

**ON**

**THE PROPOSAL TO ESTABLISH AN ASEAN TROIKA ON MYANMAR<sup>1</sup>**

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**I. Background**

- (a) In his letter to ASEAN Leaders dated 17 January 2022, H.E. Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia and the ASEAN Chair in 2022, proposed the establishment of an ASEAN Troika comprising of the past, incumbent and incoming ASEAN Chairs, and supported by the Secretary-General of ASEAN to monitor and coordinate the implementation of the Five-Point Consensus as agreed at ASEAN Leaders' Meeting on 24 April 2021.
- (b) The ASEAN Troika, henceforth referred to as the Troika, is a mechanism introduced by ASEAN in 1997 to undertake a mediating role between parties concerned on Cambodia. As stated in its Term of Reference, *“the purpose of the Troika is to enable ASEAN to address in a timely manner urgent and important regional political and security issues and situations of common concern likely to disturb regional peace and harmony.”*
- (c) The Terms of Reference of the ASEAN Troika was adopted by the 33<sup>rd</sup> ASEAN Foreign Ministers' Meeting (AMM) in July 2000 in Bangkok.
- (d) The Troika underscores ASEAN's unity and commitment as a family to assist a Member State to resolve an on-going political crisis with grave regional implications. In addition, the Troika provides the opportunity for ASEAN Member States to provide additional contribution toward facilitating the implementation of the Five-Point Consensus while preserving the leading role of the ASEAN Chair and the Special Envoy of the ASEAN Chair on Myanmar. The participation of the immediate past and future Special Envoy in the Troika ensures a degree of continuity in the work of the Special Envoy.

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<sup>1</sup> *The ASEAN Troika is among ASEAN dispute settlement mechanisms in place. Its Terms of Reference (TOR) was adopted at the 33<sup>rd</sup> AMM in July 2000, following the Leaders' agreement at the 3<sup>rd</sup> ASEAN Informal Summit in November 1999. It is, however, ostensibly omitted in the ASEAN Charter. The ad hoc Troika mechanism was (only) employed in July 1997 in response to a political crisis in Cambodia – who was at that time not yet a member of ASEAN. Since the adoption of its TOR, this mechanism has not been utilised.*



## **II. Composition**

- (a) The Troika will be established upon the approval of the ASEAN Foreign Ministers. If established in 2022, the Troika will comprise the Foreign Minister of Cambodia as the Chairman, as well as the Foreign Ministers of Brunei Darussalam and Indonesia in their capacities as the past and future ASEAN Chairs. The work of the Troika is supported by the Secretary-General of ASEAN, as deemed necessary.
- (b) The chairmanship and composition of the Troika will change in tandem with the rotation of the ASEAN Chairmanship.
- (c) The Troika is an *ad hoc* body and will be dissolved upon the approval of the ASEAN Foreign Ministers.

## **III. Roles and Functions**

- (a) Taking into account that the Chairman of the Troika is concurrently the Special Envoy of the ASEAN Chair on Myanmar, the work of the Troika would complement, align with, and support the mission of the Special Envoy. It is imperative that there are no duplications nor conflicts of work between the two mechanisms. For this purpose, the Special Envoy as the Chair of the Troika will coordinate its work, and also act as the spokesperson of the Troika.
- (b) The Chair of the Troika shall work collaboratively with its fellow members. Decisions should be made on the basis of consultations among the three members.
- (c) The Troika shall update the ASEAN Foreign Ministers on the progress of its work on a regular basis and make recommendations to the ASEAN Foreign Ministers on the implementation of the Five-Point Consensus.
- (d) In the course of its work, the Troika will adhere to the principles enshrined in the ASEAN Charter and other key ASEAN instruments, including the Treaty of Amity and Cooperation in Southeast Asia (TAC).

## **IV. Mandate**

- (a) The Troika may be tasked with facilitating and verifying the implementation of the Five-Point Consensus towards the immediate cessation of violence, the timely provision of humanitarian assistance to those most in need, the inclusive dialogue among parties concerned, and ultimately the long-lasting peace in Myanmar.
- (b) Through the Special Envoy, the Troika may undertake dialogue with all parties concerned in order to understand their respective positions as a precursor to facilitating mediation and reconciliation. When necessary, the Troika may provide good offices, facilitate communication and undertake “shuttle diplomacy” between and among the parties concerned.



- (c) The Troika may work with the authorities in Myanmar and all relevant stakeholders on a roadmap and timeline of constructive dialogues towards peaceful solutions to the conflicts in Myanmar.
- (d) The Troika, based on the needs on the ground, may make recommendations to the ASEAN Foreign Ministers on mobilising resources and engaging external partners for the purpose of implementing the Five-Point Consensus.
- (e) The Troika may meet as often as necessary.

