

## POLITICAL CRISIS IN MYANMAR AND ASEAN INTERVENTION

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### Abstract

*Myanmar is still experiencing an uncertain political situation. State of emergency enforcement was issued by the military for a year, force the people to undertake anti-coup protest so that democracy could be upheld. This paper will analyze what kinds of interventions that ASEAN can engage, as well as the international community, including the United Nations, in finding a solution to the political crisis that occurred in Myanmar. Responding to the political crisis in Myanmar itself, ASEAN cannot escape from the principles stated in the ASEAN Charter. One of the principles that is often put forward is the non-intervention principles. This means, it is not easy for ASEAN countries to intervene the military crisis in Myanmar. While ASEAN interventions are not effective, alternative solutions to deal with the Myanmar crisis may involve the wider international community, including the United Nations. Through the United Nations, with its powerful instruments and authority, the world parties can pressure the military junta regime if regarded uncooperative in resolving the Myanmar crisis.*

### Introduction

Any solution to solve the political crisis in Myanmar, since the overthrow of the elected civilian government on February 1, 2021, has yet to find. The military junta's adamant attitude towards power and violence acts committed against the anti-coup protest have raised international concern. Since the February 1 military coup, the death toll from The Myanmar military anti-coup protesters until March 19, 2021 have reached 231 people

(Kompas.com, March 20, 2021). The number of victims from the pro-democracy crowds who oppose the military junta is expected to increase and exceed above number, as the security forces are still executing violent acts, including shooting against anti-coup protesters.

The political crisis in Myanmar, especially violence action perpetrated by the security forces against the pro-democracy protesters, has sparked



international castigation. World leaders strongly condemn the deadly action by Myanmar's security forces against the peaceful anti-coup protesters. UN spokesman, Stephane Dujarric, stated that the use of lethal force against peaceful protesters and arbitrary arrests was unacceptable (Republika, March 22, 2021). Furthermore, a number of Western countries express repudiates, because the military junta's actions against the pro-democracy protesters were considered to have exceeded humanitarian limits and were contrary to universal human rights' principles. De facto, The European Union, will impose sanctions to 11 top Myanmar military officials involved in act (cnbcindonesia.com, March 23, 2021).

Myanmar's political crisis indeed became a focus for ASEAN, as reflected in the informal meeting of ASEAN foreign ministers in early March. Indonesian Foreign Minister at that time, Retno Marsudi, revealed that all ASEAN members were obliged to perform the principles and values contained in the ASEAN Charter as a whole, such as non-interference. At the same time, they should respecting and implementing other principles and values in the ASEAN Charter - including democracy, respect for human rights, good governance, supremacy of law, and constitutional government - just as important. This paper discusses interventions, such as what ASEAN supposedly

do, as well as the international community, including the United Nations (UN), in finding solutions to the political crisis that occurred in Myanmar.

### **Asean Intervention: Extremely Limited**

As a response to the political crisis in Myanmar, ASEAN appear restricted to the principles and values listed in the ASEAN Charter. One of the eight principle that often stipulated in the political situation between ASEAN member countries, is non-interference principle. This means, any political crisis in any ASEAN member countries has became their local matter (of the country concerned), hence, the other ASEAN member countries' intervention cannot be justified. By "intervention", interpreted as interfering other countries' local matter, without being asked by the concerned country, because of any particular interest behind it.

What about the contexts of political crisis in Myanmar nowadays? It has turned out to cause much casualties, even concerned that it can disturb area stability. What kind of intervention that should carried out by ASEAN, as an economic union in regional Southeast Asia, that should focused on the effort to maintain regional peace and area stability. ASEAN may not directly intervene to restore Myanmar's situation, but that is not a barrier for ASEAN to contribute and find the best solution. ASEAN must be able to

undertake using other principles stated in the Charter into Myanmar's political life, such as democracy, respect for human rights, and good governance. That kind of ASEAN intervention perhaps cannot be accepted directly, largely because the military elements still want to exist and dominate Myanmar's political matter.

ASEAN must be more lenient to intervene and pressure through their assertiveness, such as posing threats to dispense Myanmar from ASEAN, if the military leader refuse to end this the coup d'état. That is a challenge for ASEAN, since the stability in the region will become more disrupted if the military service or armed forces of Myanmar (Tatmadaw) reject the reconciliation. Oppositely, Myanmar, with the reigning military junta, are expected to avoids various attempts to sever ASEAN's purpose and respect its members for our common goals.

