ASEAN in the Conflict Management of the Rohingya Crisis

Yuan Changrui and Brice Tseen Fu Lee

Abstract

This paper explores the role of the Association of Southeast Asian Nations (ASEAN) in managing the Rohingya conflict in Myanmar with a focus on ASEAN's non-interference principle and avoidance of the use of force, as well as the various factors that have influenced its handling of the conflict. The paper argues that while ASEAN has been criticized for its passive approach to the conflict, the organization's calculations of cost and benefit and its consideration of various checked and balanced elements have influenced its decision-making. However, given the urgency and importance of the Rohingya conflict, this paper suggests that ASEAN should take a more proactive approach to managing the conflict, including a reevaluation of its non-interference principle, the establishment of a specialized conflict management office, and maintaining good relations with Myanmar.

Keywords

ASEAN, rohingya, conflict management, non-interference, South East Asia

About the authors

Yuan Changrui
First author affiliation: School of International Relations and Public Affairs, Fudan University

Brice Tseen Fu Lee
Correspondent author affiliation: School of International Relations and Public Affairs, Fudan University, CSC Scholar
Previous affiliation: Department of Politics and International Relations, University of Sheffield, Chevening Scholar.

1. Introduction

Since the British decolonization in the last century, the Rohingya issue has been a growing problem in Myanmar. The conflict between the Rohingya Muslims and Rakhine Buddhists has escalated to a crisis due to ongoing violence, displacement, discrimination, and suppression that has resulted in the displacement of many Rohingya people to neighboring countries such as Bangladesh, Indonesia, Thailand, Malaysia, and other regions. This has led to several problems, including humanitarian issues, trafficking, terrorism, and transnational crimes, with significant regional and global implications.

Myanmar is a country established on the belief of Buddhism, and Rohingya people have never been officially recognized as citizens of Myanmar (Rahman, 2010). Even a minor conflict between a Muslim or Buddhist, even if they are not Rohingya, can result in the other religious community's violent counterattack on the entire group, which leads to the government's violent retaliation This includes several cleansing movements on the Rohingya, exacerbating the situation further.

The Rohingya conflict has transcended the concept of traditional security issues and given rise to more non-traditional security problems, which threatens regional security, global anti-terrorism initiatives, regional economic development, and the well-being of the people. In 2017, a large-scale outbreak of the Rohingya conflict ensued, leading to the displacement of 762,325 people to Bangladesh, accounting for about 83% of the refugee population in camps in Bangladesh according to UNHCR reports (2021).

In comparison, the Association of Southeast Asian Nations (ASEAN), as the largest political and economic union in the region, has taken a different approach from the international community. While the international community has been criticizing the Myanmar government on "genocide" against the Rohingya, ASEAN has not officially acknowledged the allegations against the Myanmar Junta forces (Barber & Teitt, 2020). Consequently, ASEAN has received criticism from some ASEAN member countries and the international community, undermining its reputation as a regional organization. ASEAN has been making significant efforts to gain international recognition for decades, and this crisis has brought ASEAN's role into question. The current crisis also poses a threat to ASEAN's objectives of "integrated Southeast Asia" and "peace, stability, and security in Southeast Asia," further hampering its development.

Therefore, it is crucial to understand ASEAN's attitudes and actions towards the Rohingya crisis, particularly the Rohingya conflict that led to the crisis, and the underlying reasons for the crisis. This understanding is necessary to appreciate the importance of ASEAN's role in dealing with the crisis from the root to tackle the problem for the long haul.

The Rohingya issue has been extensively studied in the literature, covering various aspects such as humanitarian assistance, human rights, trafficking, crimes, repatriation,

health conditions, environmental problems, and conflict in Rakhine, as well as ASEAN's conflict management. The International Crisis Group has also been the international organization keeping up with the fluctuating situation in the conflict, providing up-to-date reports on the issue.

The ASEAN way and its non-interference in conflict management have been shaped by the Asian values of collective identity, according to Goh (2003). The association has been employing the ASEAN way, which is a particular process of interaction, requiring decision making through consultation and consensus (Narine, 1998) more than non-interference, which has yielded good results in conflict intervention, as seen in ASEAN's conflict management in Cambodia. However, Oishi (2016) argues that the ASEAN way that ASEAN has been exercising to manage conflicts is not trustworthy, and that ASEAN's non-interference cannot serve as an effective conflict management strategy any longer as the issues continue to expand.

Although there is indeed a vast literature examining ASEAN's response to the Myanmar situation, it appears that the specific focus on ASEAN's role in conflict resolution – i.e., mediation between conflicting parties – has received relatively less attention. This aspect of ASEAN's engagement in the Rohingya crisis, involving direct efforts to facilitate dialogue and negotiation among the involved parties, merits further analysis.

Setiawan and Suryati's (2021) paper offers a unique perspective in this regard, as it discusses ASEAN's role in managing Myanmar's ethnic conflict from 2017 to 2019, with an emphasis on the role and actions of Indonesia. As a member state and one of ASEAN's major powers, Indonesia's involvement in the conflict resolution process is particularly significant. By examining ASEAN's efforts in conflict resolution, rather than solely its broader response to the Rohingya crisis, we can gain a deeper understanding of the organization's engagement and effectiveness in addressing regional conflicts.

Conflict management, in this context, refers to the various strategies and approaches employed by ASEAN to mitigate and address conflicts between parties in the region, including mediation, negotiation, and the provision of resources or support for the resolution of disputes. This aspect of ASEAN's response to the Rohingya crisis is crucial in fostering dialogue and cooperation among the conflicting parties, with the ultimate goal of achieving long-term peace and stability in the region.

ASEAN has proclaimed its ambition to be the representative organization of Southeast Asia, and even Asia, and therefore needs authority, reputation, and position building, as well as regional integrity. For this reason, the Rohingya conflict cannot be solely analyzed from a member state's attitudes, but from ASEAN as a whole to view and resolve the issue.

The purpose of this paper is to address the gaps in research regarding ASEAN's management of the Rohingya conflict. While many papers have criticized ASEAN's

approach, this paper aims to take a more objective angle by analyzing the underlying reasons behind ASEAN's attitudes and behavior towards the conflict, with a specific focus on its conflict management. Rather than focusing solely on issues such as humanitarian assistance and repatriation, which only offer short-term solutions, this paper examines ASEAN's approach to conflict management from the source of the conflict, the Rohingya conflict.