#### **V. The State Administration Council of Myanmar**

- (a) Given the central role of the State Administration Council of Myanmar, members of the Troika shall work closely with their Myanmar's counterpart to ensure full and effective implementation of the Five-Point Consensus.
- (b) The State Administration Council is expected to facilitate the works of the Troika and other ASEAN entities that are tasked by the ASEAN Leaders with carrying out programs and activities in accordance with the Five-Point Consensus.
- (c) The Troika may consult with its Myanmar's counterparts prior to deciding on matters that may require full cooperation and coordination from the State Administration Council and its line agencies.

#### **VI. Funding and Support for the Work of the Troika**

- (a) The Troika may be supported by the ASEAN Monitoring Team consisting of the ASEAN Ambassadors/Representatives to Myanmar, and the AHA Centre.
- (b) The ASEAN Monitoring Team may be tasked with monitoring, verifying, collecting data and information, and providing regular on the ground updates with regard to the implementation of the Five-Point Consensus.
- (c) The Troika will be responsible for their own expenses.



**CONCEPT NOTE**

**ON**

**ASEAN Humanitarian Friends of Myanmar**

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**I. Introduction**

1. On 24 April 2021, the ASEAN Leaders' Meeting (ALM) was held at the ASEAN Secretariat in Jakarta, Indonesia where they discussed the developments in Myanmar and reached the Five-Point Consensus. Since then, the 2021 and 2022 Special Envoys of the ASEAN Chairs on Myanmar have been undertaking substantive consultations with ASEAN Member States, ASEAN Secretary-General, Dialogue Partners, the United Nations (UN) and the International Red Cross and Red Crescent Movement, among others to explore meaningful ways and support implementation of the Five-Point Consensus.
2. With regard to Point 4 of the Five-Point Consensus which calls for the provision of ASEAN Humanitarian Assistance to Myanmar, the ASEAN Secretary-General was tasked to lead its implementation in the capacity of the ASEAN Humanitarian Assistance Coordinator (SG-AHAC), in consultation with the ASEAN Chair's Special Envoy on Myanmar, and with operational support from the AHA Centre.
3. To ensure that our assistance to Myanmar is beneficial to and reach the people of Myanmar, there are suggestions to widen the dialogue and participation with like-minded parties to chart future strategies, mobilise resources and communicate ASEAN actions to the wider audience. We propose to consider the establishment of an ASEAN Humanitarian Friends of Myanmar (AHFM).

**II. Objectives**

**i. To mobilise financial and in-kind resources and technical support**

- To create an impartial and practical venue to generate wider support from like-minded partners, friendly countries and international organisations, non-governmental organisations, philanthropy organisations, and other relevant parties.
- The ASEAN Humanitarian Friends of Myanmar may make contributions in the form of monetary or in-kind support (e.g. medical supplies and equipment for COVID-19 response, food or non-food items for broader humanitarian needs, etc.)
- The ASEAN Humanitarian Friends of Myanmar, especially local agencies, non-governmental organizations and civil society groups, may also contribute and jointly implement life-saving or life-sustaining projects with ASEAN, such as in areas of distribution of food, shelters, education, health care, potable water, hygiene and other livelihood related matters.



- The AHFM offers the opportunity to enhance administration and distribution of humanitarian assistance in regions or states that do not have sufficient institutions or infrastructure to efficiently and widely deliver public goods and services to the communities in need (e.g. non-government-controlled areas where the Ministry of Health faces challenges in providing basic health care services and vaccination administration at scale).
- Bilateral assistance also plays an important role to complement the regional humanitarian framework for Myanmar and may also be noted by the AHFM. Of particular significance and will be encouraged are key bilateral assistance from Myanmar's territorial neighbours that have intimate and long-standing traditional trade and investment relations, people-to-people connections, and proximity to deliver practical support for immediate assistance to affected communities.

**ii. To enhance information sharing and coordination**

- To assist in ensuring the provision of humanitarian assistance is conducted in a holistic, inclusive, fair, and equitable manner. This includes addressing gaps and learning from current strategies and implementation plans, ensures stronger synergy between international organisations, regional institutions (e.g. the AHA Centre) and key local agencies, to avoid overlapping or duplicating efforts and to address common challenges.
- To initiate discussion and seek coordination with key stakeholders on the ground to target humanitarian assistance to under-served people and communities in need. Participants can share information and advisories to improve collective approach and seek assurances on the safety, security, and access of humanitarian personnel, as well as the protection of those seeking assistance.
- To share information, especially in-country perspectives and analysis. We expect that the diverse network of members, would enable greater access to information from a variety of sources, which would help to inform and verify the progress of the provision of humanitarian assistance and provide information for better coordination. Timely and accurate information also allows for faster and more efficient delivery of humanitarian assistance to those affected population.
- To ensure coherent communication to the public, all parties concerned (including the international community) and verify factual information in a timely manner. Accurate, reliable and up-to-date information will help to tackle the issues of misinformation and disinformation campaigns, which may undermine the humanitarian efforts and lead to the loss of trust and confidence in ASEAN and its mechanisms.



