

# An ideal solution on paper

By Jeremie P. Credo

*ASEAN has only been using its persuasion tools and will need to consider using the stick if the situation does not improve.*

More than a year has passed since the military took over in Myanmar in February 2021. Nothing much has changed since then, as political turmoil continues. Albeit a promising initial start to end the crisis, the ASEAN Five-Point Consensus (5PC) remains an ideal solution on paper but lacks application and execution.

It is ideal because the 5PC provides ASEAN with flexibility and a workable framework to end the violence and facilitate dialogue in Myanmar. But the junta has stalled ASEAN's efforts by rejecting the appeals to implement the 5PC. While this shows a dim prognosis towards progress, Myanmar is not a lost cause, as continued engagement with the junta may bring, although slowly, change and keep the junta in check.

An immediate action ASEAN can take to implement the 5PC is the creation of a roadmap or a set of strategies that will provide more clarity and help translate the document into concrete actions, hence more teeth. For instance, it must define what



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“cessation of violence” entails. Does it exclusively refer to ending military crackdowns on protestors? Will it also include the violence involving the struggles between the military and ethnic armed organizations (EAOs)? Or can it be interpreted as violence by protestors, thereby justifying the junta to use harsh measures to restore ‘peace’?

It must also adopt an inclusive approach where ASEAN keeps the communication door open for the junta as well as all other stakeholders. In facilitating dialogues involving the National Unity Government (NUG), for example, it is imperative that ASEAN must not be dependent on the junta's approval. After all, such an action does not violate any rules and adheres to the 5PC.

It also enforces ASEAN's authority and prerogative. By engaging the NUG, it signals that ASEAN wants to bring democracy back to Myanmar and, to some extent, challenges

the legitimacy of the junta. Apart from the NUG, ASEAN may also pursue efforts to meet with Myanmar's civil society organizations, grassroots representatives, and youth groups; ASEAN envoy and high-level meetings alone may be limited.

A sustainable and long-lasting solution to the crisis also requires ASEAN to have a united stance that goes beyond statements and declarations. The varying degrees of political interests among ASEAN members helps explain the lack of unity and urgency to act. The longer ASEAN settles for a "wait and see" attitude, the more likely it risks losing its credibility to uphold a people-oriented and people-centred ASEAN Community.

The leadership of Cambodia as ASEAN Chair is crucial in this regard. Cambodia must make a coordinated strategy and convey a clear and firm message to the junta that its continued refusal to implement the 5PC will not go unchecked. The Chair's actions must also be transparent and must not leave any space for misinterpretation by fellow members, the junta, and the international community.

Moving forward, ASEAN needs to sustain its invitation of "non-political representatives" in ASEAN Summits should there be no progress in the 5PC. ASEAN might also want to consider other, stronger "disengagement" measures that could further affect Myanmar's membership in ASEAN (e.g., suspension). These are essentially "sticks" (coercive) options ASEAN need to consider

if its ongoing "carrots" (persuasive) tools are not working.

But ASEAN could also consider other "creative" means in its engagement. It could, for example, initiate formal or informal dialogue with Myanmar's civilian groups within or outside existing ASEAN mechanisms. ASEAN may also coordinate with the United Nations to make a firm decision on the junta's representation status with the world body.

More broadly, but equally important, ASEAN's engagement tools should change as well. First, the mandate and authority of the ASEAN Chair's Special Envoy should be clarified and empowered further. To have continuity in his/her plans, for example, the Special Envoy's term must not be co-terminus with that of the rotational ASEAN Chairmanship.

Second, the review of the ASEAN Charter must be prioritized to strengthen ways to provide solutions to regional issues. We could explore, for example, the feasibility of utilizing the 'ASEAN minus X' principle beyond economic issues. We should also seek to empower the ASEAN Secretary General to play a more meaningful role in crisis management.

Another point to consider is the role of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre). Thus far, it has not been able to perform its duty under 5PC effectively as it does not have the mandate

nor capacity to deal with a complex situation like in Myanmar. Questions have been raised regarding the junta's role as part of the AHA Centre's governing board in the direction and control of such aid. ASEAN might want to consider providing inclusive assistance to the people of Myanmar by partnering with local community-based organizations.

In any case, there is no perfect playbook to address the situation in Myanmar. The junta is likely to continue refusing to implement the 5PC by working around it in such a manner that serves its interests. It may further violate human rights and resolutely refuse to allow the Special Envoy to meet with Aung San Suu Kyi and its NLD members.

However, ASEAN should not stay silent. Its response can no longer be limited to the provision of humanitarian aid. The organization's inability to make concrete progress not only shows its weakness in helping members faced with domestic turmoil, but it also risks confirming criticisms that ASEAN tends to leave human rights off its agenda.

The road to change in Myanmar will not be a walk in the park. Any successful solution must be owned and accepted by the people of Myanmar. Nevertheless, the concerted process by all parties will require

strengthening the 5PC's implementing institutions and other necessary mechanisms.

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