The paper first analyzes ASEAN's attitudes and approaches to the management of the Rohingya conflict, and the underlying reasons for these attitudes and approaches. The importance of ASEAN in managing this conflict is then discussed. Plausible implications are provided based on this analysis for the future conflict management by ASEAN, especially in the context of the ongoing COVID-19 pandemic, which has further complicated the management of the conflict.

The ultimate goal of this paper is to provide insights into the Rohingya conflict and ASEAN's management of it in order to help alleviate the suffering of the people affected by the conflict and to support ASEAN's efforts in integrating the region and constructing a stable, peaceful, and prosperous Southeast Asia. The findings of this paper may also serve as a reference for other intergovernmental organizations in dealing with similar conflicts for the common good.

2. The Rohingya conflict

The Rohingya crisis has been an ongoing issue for decades, and understanding the historical context behind the ethnic group is crucial to comprehending the crisis. The Rohingya people are a group of Muslims who have lived in Rakhine, Myanmar, and Chittagong, Bangladesh, since the 8th and 9th centuries (Ding and Rahman, 2010). The initial settlement was due to martial commerce, and over time, more Muslims moved to the regions to escape turbulence in their hometowns, including to Chittagong in the 17th century, during the reign of Arakan. The Kingdom of Arakan declined, and it was merged into Burma, which was under the control of the Konbaung Dynasty in the 18th century (Tarling, 1993). As a result, Rakhine and Chittagong became parts of Burma, now Myanmar.

During the colonial period, Britain extended its colonization to this region due to the domestic demands of industrial development and war, and the former territory of the Arakan Kingdom was ceded to Britain. Britain then brought another wave of Muslims from Bangladesh, which was also one of Britain's colonies, to Rakhine. In 1948, Myanmar gained independence from Britain, and Rakhine was regained, while Chittagong, now called Chattogram, returned to Bangladesh after its independence. Today, the Rohingya people have mixed ancestry of Arabs, Indians, Persians, Turkish, Afghans, and others

due to historical changes and ethnic integration while preserving their original religious belief of Islam. Understanding this historical context is essential for comprehending the complexities of the Rohingya crisis and its underlying factors.

The Rohingya people, a predominantly Muslim ethnic minority, have resided in the Rakhine State of Myanmar since the 8th century. Following the formation of The Republic of the Union of Myanmar in 1948, the government implemented a policy of unified governance, designating Buddhism as the national religion. This policy engendered a discriminatory environment for the Rohingya Muslims, who were forced to either convert to Buddhism or leave their ancestral land. Consequently, the Rohingya community began resisting the oppressive regime in pursuit of their own autonomy. The Myanmar Junta forces countered these efforts, leading to a protracted conflict that continues to this day, involving both civilian-level clashes between religious groups and numerous government-led operations.

Several major incidents have occurred over the course of this ongoing conflict, such as Operation Dragon King in 1978, Operation Pyi Thaya (Operation Clean and Beautiful Nation) in 1991 and 1992, the 2012 Rakhine State riots, and the 2017 violence against the Rohingya, which has been characterized as ethnic cleansing. The catalysts for these conflicts often arose from tensions and acts of aggression between the two communities. For example, the 2012 Rakhine State riots were ignited by the tragic gang rape and murder of a Rakhine woman, an act attributed to Rohingya Muslims, which led to reprisals from Rakhine citizens.

In the case of the 2017 conflict, the situation escalated due to an attack on local policemen by the Arakan Rohingya Salvation Army (ARSA). The government responded with clearance operations that disproportionately affected the Rohingya population. While the ARSA's actions played a role in the intensification of the conflict, it is crucial to recognize that underlying tensions, discriminatory policies, and a long history of marginalization contributed significantly to the broader context of violence.

Based on the information presented, the Rohingya conflict is a persistent and deeply troubling issue in the Rakhine region. This conflict involves violent confrontations between the Rohingya Muslims and Rakhine Buddhists, as well as brutal military crackdowns on the Rohingya people by Myanmar's security forces and sporadic militant attacks by Rohingya insurgents. The Myanmar military's actions against the Rohingya have been characterized by large-scale ethnic cleansing and possibly genocide, which are regarded as grave crimes against humanity.

In light of the ongoing nature of the conflict and the recent military coup in Myanmar, there is a real possibility that another round of large-scale violence may occur, exacerbating the suffering of the already beleaguered populations. The immense scale and severity of these atrocities, perpetrated primarily by the military, cannot be understated, as they have

had devastating consequences for countless innocent lives.

The intensity of the atrocities committed against the Rohingya people is staggering and has garnered widespread condemnation from the international community. These heinous acts have not only led to the large-scale displacement of Rohingya Muslims but also resulted in countless civilian casualties, including women, children, and the elderly (Anwar, 2023).

The Myanmar military's brutal tactics include indiscriminate attacks on Rohingya villages, mass killings, sexual violence, and the burning of homes and infrastructure. Numerous instances of sexual assault and rape of Rohingya women by military personnel have been documented, causing severe trauma for the victims and further destabilizing their communities (Naing, 2022). Children have not been spared either, with reports of them being executed or maimed in the conflict.

Moreover, the Myanmar military has consistently blocked humanitarian aid and access to affected areas, exacerbating the suffering of the Rohingya community (Maung & Jeannerod, 2023). Malnutrition and disease have been rampant in overcrowded refugee camps, compounding the dire situation faced by the Rohingya people. These atrocities reflect a systematic effort to uproot and annihilate the Rohingya population from their ancestral homeland, an act that has been widely recognized as ethnic cleansing and potentially genocide. The severity and scale of these crimes against humanity underscore the urgent need for a concerted international response to address this humanitarian catastrophe and hold the perpetrators accountable for their actions.