### **III. AHFM High Level Forum**

4. This Forum will serve as a consultative platform for all the members of the AHFM to receive updates and share views on how ASEAN and its partners can mobilize enough resources to sustain the provision of humanitarian assistance to the people of Myanmar in medium- and long-term. At the High Level Forum:
  - The AHA Centre will be invited to share progress of implementation of the ASEAN Humanitarian Assistance to Myanmar and the achievements made in the year.
  - The AHA Centre will share their findings on the gaps and needs in Myanmar to exchange notes with Friends.
  - The AHA Centre will be invited to share the plans for humanitarian assistance in Myanmar in the forthcoming year.
  - The Friends may provide funding and technical supports for projects or activities in the forthcoming year as presented by the AHA Centre.
5. The Report of the AHFM High Level Forum will be submitted to the ASEAN Summit for the Leaders' notation. The ASEAN Chair will host this Forum in a physical format in October, unless otherwise decided.

### **IV. Participation and Format**

6. The ASEAN Chair's Special Envoy on Myanmar and the Secretary-General of ASEAN in the capacity of SG-AHAC will jointly co-Chair the ASEAN Humanitarian Friends of Myanmar and lead the meetings' proceedings in plenary format.
7. Representatives from relevant ASEAN Sectoral Bodies, i.e. ASEAN Senior Officials' Meeting (ASEAN SOM), ASEAN Senior Officials Meeting on Health Development (SOMHD), and ASEAN Committee on Disaster Management (ACDM), will be invited to participate with reference to their respective purviews.
8. Invitations will be extended to the ambassadors of ASEAN External Partners (i.e. Dialogue Partners, Sectoral Dialogue Partners, Development Partners) to participate at the ASEAN Humanitarian Friends of Myanmar with the expectation of offering funding support for humanitarian projects in Myanmar.
9. Relevant International Organisations and International Civil Society Organisations will also be invited to participate respective to their operational presence in Myanmar and capacity to contribute technical support to the implementation of the ASEAN Humanitarian Assistance to Myanmar.



10. Other non-profit organisations, government-linked philanthropic organisations or private sector entities may be invited to participate on a case-by-case basis subject to the prerogative of the Co-Chairs of ASEAN Humanitarian Friends of Myanmar.

#### **V. Expected Deliverables**

11. The ASEAN Humanitarian Friends of Myanmar is expected to be established during the First Consultative Meeting in Cambodia, tentatively on 6 May 2022, after which the working mechanism, and a list of projects may be developed based on the recommendations of the AHA Centre's Joint Needs Assessment in Myanmar.

#### **VI. Next Steps**

12. Upon receipt of the formal request from Cambodia, the ASEAN Secretariat will support to further develop the concept paper, terms of reference of the AHFM, together with the implementation arrangement, for inputs from ASEAN Member States and the State Administration Council of Myanmar.



**NON-PAPER**  
**ON**  
**EXIT STRATEGY TO MYANMAR'S POLITICAL CRISIS**

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**I. RATIONALE**

The Five-Point Consensus (5PC) sets out crucial priorities designed as an instrument to enable ASEAN to help Myanmar return to normalcy. From its inception, the 5PC does not outline measurable objectives, specific actions, and clear timeline. It only seeks to facilitate the commencement and mediation of a dialogue process, allowing the remaining ultimate tasks of a negotiated peaceful national reconciliation to Myanmar's concerned parties. Of course, such design is to prevent ASEAN from interfering into internal affairs of its member state, but it also takes away the ability to help Myanmar restore peace and return to normalcy the soonest possible.

Moreover, it is also a grave mistake to conclude that just because some solutions such as a general election are included in the Five-Point Roadmap of the State Administration Council (SAC), they should not be considered as a possible solution. It simply means even the SAC has recognized that it is an exit strategy from the current political crisis. ASEAN discussions therefore should not be about total rejection of these solutions, but rather how they could be implemented to the extent that they would be credible and acceptable. There are growing calls from Myanmar's concerned parties for ASEAN to play a bigger role, and member states should respond with a practical, workable and patient approach.

**II. EXIT STRATEGY TO MYANMAR'S POLITICAL CRISIS**

Guided by the ASEAN Charter and the 5PC, the Exit Strategy to Myanmar's political crisis consists of three phases, namely (1) commencement of a dialogue process, (2) deliberation on peaceful political settlements, and (3) implementation of the political settlements:

**1. Commencement of a Dialogue Process**

During the second working visit to Myanmar, the Special Envoy managed to get the SAC to agree to meet with individuals or groups designated as terrorist but with 3 preconditions: (1) they do not seek to destroy by force the SAC, (2) they do not seek to replace the SAC, and (3) they agree to use the 2008 Constitution as the basis for talk. However, the National Unity Government (NUG) rejected the SAC's proposal, and offered its own preconditions, which basically seek to put the military under civilian control and even send its senior leadership to prison. These preconditions between the SAC and the NUG are oceans-apart, making any efforts to bring them to the negotiating table futile.

