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## **ASEAN's Myanmar Snub**

*By Barry Desker*

### **SYNOPSIS**

*Withdrawing the welcome mat to junta leader Min Aung Hlaing from ASEAN's summit is a much-needed signal on what is acceptable, even as ASEAN struggles with the multiple pressures posed by Myanmar.*

### **COMMENTARY**

ASEAN'S DECISION to exclude Myanmar junta leader Min Aung Hlaing from its summit next week was an unprecedented snub -- but a necessary move to preserve the regional grouping's credibility and international standing. It was by no means an easy decision in view of ASEAN's tradition of non-interference and consensus-driven decision-making.

Some member states, including Thailand, had indeed emphasised ASEAN's policy of not interfering in members' internal affairs in arguing for General Min Aung Hlaing's participation. However, the Myanmar junta's foot-dragging on implementing a five-point road map to restore peace in the country after the military coup in February left ASEAN with little choice.

### **Junta's Intransigence**

Among other things, the junta stalled on a visit by Brunei's Second Foreign Minister and ASEAN special envoy to Myanmar, Erywan Yusof. The military leadership also stonewalled proposals by the special envoy and rejected any meeting with leaders of the former government, including Aung San Suu Kyi, on the grounds that they were on trial for criminal offences.

The junta's intransigence six months after agreeing on the road map patently undermined ASEAN's credibility in resolving troubled relations with one of its

members. Several ASEAN member states including Indonesia, Malaysia and Singapore took a firm stand by clearly indicating that Gen Min Aung Hlaing was not welcome at the ASEAN virtual summit and related summits to be held from Oct 26 to 28.

As there was no consensus among the 10-member regional grouping, ASEAN foreign ministers agreed last week that the grouping would invite a non-political representative from Myanmar instead. Historically, ASEAN has gone along with a policy of non-interference and non-intervention in the internal affairs of its member states.

Since ASEAN was established in 1967, there have been six coups in Thailand. ASEAN has never taken action against the coup leaders, including the 2014 coup led by General Prayut Chan-o-cha, Thai army commander and now prime minister, and accepted the Thai governments formed after the coups. However, Cambodia's entry into ASEAN in 1997 was delayed when then Second Prime Minister Hun Sen staged a coup to oust Prime Minister Ranariddh, the son of King Sihanouk.

### **Changing International Norms**

But international norms are changing, including growing acceptance of the principle of the Responsibility to Protect (R2P) in the face of massive abuses of human rights. ASEAN's decision could be the beginning of a move towards withholding full recognition of illegitimate takeovers and coups, especially if there is widespread resistance, as seen in the strong domestic Myanmar opposition to the coup against the elected civilian National League for Democracy (NLD) government.

China, the European Union, Japan, the United States and other powers are claiming that they are following ASEAN's lead on the response to the Myanmar crisis. The issue of Myanmar representation would have arisen next week as the ASEAN Summit includes summits with these major dialogue partners.

Although Myanmar is not a priority for the US and the EU, it is an easy issue to take a public position against recognition of the junta and win domestic support from civil society groups and political activists, without any significant costs. The reality is that the US and the EU are pre-occupied with more pressing foreign policy concerns such as their relationship with China; Russian interference in domestic politics; dealing with the aftermath of the defeat in Afghanistan; and perennial Middle East issues.

By contrast, China and Russia are faring well with a low-key policy of engagement with the junta and could accept any ASEAN decision. One consequence of post-coup developments has been the strengthening of Chinese influence in Myanmar and Russian inroads in arms sales to the junta.

Japan is likely to build on its traditionally strong links with the Myanmar military once the initial reflex support for Western policies of isolation runs its course and would be happy to receive political cover from ASEAN.

### **No More "Do-Nothing"**

A "do-nothing" ASEAN with Gen Min Aung Hlaing included with other ASEAN leaders

would have changed the focus of these summits. It would probably have led several leaders including US President Joe Biden and European Commission President Ursula von der Leyen to stay away from their bilateral summits with ASEAN.

Divergent responses to the coup among its members have created difficulties in building an ASEAN consensus. Thailand's military-led government, which came to power under similar circumstances, enjoys a close relationship with the Myanmar junta. Although historically Thailand and Myanmar have been rivals for dominance in mainland Southeast Asia, the two military regimes have established excellent ties.

Thailand is seen as the strongest supporter of the Myanmar junta within ASEAN. By emphasising the maintenance of the principle of non-interference in the internal affairs of states, Cambodia and Laos have also emerged as allies of the junta within ASEAN.

On the other hand, Indonesia, Malaysia and Singapore have pushed strongly for implementation of the April agreement, while Brunei, the Philippines and Vietnam have supported this initiative. Philippine Foreign Secretary Teodoro Locsin, for example, warned that ASEAN would lose its credibility as a regional organisation if it allowed the Myanmar junta leader to attend the summit.

### **Preserving ASEAN's Fragile Consensus**

For ASEAN, these distinctions matter as Cambodia takes over as the rotating chair of ASEAN next year and will be expected to provide leadership on the Myanmar issue. One of the longest-serving heads of government in ASEAN and a sceptic regarding issues of democratic governance, Prime Minister Hun Sen is likely to be more sympathetic towards the Myanmar junta and to undermine the fragile consensus within ASEAN.

It is timely to recall that in line with Hun Sen's views, Cambodia blocked any reference to the South China Sea issue when it hosted the ASEAN Ministerial Meeting in July 2012. Hun Sen opposed any critical reference to China, resulting in ASEAN's failure to issue a communique for the first time in its history.

Asean's lack of action on Myanmar since its April summit has reinforced the claims of its critics that it is only a "talk shop". This view fails to recognise ASEAN's success in turning a region often perceived as the Balkans of Asia in the 1960s, riven by inter-state and intra-state conflicts, into one that has lived in peace for the past 30 years.

At the same time, ASEAN attracts global attention as the world's second most successful regional arrangement, after the EU. External observers focus on ASEAN's growing economic integration and coordinated ASEAN positions at international fora such as the United Nations General Assembly and meetings of the World Trade Organisation.

### **More Effective Approach to Myanmar Problem**

The Myanmar question poses a dilemma for ASEAN. While the grouping has emphasised its centrality in the affairs of the Indo-Pacific region, its inability to exert its will on Myanmar would highlight the limited impact of persuasion and consultations

in the absence of legal instruments and effective rules. Myanmar is, therefore, emerging as a test case of the effectiveness of ASEAN's low-key diplomacy.

In most ASEAN countries, there is little domestic pressure to block acceptance of the Myanmar junta at ASEAN meetings. Developments in Myanmar are followed by the urban educated strata within the region who are exposed to international news channels; are concerned with international perceptions; and are wary that the crackdown by the Myanmar military could lead to similar outcomes in their own countries in the future.

Opinions are strongest in Malaysia and Indonesia because of Myanmar's eviction of the Muslim Rohingya population, which occurred while the elected NLD was in office. There is support in Jakarta and Kuala Lumpur for the return to Myanmar of their fellow Muslims currently marooned in refugee camps in Bangladesh.

The Myanmar junta will take advantage of the constraints on ASEAN governments. It is unlikely to reverse course and return power to the NLD. ASEAN will carry the burden of a member state subject to international sanctions and risks being seen as providing cover for a brutal regime.

While there will be no consensus for the suspension of Myanmar, ASEAN will need to make its views on the current impasse in Myanmar clearly known to the junta and to prevent the junta from creating a *fait accompli*. Excluding Gen Min Aung Hlaing from ASEAN summits and junta leaders from ASEAN meetings could mark the beginning of a more effective approach to the Myanmar problem.

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