3. The conflict management of ASEAN

According to Sridharan's (2008) framework for effective conflict management in regional organizations, there are three essential elements: prevention, containment, and termination. In the case of the Rohingya conflict, it typically starts with small-scale incidents in Rakhine and escalates into large-scale violence. Given that the ASEAN Secretariat is located in Indonesia and the conflict takes place in Rakhine, it is difficult for ASEAN to prevent the conflict from escalating. It is also worth noting that ASEAN in general has a non-interference policy towards domestic politics and is very limited in terms of means to manage the conflict. However, it is important to examine how ASEAN is managing the conflict in terms of containment, termination, and long-term prevention. While the prevention of the conflict may be challenging given its ongoing nature, it is still an important consideration for regional organizations like ASEAN.

Applying Sridharan's framework to the Association of Southeast Asian Nations (ASEAN) in relation to the Rohingya crisis can provide insights into the organization's

effectiveness in managing the conflict.

Prevention: This stage involves addressing the root causes of conflicts and employing early warning systems to anticipate potential crises. In the case of the Rohingya crisis, ASEAN's adherence to the principles of non-interference and consensus-based decision-making has constrained its ability to engage proactively in addressing the deep-seated issues that have contributed to the conflict, such as religious and ethnic discrimination.

Containment: This element focuses on the management of ongoing conflicts to prevent them from escalating or spilling over into neighboring regions. While ASEAN has provided a platform for dialogue and diplomacy among member states, its impact on containing the Rohingya crisis has been limited. The organization's reluctance to directly confront the Myanmar Junta forces has hindered effective containment efforts, with the crisis continuing to destabilize the region.

Termination: This stage involves the resolution of the conflict and the establishment of sustainable peace. In the context of the Rohingya crisis, ASEAN's engagement has primarily been in the form of humanitarian assistance to the affected populations. However, it has not been able to facilitate the resolution of the conflict or hold the Myanmar Junta forces accountable for the ongoing atrocities, making sustainable peace elusive for the Rohingya people.

In summary, the application of Sridharan's framework to ASEAN's conflict management efforts in the Rohingya crisis highlights the organization's limitations in addressing the multifaceted and complex nature of the conflict. This underscores the need for a more proactive and robust response to tackle the ongoing humanitarian catastrophe and promote lasting peace in the region.

3.1 The origin of ASEAN's non-interference principle

The establishment of ASEAN in 1967 was a response to the perceived communist threat from China and along the Indo-Chinese peninsula (Cook, 2010). Despite the fact that ASEAN was created in 1967, the idea of a regional organization of collective identity had been contemplated by Southeast Asian countries for a significant amount of time. ASEAN's founding members, which included Thailand, Indonesia, Singapore, Malaysia, and the Philippines, aimed to establish a normative framework based on the principle of non-interference rather than creating a military alliance in order to prevent unwanted foreign intervention in the domestic affairs of member states (Dosch, 2011). In 1976, ASEAN's member states convened and signed the Treaty of Amity and Cooperation in Southeast Asia (TAC), which further codified the principle of non-interference in member states' internal affairs and the avoidance of the use of force as a means of dealing with conflicts for the common goal of peace, security, and

stability in Southeast Asia as prescribed in Article 2 and Article 6.

The principle of promoting peace and stability has always been emphasized by ASEAN and was reaffirmed in 2017 through the ASEAN Leaders' Declaration, which reaffirmed the commitment to the maintenance and promotion of peace, security, and stability, including the peaceful resolution of disputes in accordance with international law (Soomro, 2017). Upholding the principle of non-interference, ASEAN has seldom involved itself in the conflict or other issues faced by the Rohingya people because the conflict took place in Myanmar, which is viewed as a domestic matter by ASEAN. Non-interference to a certain degree is also the reason why some authoritarian states like Myanmar have joined ASEAN, as it ensures that their internal affairs will not face intervention by external actors, while they still benefit from the profits that ASEAN is able to provide its member states (Dosch, 2011).

3.2 The boundary of non-interference

In April 2021, ASEAN adopted the "Five Point Consensus" to address the situation in Myanmar. The consensus encompasses an immediate end to violence, dialogue among all parties, the appointment of a special envoy, humanitarian assistance by ASEAN, and the special envoy's visit to Myanmar to meet with all parties. This consensus can be linked to the broader discussion of ASEAN's adherence to the principle of non-interference and its approach to conflict management.

Davies (2016) contends that ASEAN's commitment to non-interference has been subject to debate, especially when the organization faces external pressures to address issues such as the Rohingya crisis. The EU, US, UN, and UNHCR have urged ASEAN to take action for reasons ranging from economic stability to humanitarian concerns (Cook, 2010; Haacke, 2010). In response, ASEAN has taken measures to manage the issue and demonstrate its engagement with the international community.

For example, in 2021, ASEAN notably excluded a representative from Myanmar's military government from attending its summit in Brunei. This exclusion was due to Myanmar's lack of progress on a peace plan meant to alleviate political unrest following a military coup that ousted the country's democratically elected government and violently suppressed protesters. This marked the first time that ASEAN had barred Myanmar from participating in its summit.

While ASEAN has not regarded the principle of non-interference as absolute, the organization has been cautious in addressing the Rohingya crisis, which carries implications beyond Myanmar and Southeast Asia. The conflict has directly affected neighboring countries and involved extremists from Bangladesh. Despite these

ramifications, ASEAN has largely adhered to non-interference, opting for a more passive approach to conflict management. However, as seen in the Five Point Consensus and other exceptional circumstances, the organization has demonstrated flexibility in response to internal and external pressures, underlining the multifaceted nature of ASEAN's conflict management approach.

It is essential to recognize that ASEAN's adherence to the principle of non-interference has both advantages and disadvantages, which can be better understood when considering the perspectives of different stakeholders. For some member states, particularly those with authoritarian regimes like Myanmar, non-interference is perceived as advantageous because it safeguards their sovereignty and autonomy in domestic affairs. This allows them to handle internal conflicts without external intervention, which, in their view, could contribute to a more stable Southeast Asia.

However, from the perspective of human rights advocacy and conflict resolution, the principle of non-interference can be seen as a disadvantage. It may hinder ASEAN's ability to effectively address conflicts that have significant repercussions beyond a single member state, as in the case of the Rohingya crisis. In this sense, the perceived advantage for certain member states may come at the expense of broader regional stability and the protection of human rights.