Moving forward the dialogue process requires all armed groups to make compromises with the cessation of violence as an enabling factor. While ASEAN has demanded the Tatmadaw to refrain from the use or threat of force, the same must also be applied to other armed opposition groups such as the NUG, the PDF and the EAOs. The fact of the matter is in an armed conflict situation a unilateral ceasefire by one party of the conflict never works. If ASEAN is asking the Tatmadaw to adhere to a ceasefire strictly and fully, and not to use heavy



weapons, aircrafts, and disproportionate responses, among others, other armed opposition groups must also be asked to comply with the same rules.

Practically, the SAC, the NLD, the NUG and other key stakeholders should engage in the dialogue process without preconditions at a level of representation that is comfortable for all sides. Such dialogue should be seen as a process that enable concerned parties to constructively talk with one another, raise concerns and voice disagreements, and deliberate on modalities of engagement at a higher level with the sole purpose of achieving a doable and acceptable negotiated reconciliation. As outlined in the 5PC, the Special Envoy can facilitate the commencement and mediation of the dialogue process and help in good faith mediate between concerned parties.

## **2. Deliberation on Peaceful Political Settlement**

Myanmar's all concerned parties will have the ultimate responsibility and authority to deliberate and decide on peaceful political settlements. As guided by the ASEAN Charter, member states will not interfere in internal affairs of Myanmar. If requested, what ASEAN can do is to provide expertise, share experience, and facilitate the deliberation. All concerned parties should work together on a detailed plan that outlines clear milestones, specific actions, and practical timeline. Member countries may also provide a neutral venue for Myanmar to hold these talks if needed.

Despite the fact that election has been widely seen as a peaceful and democratic solution to the current political crisis, and that it should also be considered as a potential political settlement, some parties including ASEAN member states are still reluctant to recognize it. Yet, rather than distancing itself from the general election that the SAC is planning to hold in 2023 and only to reject the results later, ASEAN may consider helping Myanmar turn it into a credible and workable solution. In fact, many key actors in Myanmar and external partners have already expressed their support for a generally acceptable election as well as ASEAN role as an honest broker in this Myanmar peace initiative.

## **3. Implementation of Political Settlements**

The implementation of these political settlements is entirely Myanmar's internal affairs, and if requested, outside stakeholders including ASEAN should provide supports as appropriate. In the case that Myanmar's concerned parties agree to hold a general election in the near future, ASEAN may explore the possibility of establishing a regional monitoring group to help ensure that such general election will be credible, inclusive, acceptable and transparent. Moreover, member states may consider providing financial and technical assistance for capacity building, and necessary equipment for the conduct of the general election.

### **III. IMPLEMENTATION**

Developing and implementing this Exit Strategy will require extensive and numerous meetings and consultations between and among all involved, and given the fact that it will take a long time to reach the final phase, ASEAN has to ensure that there will be continuity and consistency in its approach toward Myanmar. The Special Envoy of the ASEAN Chair should be tasked to mediate among Myanmar's all concerned parties, in particular the SAC, the NLD, the NUG, and other relevant stakeholders in order to obtain their full support for the implementation of this Exit Strategy as soon as possible.

**ANNEX 2:**  
List of Engagements with All  
the Parties Concerned by the  
ASEAN Chair 2022





## **ANNEX 2: LIST OF ENGAGEMENTS WITH PARTIES CONCERNED IN MYANMAR BY THE ASEAN CHAIR 2022**

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### **Visits to Myanmar**

- 1 Working Visit of Samdech Akka Moha Sena Padei Techo HUN SEN, Prime Minister of the Kingdom of Cambodia, to Myanmar
- 2 Working Visits of the Special Envoy of the ASEAN Chair
- 3 Working Visits of the Head of Office of Special Envoy of the ASEAN Chair

### **ASEAN Leaders**

- His Majesty Sultan Haji Hassanal Bolkiah Mu'izzadin Waddaulah, Prime Minister, Minister of Defense, Minister of Finance and Economy, and Minister of Foreign Affairs of Brunei Darussalam
- H.E. Joko Widodo, President of the Republic of Indonesia
- H.E. Dr. Phankham Viphavanh, Former Prime Minister of Lao PDR
- H.E. Dato' Sri Ismail Sabri bin Yaakob, Former Prime Minister of Malaysia
- H.E. Ferdinand Marcos Jr., President of the Republic of the Philippines
- H.E. Lee Hsein Loong, Prime Minister of the Republic of Singapore
- H.E. General Prayut Chan-O-Cha, Prime Minister of the Kingdom of Thailand
- H.E. Pham Minh Chinh, Prime Minister of the Socialist Republic of Viet Nam

