



Special Advisory Council for MYANMAR

ASEAN and UN Must Wake Up and Respond to New Realities in Myanmar

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The Association of Southeast Asian Nations (ASEAN) must find creative ways to build on its Five-Point Consensus (5PC), and the United Nations (UN) Human Rights Council must ensure that its upcoming resolution on the rights of Rohingya and other minorities in Myanmar accurately and effectively addresses the grave situation on the ground, says the Special Advisory Council for Myanmar (SAC-M).

SAC-M founding member Marzuki Darusman and members of the SAC-M team visited Geneva this week to meet with ASEAN members, senior diplomats, UN officials and Myanmar civil society in the margins of the UN Human Rights Council session.

The SAC-M visit came as the crisis in Myanmar continues to evolve rapidly and after a recent visit by the UN High Commissioner for Human Rights to the region. The High Commissioner on Tuesday expressed in a statement to the UN Human Rights Council that "it is time to go beyond the ASEAN Five-Point Consensus" and that the new generation in Myanmar should "be supported in a 'visioning process' for the future of the country".

The Myanmar military junta is irreversibly weakened by three years of sustained, nationwide resistance and no longer has the control necessary to exercise state power. It is unable to unilaterally determine the course of events in Myanmar.

Grave violations of human rights and international humanitarian law continue to be reported daily across the entire country. The junta's efforts to ban VPNs are putting those reporting on its violations at even greater risk. The situation in northern Rakhine state is of particular concern, with all communities in the region reporting violence and violations and abuses in recent weeks perpetrated by the military junta, the Arakha Army (AA) and other armed actors. Rohingya are once again at heightened risk of atrocities.

Three years after the ASEAN 5PC was originally agreed to with Min Aung Hlaing, his junta cannot be considered an effective implementing partner. ASEAN should therefore engage creatively with the legitimate representatives of the Myanmar people – the National Unity Government of Myanmar (NUG), Ethnic Resistance Organisations (EROs) and broader civil society – on 5PC implementation if it is to remain relevant.¹





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The UN Human Rights Council is due to adopt its annual resolution on the rights of Rohingya and other minorities in Myanmar at its current 56th Session. The resolution should directly address the situation in Rakhine, including in Buthidaung and Maungdaw townships, and call on all armed actors, including the junta and the AA to uphold their obligations under international law.

The resolution should also welcome the NUG's policy position on Rohingya in Rakhine state,² which acknowledges the Rohingya as Myanmar nationals, and the NUG's filing of a declaration with the International Criminal Court (ICC) under 12(3) of the Rome Statute, which accepted the Court's jurisdiction across Myanmar dating back to 2002.

ASEAN and the UN Human Rights Council must wake up to and address the new realities in Myanmar if they are to have a meaningful impact on the dire situation or any hope of contributing to a resolution to the crisis.

¹ Human Rights Council resolution 55/20 (2024) acknowledges at PP40 'the central role' of ASEAN 'in facilitating a peaceful solution in the interest of the people of Myanmar and in facilitating constructive and inclusive dialogue among all parties, including the National Unity Government, ethnic organizations and broader civil society, as well as in the provision of humanitarian assistance to all those in need'.

² General Assembly resolution 77/227 (2022) acknowledges the pronouncements of the National Unity Government articulated in the "Policy position on the Rohingya in Rakhine State" released on 3 June 2021.