As ASEAN navigates these complex issues, it is crucial to find a balance between respecting the principle of non-interference and taking appropriate action to promote peace, stability, and human rights in the region (Davies, 2016). This may involve re-evaluating the organization's approach to conflict management and finding ways to enhance its effectiveness without compromising the core values that underpin its existence.

3.3 Soft interference

ASEAN's approach to conflict management in the Rohingya conflict has been criticized by some, but it is important to consider the complex nature of the conflict itself. The conflict is multifaceted, with historical, social, political, and religious elements, making it difficult to manage for any conflict manager. Despite this complexity, ASEAN has taken steps to intervene and manage the conflict, whether under external pressure or not. One of the typical measures of conflict management taken by ASEAN is the use of peaceful means rather than force.

ASEAN's approach to conflict management is characterized by the "ASEAN way" of the Treaty of Amity and Cooperation (TAC), which emphasizes informal and incremental approaches to consensus through consultation and dialogue (Agus, 2016). This approach has been effective in managing previous conflicts. However, the use of force in the

Rohingya conflict is not the ASEAN way and has not been considered as an option. The use of force would not only threaten and challenge Myanmar's authority, but it would also risk driving Myanmar away from ASEAN, which would undermine ASEAN's regional integrity objective and its core position in the region.

Moreover, resorting to the use of force in the Rohingya conflict could have unintended consequences that exacerbate the situation. Intervening militarily may inadvertently widen the conflict and create instability in the region, leading to further violence and suffering for the affected populations. In addition, such an intervention could potentially create a power vacuum, paving the way for extremist groups to exploit the situation for their own gain.

These extremist groups, pursuing their ideological agendas, might capitalize on the chaos and heightened tensions in the region to recruit new members and expand their influence. Consequently, the conflict could evolve into a broader, more complex crisis, with dangerous implications not only for Myanmar and its immediate neighbors but also for the overall security and stability of the ASEAN region. Therefore, it is crucial to carefully consider the potential repercussions of using force in addressing the Rohingya conflict and to explore alternative, non-military approaches that align with ASEAN's principles and values.

To strike a balance, ASEAN has navigated the complexities of the Rohingya crisis by adhering to its principles of non-interference and the Treaty of Amity and Cooperation (TAC), while implementing indirect actions to assist displaced individuals. Four main approaches to this include the "Five Point Consensus", member states voicing their concerns, humanitarian assistance provided by ASEAN affiliates, and evaluation for repatriation.

The "Five Point Consensus" adopted in April 2021, which calls for an end to violence, dialogue among all parties, the appointment of a special envoy, humanitarian assistance by ASEAN, and a visit by the special envoy to Myanmar, complements these other approaches. Together, these measures may not fully resolve the conflict; however, they demonstrate ASEAN's commitment to addressing the issue while upholding its core principles of non-interference and the ASEAN way.

Overall, the Rohingya conflict highlights the challenges of conflict management in the region, and ASEAN's approach is a reflection of the complex nature of the conflict and the need to balance regional stability and the promotion of human rights (Alom, 2019). As Alom (2019) notes, this approach is driven by a desire to avoid alienating Myanmar while still helping those displaced by the conflict.

ASEAN has not officially legitimized itself in managing the Rohingya crisis, but it has been attempting to address the issue through informal channels such as bilateral diplomatic dialogues and consultations from its member states (Barber & Teitt, 2020). As the conflict involved two religious groups and the Rohingya Muslims are recognized as refugees in the conflict, Islamic leaders have criticized ASEAN's attitudes and behavior, leading to some

leaders of Islamic countries speaking out about the issue outside of ASEAN meetings (Barber & Teitt, 2020). In response to the crisis, ASEAN has indirectly intervened through its member states, such as Indonesia sending its foreign minister to Myanmar and Bangladesh to show their concerns and willingness to help, and Malaysia condemning the Myanmar Junta forces from a state level.

Another approach to intervention has been through humanitarian assistance. Inspired by ASEAN's humanitarian response to Cyclone Nargis in Myanmar, the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA) was established in 2011. Although the center is primarily focused on disaster management, it has also been used to provide aid to Rohingya refugees in Rakhine (Barber & Teitt, 2020). For example, in 2017 the AHA Center dispatched about 80 tonnes of relief items for displaced communities in Rakhine, including Rohingya.

In addition to humanitarian assistance, the Emergency Response and Assessment Team (ERAT), a special response team of AHA established in 2018, has dispatched experts to evaluate the situation in Myanmar for repatriation in 2019 and provided four recommendations to the Myanmar government, including ensuring personal safety (Setiawan & Suryati, 2021). Furthermore, the ASEAN Intergovernmental Commission on Human Rights (AICHR) has been sending humanitarian aid from private actors or international organizations to the Rohingya. These new agencies reflect the desire of ASEAN member states to engage usefully in the crisis without damaging fragile relationships (Barber & Teitt, 2020).

However, these efforts are constrained by the concept of humanitarian assistance, and these agencies can only work at a limited level. ASEAN agreements do leave open the possibility of the AHA Center playing a greater role in conflict-related crises (Barber & Teitt, 2020). These humanitarian assistance efforts on the Rohingya issue can also serve as a strategic tool for ASEAN to gain experience and reputation for these new agencies since they are new and require public support to maintain their existence (Barber & Teitt, 2020; Setiawan & Suryati, 2021).

3.4 Third-party assistance

ASEAN has generally adopted a distinctive approach to managing conflicts, relying on internal mechanisms rather than seeking third-party assistance. However, there have been instances where ASEAN has allowed or even requested third-party organizations to mediate in intrastate conflicts, such as the Organization of Islamic Cooperation (OIC) in the Philippine conflict with the Bangsamoro, and the ongoing ethnic conflict in Thailand, where the UN Security Council (UNSC) and International Court of Justice (ICJ) were

invited to play a role (Oishi, 2016).

In the case of the Myanmar conflict with the Rohingya, the situation has been primarily internalized, with external actors initially restricted from involvement by the Myanmar Junta forces, which made it challenging for ASEAN to invite any third-party to intervene (Setiawan & Suryati, 2021). However, recognizing the need for additional support to address the conflict, ASEAN eventually took the step of requesting assistance from the United Nations at the end of 2022. This move highlights ASEAN's growing recognition that complex and multifaceted conflicts like the Rohingya crisis may require collaborative efforts from both regional and international actors to reach a comprehensive and lasting resolution.