### **World Leaders**

- Honorable Anthony Albanese, Prime Minister of Australia
- H.E. Justin Trudeau, Prime Minister of Canada
- H.E. Li Keqiang, Premier of the State Council of the People's Republic of China
- H.E. Charles Michel, President of the European Council
- H.E. Emmanuel Macron, President of the Republic of France
- H.E. Olaf SCHOLZ, Federal Chancellor of Germany
- H.E. Narendra Modi, Prime Minister of the Republic of India
- H.E. Fumio Kishida, Prime Minister of Japan
- H.E. Jacinda Ardern, Prime Minister of New Zealand
- H.E. Yoon Suk-yeol, President of the Republic of Korea
- H.E. Moon Jae-in, Former President of the Republic of Korea
- Honorable Joe Biden, President of the United States of America
- Representative Gregory W. Meeks, Chair of the Foreign Affairs Committee of the United States House of Representatives
- H.E. Antonio Guterres, UN Secretary General
- H.E. Ban Ki-moon, Former UN Secretary General



### **ASEAN Foreign Ministers**

- H.E. Dato Erywan Pehin Yusof, Minister of Foreign Affairs II of Brunei Darussalam and former Special Envoy on Myanmar
- H.E. Retno Marsudi, Foreign Minister of the Republic of Indonesia
- H.E. Saleumxay Kommasith, Foreign Minister of Lao People's Democratic Republic
- H.E. Saifuddin Abdullah, Foreign Minister of Malaysia
- H.E. Enrique Manalo, Foreign Secretary of the Philippines
- H.E. Teodoro Locsin, Former Foreign Secretary of the Philippines
- H.E. Dr. Vivian Balankrisnan, Foreign Minister of the Republic of Singapore
- H.E. Don Pramudwinai, Deputy Prime Minister and Foreign Minister of the Kingdom of Thailand
- H.E. Bui Thanh Son, Minister of Foreign Affairs of the Socialist Republic of Viet Nam
- H.E. Dato Lim Jock Hoi, Former ASEAN Secretary-General

### **Myanmar's State Administration Council (SAC)**

- Senior General Min Aung Hlaing, Chairman of the SAC
- H.E. Wunna Maung Lwin, Union Minister of Foreign Affairs
- H.E. Ko Ko Hlaing, Union Minister of International Cooperation and Chair of the Myanmar Task Force to Facilitate the Provision of ASEAN Humanitarian Assistance
- H.E. U Win Shein, Union Minister of Planning and Finance
- H.E. Dr. Thet Khaing Win, Union Minister for Health
- H.E. Dr. Thet Thet Khine, Union Minister of Social Welfare, Relief and Resettlement
- H.E. Dr. Kan Zaw, Union Minister of Investment and Foreign Economic Relations
- H.E. Yar Pyae, Chairman of the National Solidarity and Peace-making Negotiation Committee
- H.E. U Aung Naing Oo, Former Union Minister of Investment and Foreign Economic Relations

### **Myanmar's National Unity Government (NUG)**

- H.E. Zin Mar Aung, Foreign Minister of Myanmar (NUG)
- H.E. U Moe Zaw Oo, Deputy Foreign Minister of Myanmar (NUG)
- H.E. Win Myat Aye, Minister for Social Welfare, Relief and Resettlement

### **Parties Concerned in Myanmar**

- Mr. Ko Ko Gyi, Chairman of the People's Party of Myanmar
- Ethnic Armed Organizations (EAOs)
  1. Karen National Union / Karen National Liberation Army – Peace Council, also known as KNC/KNLA-PC
  2. Lahu Democratic Union
  3. Arakan Liberation Party – ALP
  4. Democratic Karen Benevolent Army - DKBA



5. New Mon State Party – NMSP
  6. Pa-O National Liberation Organization – PNLO
  7. Restoration Council of Shan States - RCSS
- Political Parties
    1. Pa-O National Organization
    2. Ta'ang National Party
    3. Union Solidarity and Development Party
    4. Zomi Congress for Democracy
    5. Arakan National Party
    6. Arakan Front Party
    7. Mon Unity Party

### **Foreign Ministers of Dialogue Partners and other External Partners**

- H.E. Santiago Cafiero, Minister of Foreign Affairs, International Trade and Worship of the Argentine Republic
- H.E. Penny Wong, Foreign Minister of Australia
- H.E. Marise Payne, Former Foreign Minister of Australia
- H.E. AK Abdul Momen, Foreign Minister of Bangladesh
- H.E. Wang Yi, State Councilor and Foreign Minister of the People's Republic of China
- H.E. Jean-Yves Le Drian, Former Minister of Europe and Foreign Affairs of the French Republic
- H.E. Annalena Baerbock, Minister for External Affairs of the Federal Republic of Germany
- H.E. Subrahmanyam Jaishankar, External Affairs Minister of the Republic of India
- H.E. Yoshimasa Hayashi, Foreign Minister of Japan
- H.E. Nanaia Mahuta, Foreign Minister of New Zealand
- H.E. Anniken Huitfeldt, Minister of Foreign Affairs of Norway
- H.E. Park Jin, Minister of Foreign Affairs of the Republic of Korea
- H.E. Chung Eui-yong, Former Minister of Foreign Affairs of the Republic of Korea
- H.E. Sergey Lavrov, Foreign Minister of the Russian Federation
- H.E. Anthony Blinken, Secretary of State of the United States
- H.E. Derek Chollet, Counselor to Secretary of State
- H.E. Josep Borrell, EU High Representative

