

2021 Essay Writing Competition on Critical Human Rights and Peace Issues in ASEAN/Southeast Asia
THEME: ASEAN'S GOLDEN CHANCE TO SAVE "THE GOLDEN LAND":
SEEKING REGIONAL SOLUTIONS TO RESTORE DEMOCRACY AND PROTECT HUMAN RIGHTS IN MYANMAR



Regional Solutions: ASEAN's Role in Myanmar's Humanitarian Crisis

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In light of the February 2021 coup, Myanmar's hope for a people's government was once again crushed by the military as the Tatmadaw seized control of the nation, resulting in a democratic clampdown. The nation's experience with military rule has been tumultuous, involving long-standing accusations of brutality and human rights violations, not only limited to the current civil unrest but also including the persecution of ethnic groups such as the Rohingya in Rakhine State. As Myanmar sinks further into disarray, the Association of Southeast Asian Nations (ASEAN) could play a critical role in reinstating democracy and confronting the various crises facing its member state. Being the region's primary intergovernmental body, ASEAN's firm intervention and humanitarian aid are of vital importance during this period when the Golden Land is at such a fragile turning point.

Since its independence from British colonization in 1948, the Tatmadaw has been the dominant institution in Myanmar, having been constitutionally legitimized to assume power and restore order following declaration of states of emergency (Maizland, 2021). Military rule together with vestiges of colonialism subjected the country to an isolationist foreign policy and infringement of the nation's democratic mandate, causing a lag in economic growth and enabling atrocities towards ethnic minorities. While the international community applauded Myanmar's installment of a quasi-democracy in 2011, it also stood witness to the stateless Rohingya's exodus towards Bangladesh and other key Southeast Asian locations in 2017 (Albert and Maizland, 2020). As continued resistance to the junta presently unfolds along with ongoing ethnic conflicts, military violence and a looming civil war have placed the country in a humanitarian crisis that posits international and regional mediation.

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As a member state of ASEAN, Myanmar's dire situation demands a unified regional response to uphold human rights and honor the nation's democratic freedoms. During the ASEAN Leaders' Meeting, the Association recently adopted a Five-Point Consensus together with humanitarian assistance and repatriation processes for displaced Rohingya groups (ASEAN, 2021). While this move is in accordance with its multilateral diplomatic approach, ASEAN's principle of noninterference weakens its ability to hold the Tatmadaw accountable for Myanmar's internal matters. Moreover, member states stand divided on the issue as the Philippines, Thailand, Vietnam, and Cambodia have refused to criticize the coup while Indonesia and Singapore have condemned the military's actions (Head, 2021). With lives and freedoms at stake, ASEAN must realize the time for unanimity is now.

In line with the Five-Point Consensus, the appointment of ASEAN's special envoy holds great potential to engage the necessary parties in conflict resolution. However, the Consensus does not include the release of political prisoners which was a pivotal requisite for the democratic-led parallel government's involvement in mediation efforts (Lee, 2021). Such shortcomings allow ASEAN an opportunity to provide a stage for Myanmar's democratic movement and ethnic minorities, possibly leading to inclusive civilian representation to the Association in the long run. The existing conflict also highlights a need to develop an ASEAN Court of Justice to hold jurisdiction over pressing matters such as allegations of crimes against humanity vis-à-vis the Tatmadaw. Perhaps it is also time to reconsider ASEAN's non-intrusive approach and its requirement of collaborative accountability with all member states.

As for humanitarian aid, ASEAN must reassess repatriation agreements between Bangladesh and Myanmar for displaced Rohingya while the situation in the latter remains uncertain. In particular, the lack of political will on Myanmar's side to provide citizenship and freedom of movement to the ethnic group fails to ensure a safe and humane environment for repatriation. Limited by each member state's economic capability, ASEAN should also cooperate with international humanitarian organizations such as the Red Cross to provide aid to both the Rohingya and civilians affected by military violence.

Regional security, peace-building, and social justice will not be achieved successfully unless fundamental human rights and peace are reinstated in all member states. Arrival at a

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resolution to the many conflicts in Myanmar is reflective of ASEAN's commitment to creating a harmonious region; human rights should take priority over volatile political interests.

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