ASEAN's internalization of the Rohingya issue aligns with the association's save-face mechanism, which prioritizes the protection of member states' reputations and the avoidance of public disagreement (Haacke, 2010). This approach has enabled ASEAN to maintain its distinctive conflict management mechanism, which rests on dialogue and consultation, while avoiding the long-term presence of external organizations in Southeast Asia which could undermine its centrality and authority in the region (Barber & Teitt, 2020). While ASEAN member states have expressed their concerns and intentions to involve third-party organizations, the association's reluctance to seek external assistance reflects its commitment to its internal conflict management mechanisms (Soomro, 2017).

Overall, ASEAN's approach to managing conflicts reflects its unique approach to diplomacy and the importance it places on internal mechanisms, while balancing the need to maintain its centrality and authority in the region. However, the ongoing Rohingya crisis highlights the limitations of ASEAN's approach and the need for the association to consider alternative strategies to effectively address intrastate conflicts.

3.5 Who is to blame?

ASEAN's cautious approach to the Rohingya conflict can be attributed to various factors, including the complexity of the situation and the organization's principles of non-interference and consensus-building. While the Myanmar military's actions against the Rohingya people have been condemned globally, the historical context of the conflict and the multitude of actors involved make the situation highly complex.

In addressing the Rohingya crisis, ASEAN has had to weigh various factors, including maintaining regional stability and unity, upholding its core principles, and responding to external pressures. It is essential to note that the organization has not entirely disregarded the issue, but its actions are based on careful considerations and internal deliberations.

The consensus-building process within ASEAN can sometimes hinder effective conflict

management, as the ASEAN Chairman has the authority to remove any agenda items that could create difficulties for their own country (Pitakdumrongkit, 2016). This can lead to issues being sidestepped or ignored entirely. For instance, when Myanmar chaired ASEAN in 2014, the Rohingya issue was effectively avoided, which undermined previous ASEAN efforts on the matter.

Despite the challenges, ASEAN continues to work on addressing the Rohingya crisis while maintaining the delicate balance between its core principles and the pressing need to resolve the conflict. The organization's evolving approach, as seen in the adoption of the "Five Point Consensus" and the request for UN support, demonstrates its commitment to finding a solution while navigating the complexities inherent in regional conflict management.

4. The importance of ASEAN in conflict management

The management of the Rohingya conflict by ASEAN has become a matter of concern, and it is crucial for the organization to reassess its role in conflict management and revise its current methods. ASEAN has made efforts to foster an ASEAN identity where diverse religious and cultural communities coexist harmoniously. However, if ASEAN does not effectively address the conflict the situation may become increasingly difficult to manage, as divisions along religious lines could become more pronounced (Alom, 2019).

Additionally, Myanmar's controversial membership has always been a concern due to its lack of democratic elections under military junta governance. According to the ASEAN Charter, one of the requirements for joining ASEAN includes adherence to the principles of democracy, the rule of law, and good governance, which Myanmar's Junta forces have been criticized for failing to uphold (Cook, 2010). ASEAN also advocates for stable domestic political situations and the protection of human rights, principles that Myanmar's Junta forces have struggled to maintain.

If ASEAN does not prioritize the Rohingya crisis, this could have consequences for the organization's unity and effectiveness. Member states might adopt more assertive stances on the issue, potentially decreasing their willingness to accept Rohingya refugees in times of crisis, such as during the COVID-19 pandemic. It is essential for ASEAN to strike a balance between upholding its core principles and addressing the conflict in a way that promotes peace, stability, and human rights in the region.

Moreover, the ongoing conflict is contrary to ASEAN's original purpose and the ASEAN Charter, where all members should maintain and improve peace, security, and stability. It is also a challenge to its 2025 vision of a highly integrated economy, a competitive and dynamic ASEAN, strengthened connections, a mighty, inclusive, people-oriented ASEAN,

and a global ASEAN. The conflict would undoubtedly burden ASEAN in reaching its vision and achieving its original objectives of integration and a stable, peaceful, and secure community (Jati, 2017).

Ineffective management of regional conflicts by ASEAN has the potential to alienate multiple parties both externally and internally. Externally, the international community is guided by the principle of the Responsibility to Protect (R2P), as endorsed in the 2005 United Nations General Assembly World Summit Outcome. The Islamic world may also intervene based on the principles of solidarity and brotherhood through either peaceful or aggressive means. Economic partners such as the United States, the European Union, and China may reconsider their investments due to the unstable economic environment created by the conflict.

Internally, disagreements among ASEAN member states could deepen, as some members may seek to address the issue as one of international liability. Therefore, ASEAN must take effective measures to manage the conflict in order to maintain its credibility and avoid offending multiple stakeholders.

However, ASEAN also acts as a bridge and a portal to Myanmar for the international community. Although Myanmar has been tough on external actors, ASEAN is the only actor that Myanmar is less likely to reject. In the past, when the Nargic Cyclone devastated Myanmar in 2008, Myanmar refused any outside support except ASEAN's humanitarian assistance. ASEAN was appreciated as one of the key players that exerted influence on the Myanmar government in the reconciliation process, particularly in its domestic behavior and firmly entrenched non-interference principle (Oishi, 2016). It is also worth mentioning that the United Nations also played a very important role in this negotiation process. Therefore, ASEAN should utilize its regional and positional advantages to manage the Rohingya crisis while maintaining good relations or collaborative relations with other international organizations to improve the process, as it is one of the more important actors as a regional international organization that can play a role in Myanmar under the current circumstances.

5. What ASEAN can do

Jetly (2003) has described conflict management as a broad concept that encompasses various techniques for addressing inter-party conflicts, including conflict avoidance, prevention, and resolution. Despite efforts to avoid conflict, experience has shown that it cannot be completely avoided. Therefore, for the Association of Southeast Asian Nations (ASEAN), preventing and resolving conflicts is crucial.