### **Heads of Missions**

- ASEAN Heads of Mission in Myanmar
- H.E. Chen Hai, Ambassador of the People's Republic of China to Myanmar
- H.E. Ranieri Sabatucci, Ambassador of the European Union to Myanmar
- H.E. Christian Lechery, Ambassador of the French Republic to Myanmar
- H.E. Thomas L. Vajda, Ambassador of the United States of America to Myanmar
- H.E. Vinay Kumar, Ambassador of the Republic of India to Myanmar
- Mrs. Angela Corcoran, Chargé d'Affaires of the Australian Embassy to Myanmar



### **International Organisations**

- Dr. Noeleen Heyzer, UN Special Envoy on Myanmar
- Mr. Yohei Sasakawa, Special Envoy of the Government of Japan for National Reconciliation in Myanmar
- H.E. Masatsugu Asakawa, President of Asian Development Bank (ADB)
- H.E. Zhang Ming, Secretary General of Shanghai Cooperation Organisation (SCO)
- Professor Klaus Schwab, Executive Chairman of World Economic Forum (WEF)
- Professor Dr. Htin Zaw Soe, Secretary-General of Myanmar Red Cross Society
- UN Specialized Agencies in Myanmar

### **Meetings and Briefings**

- 5 Bilateral Meetings between Samdech Akka Moha Sena Padei Techo HUN SEN, Prime Minister of the Kingdom of Cambodia, and H.E. Joko Widodo, President of the Republic of Indonesia; H.E. Lee Hsein Loong, Prime Minister of the Republic of Singapore; H.E. Dato' Sri Ismail Sabri bin Yaakob, Former Prime Minister of Malaysia; and Senior General Min Aung Hlaing, Chairman of the State Administration Council (SAC), via Videoconference
- 2 Courtesy Calls on Samdech Akka Moha Sena Padei Techo HUN SEN, Prime Minister of the Kingdom of Cambodia, by H.E. Dato LIM JOCK HOI, Secretary-General of ASEAN, and Dr. Noeleen Heyzer, Special Envoy of the UN Secretary-General on Myanmar
- 1 Informal ASEAN Foreign Ministers' Meeting, New York, U.S.A
- 1 Special ASEAN Foreign Ministers' Meeting, Jakarta, Indonesia
- 1 Ministerial Informal Consultation on Myanmar, Bangkok, Thailand
- Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar, Phnom Penh, Cambodia
- 2 Closed-Door Briefings on Myanmar to the Members of the United Nations Security Council, via videoconference
- 1 Burma Policy Coordination Meeting Among International Partners, New York, U.S.A
- 1 Closed-Door Briefing on Myanmar to the Political-Security Committee of the European Council in Brussel, Belgium
- 1 Keynote Address at the ISEAS-Yusof Ishak Institute's Special Discussion on the "Update on ASEAN's Efforts in Myanmar"

**ANNEX 3:**  
Photos of Cambodia's  
Efforts and the Works of  
Her Special Envoy in the  
Implementation of the 5PC



EFFORTS MADE BY

**SAMDECH AKKA MOHA  
SENA PADEI TECHO  
HUN SEN**

**PRIME MINISTER OF THE KINGDOM OF  
CAMBODIA AND CHAIR OF ASEAN 2022**

# Working Visit of Samdech Akka Moha Sena Padei Techo HUN SEN in a bid to Address Myanmar Crisis

07-08 January 2022, Nay Pyi Taw, MYANMAR



Myanmar issue is one of the top priorities for Cambodia's ASEAN Chairmanship. We have endeavored to implement the ASEAN Five-Point Consensus (5PC) to help Myanmar find peace, stability and return to normalcy and to bring ASEAN back to 10 based on ASEAN Charter, pragmatism and step-by-step approach.

Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and His Majesty Sultan Haji  
Hassanal Bolkiah Mu'izzadin Waddaulah, Prime  
Minister of Brunei Darussalam

14 November 2022, Phnom Penh, CAMBODIA



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Joko Widodo, President of  
the Republic of Indonesia

04 January 2022, via Videoconference



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Dr. Phankham  
Viphavanh, Former Prime Minister of Lao PDR  
10 November 2022, Phnom Penh, CAMBODIA



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Dato' Sri Ismail Sabri bin  
Yaakob, Former Prime Minister of Malaysia  
25 January 2022, via Videoconference



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Ferdinand Marcos Jr.,  
President of the Republic of the Philippines

10 November 2022, Phnom Penh, CAMBODIA



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Lee Hsien Loong, Prime  
Minister of the Republic of Singapore

15 January 2022, via Videoconference



Meeting between Samdech Akka Moha Sena Padei Techo  
HUN SEN and H.E. General Prayut Chan-O-Cha,  
Prime Minister of the Kingdom of Thailand  
10 NOVEMBER 2022, PHNOM PENH, CAMBODIA



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Pham Minh Chinh, Prime  
Minister of the Socialist Republic of Viet Nam  
08 NOVEMBER 2022, PHNOM PENH, CAMBODIA



**Meeting  
between  
Samdech Akka  
Moha Sena  
Padei Techo  
HUN SEN and  
Senior General  
Min Aung  
Hlaing**



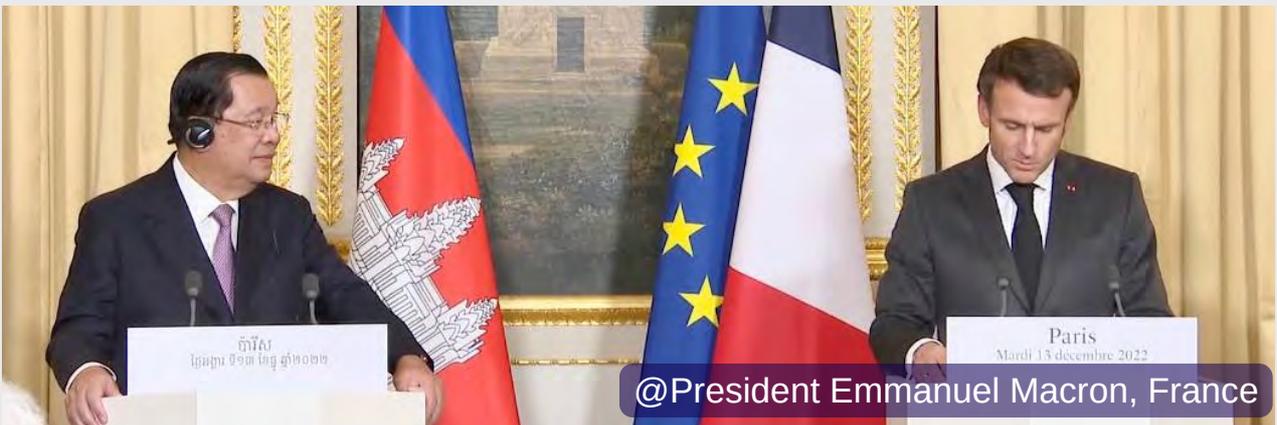
26 January & 02 May 2022,  
via Videoconference

MEETINGS WITH

# WORLD LEADERS



@Premier Li Keqiang, PRC





@PM Fumio Kishida, Japan



@President Yoon Suk-yeol, ROK



@PM Anthony Albanese, Australia



@Vice President Jagdeep Dhankhar, India



@PM Justin Trudeau, Canada



@PM Jacinda Ardern, New Zealand



@Federal Chancellor Olaf SCHOLZ, Germany



@President Charles Michel, European Council



@Secretary General Antonio Guterres, UN



@Former UN SG Ban Ki-moon

Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and H.E. Dato LIM JOCK HOI,  
Former Secretary-General of ASEAN

17 January 2022, Phnom Penh, CAMBODIA



Meeting between Samdech Akka Moha Sena Padei  
Techo HUN SEN and Dr. Noeleen Heyzer, Special  
Envoy of the UN Secretary-General on Myanmar

01 April 2022, Phnom Penh, CAMBODIA





@Executive Chairman Professor Klaus Schwab, World Economic Forum



@President Masatsugu Asakawa, Asian Development Bank



@SG Zhang Ming, Shanghai Cooperation Organisation

EFFORTS MADE BY

**HIS EXCELLENCY  
DEPUTY PRIME MINISTER  
PRAK SOKHONN**

**MINISTER OF FOREIGN AFFAIRS AND  
INTERNATIONAL COOPERATION OF THE  
KINGDOM OF CAMBODIA AND  
SPECIAL ENVOY OF THE ASEAN CHAIR 2022**