Before taking any practical measures, ASEAN must first reassess its non-interference

principle and determine the extent to which it should interfere in conflicts. If a conflict extends beyond a single country, as in the case of the Rohingya conflict in Myanmar, which involves individuals with Rohingya ancestry, people from other Islamic countries, and even extremists seeking to advance their agenda, ASEAN should recognize that it is no longer a purely domestic matter and take action accordingly.

To improve its conflict management capabilities, ASEAN could consider establishing a dedicated conflict management division or team responsible for assessing, addressing, and documenting conflicts for future reference and learning. This division would allow for a more systematic approach to dealing with the complex and diverse range of issues arising from the region's multi-ethnic and multi-religious landscape. The establishment of such a division would facilitate a more structured and informed approach when dealing with similar conflicts in the future. Instead of the current case-by-case approach, which can be laborious and contentious, this division could help ASEAN in drawing from past experiences and showcasing its decision-making process, thus enhancing its credibility.

Given the ongoing conflict in Rakhine, the conflict management division could establish a presence in Myanmar or nearby locations, which would enable prompt intervention and negotiations between ASEAN and Myanmar when necessary. As for the development of an early warning mechanism through the team's fieldwork, this would require careful planning and coordination with relevant stakeholders, including member states, NGOs, and local communities. While it might be challenging to implement such a mechanism in the context of ASEAN's emphasis on non-interference, the potential benefits of preventing minor disagreements from escalating into major conflicts make it an idea worth exploring.

The ASEAN Way is a diplomatic approach among ASEAN member states that is quiet, elitist, and non-legalistic (Agus, 2016). To legitimize itself in conflict management and intervention, ASEAN should seek ways to engage without involving a third party, given the challenge of conducting surveys in Myanmar in order to gather first-hand information and data due to the prevailing situation. Nevertheless, ASEAN can collaborate with external actors to develop more effective conflict management approaches with actors such as the United Nations, other international organizations, or human rights institutions. By sharing information, ASEAN would be better equipped to manage the Rohingya crisis and could seek international assistance if necessary.

To address the challenge of ASEAN member states being primarily motivated by their narrow self-interests (Narine, 1998), and the impact of annual leadership rotations on managing the Rohingya conflict, ASEAN could explore the feasibility of establishing a supervisory mechanism to monitor the chair's actions and guide them towards a balance

between their role as a state's leader and as a leader of the organization.

In practice, this supervisory mechanism might involve the creation of a permanent committee composed of representatives from all member states, responsible for overseeing the chair's actions and decision-making processes. This committee could help ensure that the chair prioritizes the collective interests of ASEAN over their own nation's interests when it comes to addressing the Rohingya conflict.

The feasibility of such a supervisory mechanism would depend on the willingness of ASEAN member states to collaborate and support this additional oversight. Implementing this mechanism would require a consensus among member states, and potentially amendments to existing ASEAN agreements and procedures. Achieving this consensus may be challenging, given the principle of non-interference and respect for national sovereignty that underpins the organization. However, if successfully established, this supervisory mechanism could promote a more consistent approach to managing the Rohingya conflict and other regional issues, regardless of changes in leadership.

However, in pursuing these actions, ASEAN must be mindful of Myanmar's sovereignty and the principle of non-interference. It is crucial to continue engaging in dialogues with both the National Unity Government of Myanmar as well as the Junta forces to demonstrate that ASEAN's intervention and conflict management are not a zero-sum game, but rather a mutually beneficial approach. A specialized conflict management office or team can be formed to coordinate these efforts and evaluate their effectiveness.

Overall, managing conflicts in Southeast Asia requires a multifaceted approach that involves both conflict resolution and addressing the root causes of the conflict. ASEAN can play a significant role in promoting peace and stability in the region by adopting a comprehensive and coordinated strategy that respects the sovereignty of member states while addressing the needs and concerns of all parties involved.

6. Comparative analysis of ASEAN's conflict resolution mechanisms in the Vietnam-Cambodia war and the Rohingya crisis in Myanmar

The Association of Southeast Asian Nations (ASEAN) has been involved in two major conflict resolution efforts in the region: the Vietnam-Cambodia War in the 1970s and 1980s and the Rohingya crisis in Myanmar since 2017. This comparative analysis will examine how ASEAN's conflict resolution efforts in these two cases differed and the factors that contributed to these differences, focusing on the details of ASEAN's role and the conditions that enabled their success.

The Vietnam-Cambodia War was a protracted conflict that lasted over a decade and involved multiple actors, including the governments of Vietnam and Cambodia, as well as

various regional and international powers. ASEAN played a crucial role in mediating the conflict and facilitating a peaceful resolution (Tuan, 1996). Key factors that contributed to the success of ASEAN's conflict resolution efforts included:

1. Strong commitment from both sides: Vietnam and Cambodia were willing to engage in dialogue and compromise to reach a resolution (Tuan, 1996).
2. ASEAN's neutrality: Serving as an impartial mediator, ASEAN facilitated peace talks between the warring parties, encouraging them to find common ground.
3. International involvement: The global community, including the United Nations, provided support to ASEAN's mediation efforts, which helped to maintain momentum in the peace process.

ASEAN's conflict resolution mechanism in the Vietnam-Cambodia War was based on consensus-building (Sokkheurn, 2010). This approach allowed ASEAN to build trust and promote communication between the conflicting parties, reducing tensions and addressing the root causes of the conflict. The ASEAN-led negotiations resulted in the signing of the Paris Peace Accords in 1991, which led to the withdrawal of Vietnamese troops from Cambodia and the establishment of a democratic government (USIP, 2000).

In contrast, ASEAN's conflict resolution efforts in the Rohingya crisis in Myanmar have been less successful. The Rohingya crisis is a complex and ongoing conflict involving the Myanmar government, Rohingya Muslims, and various regional and international actors. The conflict has been marked by allegations of human rights abuses, including ethnic cleansing and genocide. ASEAN's conflict resolution efforts have been hampered by several factors, including the reluctance of the Myanmar Junta Forces to engage in meaningful dialogue with the Rohingya and other ethnic groups involved in the conflict (Setiawan, 2021).

One possible approach for ASEAN in the Rohingya crisis could be to play a more active role as a mediator and facilitator of dialogue between the conflicting parties. This could involve the creation of a formal peace process or negotiations, similar to the Paris Peace Accords that ended the Vietnam-Cambodia War. By adopting a similar approach, ASEAN could:

1. Encourage dialogue and compromise among the conflicting parties.
2. Foster trust and cooperation among regional and international actors.
3. Address the root causes of the conflict and pave the way for a sustainable and peaceful resolution.

However, it is important to note that the principle of non-interference, different interests and priorities of ASEAN member states, and the lack of commitment from all parties have

hindered ASEAN's conflict resolution efforts in the Rohingya crisis. Thus, overcoming these challenges and adapting the lessons learned from the successful resolution of the Vietnam-Cambodia War will be crucial for ASEAN to effectively address the ongoing Rohingya crisis in Myanmar.

In continuing the comparative analysis of ASEAN's conflict resolution efforts in the Vietnam-Cambodia War and the Rohingya crisis in Myanmar, it is crucial to examine the work by Dosch (2011), which provides insights into the role of ASEAN in regional conflict resolution and the limitations imposed by the principle of non-interference.

Dosch (2011) argues that the principle of non-interference, which is one of the cornerstones of ASEAN's Charter, has hampered the organization's ability to effectively intervene in regional conflicts, particularly the Rohingya crisis in Myanmar. The principle of non-interference prohibits ASEAN from intervening in the internal affairs of its member states, which limits the organization's capacity to address issues that are deemed to be domestic matters.

In the case of the Vietnam-Cambodia War, ASEAN was able to facilitate peace talks and play a significant role in the conflict resolution process. This was partly due to the fact that the conflict was between two sovereign states, which allowed ASEAN to mediate without violating the principle of non-interference.

However, the Rohingya crisis presents a different challenge, as it is primarily an internal conflict within Myanmar. The principle of non-interference has constrained ASEAN's ability to engage in direct mediation or intervention in the conflict, which has made it difficult for the organization to take decisive action to address the humanitarian crisis and ongoing violence.

To overcome the limitations imposed by the principle of non-interference, ASEAN could explore alternative approaches that respect its member states' sovereignty while facilitating constructive dialogue and cooperation. For example, ASEAN could:

1. Promote confidence-building measures and dialogues among conflicting parties, focusing on issues of common interest that could create a foundation for more in-depth negotiations in the future.
2. Offer technical assistance and expertise in areas such as conflict resolution, human rights, and humanitarian aid, to help build capacity within Myanmar and address the root causes of the conflict.
3. Encourage greater cooperation and coordination among regional and international actors to address the humanitarian crisis and support the return of refugees in a safe and dignified manner.

Therefore, while ASEAN's conflict resolution efforts in the Vietnam-Cambodia War and the Rohingya crisis in Myanmar differ significantly due to the principle of non-interference and other factors, there are still lessons to be learned and applied from the successful resolution of the Vietnam-Cambodia War. By adapting its approach and overcoming the challenges posed by the principle of non-interference, ASEAN can play a more effective role in addressing the ongoing Rohingya crisis and promote peace and stability in the region.

7. Conclusion

In conclusion, the Rohingya conflict remains a complex and pressing issue for ASEAN. The organization's non-interference principle and avoidance of the use of force have long been upheld as a means to promote regional stability and security. However, the post-coup context in Myanmar and the evolving situation necessitate a reevaluation of ASEAN's approach. To effectively address the Rohingya conflict and adapt to the changing circumstances, ASEAN needs to consider alternative strategies and conflict management techniques while respecting the sovereignty of its member states.

Drawing from the successful resolution of the Vietnam-Cambodia War, ASEAN can explore the possibility of playing a more active role as a mediator and facilitator of dialogue between the conflicting parties in Myanmar. This could involve creating a formal peace process or negotiations, similar to the Paris Peace Accords, which could encourage the Myanmar Junta forces, the National Unity Government, Rohingya Muslims, and other ethnic groups involved in the conflict to engage in dialogue and work towards a peaceful resolution.

Furthermore, the establishment of a specialized conflict management office or team could be a potential solution to effectively evaluate, manage, and archive the conflict while serving as a bridge to third-party organizations. This office or team could also develop a supervising mechanism to monitor the chair's behavior or work, ensuring consistency in ASEAN's approach despite annual leadership rotations.

To make these proposed solutions feasible within the ASEAN system, it is essential to build consensus among member states and demonstrate the benefits of such initiatives in promoting regional peace and stability. Additionally, capacity-building and technical assistance can be provided to equip the conflict management office or team with the necessary tools and expertise to deal with complex conflict situations effectively.

ASEAN could also learn from Vietnam's experience in post-conflict reconstruction by emphasizing national reconciliation, social welfare, and economic development in

Myanmar. This could involve developing comprehensive plans and policies that address the root causes of the conflict and working closely with the Myanmar government, Rohingya Muslims, and other ethnic groups to promote interfaith and interethnic dialogue.

In summary, the comparative analysis of ASEAN's role in the Vietnam-Cambodia War and the concrete suggestions, such as the conflict management office and supervisory mechanism for the ASEAN chair, offer valuable insights for addressing the Rohingya crisis. However, these aspects require further analysis and elaboration to ensure their feasibility within the ASEAN system. By exploring alternative strategies and conflict management techniques, ASEAN can adapt to the post-coup context in Myanmar and play a more effective role in managing the Rohingya conflict, ultimately promoting regional peace and stability in the long run. As ASEAN moves forward in addressing the Rohingya crisis it is crucial to engage with a broad range of stakeholders, including regional and international actors, NGOs, and civil society organizations. Collaborative efforts can facilitate information sharing, promote a unified approach, and ensure that the proposed solutions are implemented effectively. This comprehensive approach will strengthen ASEAN's position as a central actor in resolving the conflict and enhance its credibility in the region.

To promote dialogue between the conflicting parties, ASEAN can organize regional conferences and workshops that bring together government representatives, opposition leaders, religious and ethnic groups, and civil society organizations. These platforms can facilitate open discussions on the root causes of the conflict, foster mutual understanding, and encourage parties to develop actionable steps towards a peaceful resolution.

In tandem with these efforts, ASEAN can initiate confidence-building measures among member states and the conflicting parties. This can include military and intelligence cooperation, joint border management initiatives, and transparent communication to prevent misperceptions and misunderstandings that could escalate the conflict.