# First Working Visit of the Special Envoy of the ASEAN Chair to Myanmar

21-22 March 2022, Nay Pyi Taw & Yangon, MYANMAR



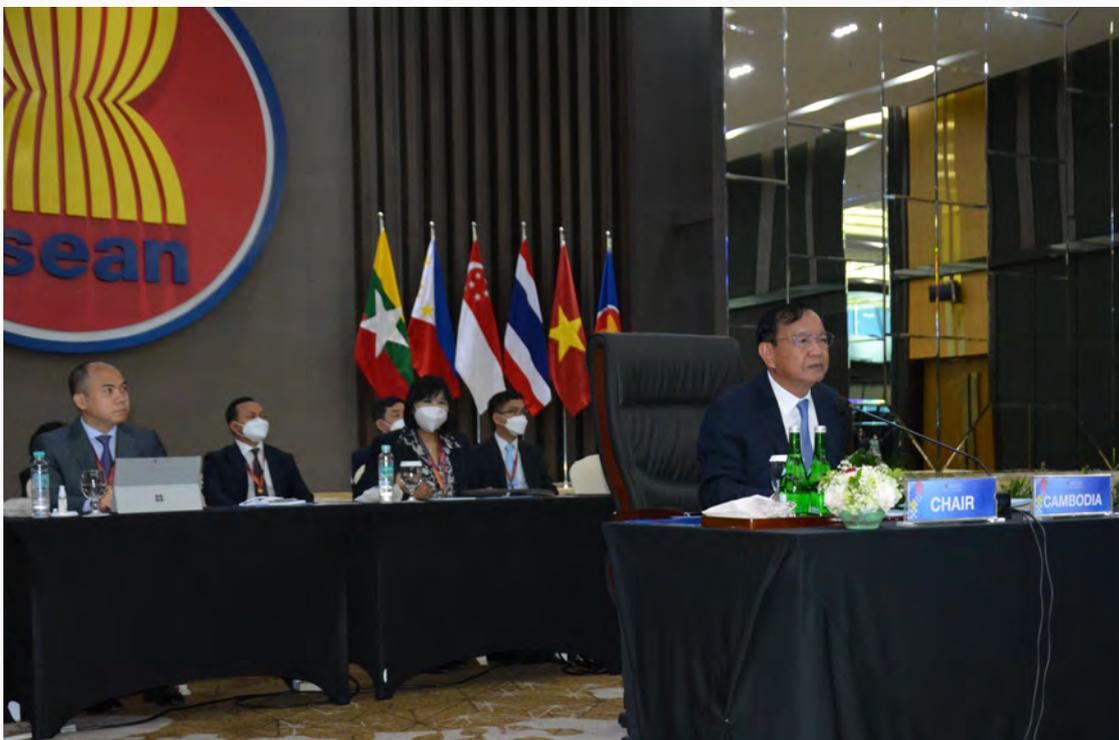


## Second Working Visit of the Special Envoy of the ASEAN Chair to Myanmar

29 June- 02 July 2022, Nay Pyi Taw & Yangon, MYANMAR



**Informal ASEAN Foreign Ministers' Meeting (IAMMM)**  
22 September 2022, New York, U.S.A



**Special ASEAN Foreign Ministers' Meeting**  
27 October 2022, ASEAN Secretariat, Jakarta, Indonesia



# Informal Ministerial Consultation on the Situation in Myanmar

22 December 2022, Bangkok, THAILAND



CONSULTATIVE MEETING  
ON ASEAN HUMANITARIAN ASSISTANCE TO MYANMAR



06 May 2022, Phnom Penh, CAMBODIA



TO THE UN SECURITY COUNCIL

# CLOSED-DOOR BRIEFING ON MYANMAR CRISIS



ក្រសួងការបរទេស  
និងសហប្រតិបត្តិការអន្តរជាតិ  
Ministry of Foreign Affairs  
and International Cooperation



28 JANUARY & 27 MAY 2022  
VIA VIDEOCONFERENCE



# BRIEFING ON DEVELOPMENTS IN MYANMAR

TO POLITICAL-SECURITY COMMITTEES

14 DECEMBER, BRUSSELS, BELGIUM





# MEETING BETWEEN THE SPECIAL ENVOYS OF ASEAN AND THE UN

31 MARCH 2022, PHNOM PENH, CAMBODIA



# ISEAS-YUSOF ISHAK INSTITUTE'S SPECIAL DISCUSSION ON THE "UPDATE ON ASEAN'S EFFORTS IN MYANMAR"

21 JULY 2022, VIA VIDEOCONFERENCE



EFFORTS MADE BY

**OFFICE OF THE SPECIAL  
ENVOY OF THE ASEAN  
CHAIR 2022**



## First Visit of Office of Special Envoy in Preparation for the Consultative Meeting on ASEAN Humanitarian Assistance to Myanmar

18-23 April 2022, Phnom Penh, CAMBODIA





## Second Visit of Office of Special Envoy in Preparation for the Second Working Visit of the Special Envoy of the ASEAN Chair to Myanmar

07-11 June 2022, Yangon & Nay Pyi Taw, MYANMAR





**Third Visit of Office of Special Envoy  
of the ASEAN Chair to Myanmar**  
20-24 September 2022, Yangon & Nay Pyi Taw, MYANMAR



# ASEAN CAMBODIA 2022

**ASEAN A.C.T:  
Addressing Challenges Together**

**PREPARED BY:**



ក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ

Ministry of Foreign Affairs and International  
Cooperation

**OFFICE OF SPECIAL ENVOY OF THE ASEAN CHAIR 2022**