ASEAN should also encourage member states to support the socio-economic development of Myanmar, particularly in areas most affected by the conflict. This could involve investments in education, healthcare, and infrastructure to address the needs of the affected communities and build a solid foundation for long-term stability and prosperity.

Lastly, ASEAN should explore opportunities to enhance the role of regional and international actors in the resolution process. While maintaining its central role in conflict management, ASEAN can seek cooperation with other organizations, such as the United Nations, the European Union, and other regional forums, to provide technical assistance, mediation support, and financial resources for implementing the proposed solutions.

In conclusion, addressing the Rohingya crisis in Myanmar requires a comprehensive and proactive approach from ASEAN that considers the evolving post-coup context.

By exploring alternative strategies and conflict management techniques, fostering dialogue between conflicting parties, and engaging regional and international actors, ASEAN can play a more effective role in resolving the conflict and promoting regional peace and stability. However, this will necessitate strong commitment and collaboration from all stakeholders, including the Myanmar government, Rohingya Muslims, and other ethnic groups involved in the conflict, as well as ASEAN member states and the broader international community.

Bibliography

AHA Center. (2017). One ASEAN One Response for Displaced Communities in Rakhine State, Myanmar. Retrieved from https://ahacentre.org/press-release/one-asean-one-response-for-displaced-communities-in-rakhine-state-myanmar/

Alom, M. M. (2019). The Rohingyas: Asean's Image and Responsibility. *Bangladesh Journal of Public Administration*, 26(2): 17–28.

Anwar, A. (2023). *Does anyone want to solve the Rohingya Crisis?* – The Diplomat. Retrieved May 4, 2023, from https://thediplomat.com/2023/02/does-anyone-want-to-solve-the-rohingya-crisis/

ASEAN. (1976). Treaty of Amity and Cooperation in Southeast Asia. Retrieved from https://asean.org/wp-content/uploads/2021/01/20131230235433.pdf

ASEAN. (2017). ASEAN Vision 2025 on Disaster Management. Retrieved from https://asean.org/wp-content/uploads/2021/01/fa-220416_DM2025_email.pdf

Barber, R. & Teitt S. (2020). The Rohingya Crisis: Can ASEAN Salvage Its Credibility. *Survival*, 62(5): 41–54.

Cook, A. (2010). Positions of responsibility: A comparison of ASEAN and EU approaches towards Myanmar. *International Politics*, 47: 433–449.

Davies, M. (2016). A Community of Practice: Explaining Change and Continuity in ASEAN's Diplomatic Environment. *Pacific Review*, 29(2): 211–215.

Ding, L. H. & Rahman U. (2010). The Rohingya Refugees: A Security Dilemma for Bangladesh. *South Asian Studies*, 4(9): 124–133.

Dosch, J. (2011). *Southeast Asia: ASEAN and the challenge of regionalism*. London: Routledge.

Goh, G. (2003). The 'ASEAN Way' Non-Intervention and ASEAN's Role in Conflict Management. *Stanford Journal for East Asian Affairs*, 3(1): 113–118.

Haacke, J. (2010). The Myanmar imbroglio and ASEAN: Heading towards the 2010 elections. *International Affairs*, 86 (1): 153–174.

International Crisis Group. (2013). The Dark Side of Transition: Violence Again st Muslims in Myanmar. Retrieved from https://www.crisisgroup.org/asia/south-east-asia/myanmar/dark-side-transition-violence-against-muslims-myanmar

Jetly, R. (2003). Conflict Management Strategies in ASEAN: Perspectives for SAARC. *The Pacific Review*, 16(1): 53–76.

Maung, M., & Jeannerod, B. (2023). *Myanmar's junta benefits from weak international response*. Human Rights Watch. Retrieved May 4, 2023, from https://www.hrw.org/

news/2023/02/06/myanmars-junta-benefits-weak-international-response

Naing, I. (2022). *Association head says Rohingya still face genocide*. VOA. Retrieved May 4, 2023, from https://www.voanews.com/a/association-head-says-rohingya-still-face-genocide/6865647.html

Narine, S. (1998). ASEAN and the Management of Regional Security. *Pacific Affairs*, 71(2): 195–214.

Nolan, B. (2015). ASEAN 'Cannot Stay Out of Rohingya Crisis'. Retr ieved from http://www.thejakartapost.com/news/2015/06/18/asean-cannot-stay- outrohingya-crisis.html

Oishi, M. (2016). *Contemporary Conflicts in Southeast Asia: Towards a New ASEAN Way of Conflict Management*. Singapore: Springer.

Pitakdumrongkit, K. (2016). Managing ASEAN's External Relations via the Country Coordinator: Lessons Learned from Thailand.

Setiawan, I. P. & Suryati, M. S. D. (2021). Keterlibatan Asean dalam Menangani Konflik Myanmar (Studi Kasus: Konflik Etnis Rohingya 2017–2019). *POLITICOS*, 1(2): 83–97.

Sokkhoeurn, A. (2010). Conflict Resolution in Cambodia. *Cambodian Institute for Cooperation and Peace*.

Soomro, N. N. (2017). ASEAN's Role in Conflict Management: Active and Effective?. Asia Research Institute of the University of Notting ham. Retrieved from https://theasiadialogue.com/2017/11/14/aseans-role-in-conflict-management-active-and-effective/

Sridharan, K. (2008). Regional Organisations and Conflict Management: Comparing ASEAN and SAARC.

Swartbol, M. R. (2018). And Old Line in the Sand: The Rohingya Crisis' Effect on ASEAN Political Integration.

Tarling, N. (1993). *The Cambridge History of Southeast Asia*. Cambridge: Cambridge University Press.

Tuan, H. A. (1996). ASEAN dispute management: Implications for Vietnam and an expanded ASEAN. *Contemporary Southeast Asia, 18*(1), 61–80. https://doi.org/10.1355/cs18-1d

UNHCR. (2021). Refugee Response in Bangladesh. Retrieved from https://data2. unhcr.org/en/situations/myanmar_refugees#_ga=2.41206946.1620750129.1639579585-1025247549.1639579585