Indonesia, served as a democratic country and one of ASEAN member state, is assumed to play roles in helping Myanmar to release them of the crises, gradually trying to help out Myanmar through democracy advancement. ASEAN, especially Indonesia, must reiterate the importance of the principles of democracy that needs to ordained in Myanmar, if this country wants to take part of the ASEAN political and security community, which includes the desire of the ASEAN community to advance

in developing democratic life, and in creating regional stability. ASEAN should encourage Myanmar to reinstate civilian government and undergo military reforms because this is the best way for Myanmar to create peace. Such solution were given based on Indonesia's experience, where the military is no longer involved and withdraws from political affairs, so that the public can set high hopes for the role of the military as the protector of the people and the state.

Looking back to the current situation in Myanmar, it seems that an intention to reform Myanmar's military is not easy, given the military junta's recent frame of mind against reconciliation. On the other hand, they are getting more ruthless and determine to sue Aung San Suu Kyi and her party to court, for allegedly committed fraud in the November 2020 elections. These actions against the anti-coup masses that are getting fierce, even to consider them terrorists, shows the position of the military junta, which is difficult now, to invite them to have a dialogue with the pro-democracy civilians. Taking into account such situations and developments, it seems that it is not easy for ASEAN to ground their framework in helping to overcome the crisis in Myanmar.

The situation above also shows that the non-intervention principle by ASEAN member countries has not create any difference to Myanmar's situation. The military coup

and political state in Myanmar did not provide any room to respect human rights and democracy, as if to appear that their internal matter should not be interfered by other countries. Meanwhile, ASEAN's intervention is also limited in nature, and it is possible that ASEAN is currently assessing of the crisis in Myanmar, that has not had a significant impact to stability area. However, if we focused on ASEAN's goal, mostly through their Political-Security Community pillar, the development of a democracy life and human rights protection in Myanmar should continued to be voiced, even encouraged. When ASEAN interventions are not effective, alternative solutions to deal with the Myanmar crisis may involve the wider international community, including the United Nations.

### **Un Alternative Solutions**

The solution to the political crisis in Myanmar is not impossible to involve international communities, including the United Nations, since the issue of the military coup and violence experienced by the Burmese has indeed captured international attention. The cruel actions from the Apparatus regarding the pro-democracy protests in Myanmar, in this information disclosure era, garnered international media exposure. It is not surprising that some countries, including United States, European Union countries, New Zealand and Canada, weigh

harshly towards the security apparatus in Myanmar in their action of the anti-coup protests and rallies. Along with them, United Nations expressed their regret and condemnation of the situation, citing a great distance between democratic values and respect for human rights.

United Nations, in their capacity as an international organization and provision, has the reason to provide constructive interference to overcome political crisis in Myanmar. The first alternative solution would include requesting Tatmadaw (Myanmar's Armed Forces) to hand over the power to civil government. Through international intervention, including ASEAN, reconciliation needs to be stimulated, via negotiation between military junta and local government, in respect to the military's role and position in the democratic country.

Second alternative solution would be establishing temporary government, with leader that is not a partisan of military or civilian (not from the Tatmadaw or Aung San Suu Kyi's party/ NLD). It should be noted that this government will be shaped if Tatmadaw agreed to hand over the power to the civil governance. Besides, this temporary government is only in charge to to restore peaceful situations into stable state, and to hold a fair and honest re-election, whoever won must be mutually accepted. With this re-election, the international public

can participate to oversee the course of the electoral process. The third solution that can be implemented is to do what Tatmadaw always wants, to hold re-election within a period of one year after the invalid results of the November 2020 election results.

It is possible that the solutions described above will be rejected, so that anti-coup demonstrations and violence acts by the security forces against the protesters will continue. If the situation gets out of hand and endangering humanity, the UN, through its authority, should take a firm stance against the Myanmar military junta regime, as it considered incapable of running the government properly. Strict sanctions could be made by ordering punishment (through International Criminal Court / ICC) to the unscrupulous military junta whom allegedly committed audacious human rights violations. The UN, especially the Security Council, can be a foundation of hope to get a statement and stronger action in overcoming Myanmar political crisis.

### Closing

Democracy is one of the main focuses of development in ASEAN Community, as mentioned in the ASEAN Charter. ASEAN Community is a community that aims to strengthen democracy and protect human rights. Myanmar, especially the Military (Tatmadaw) must be open to

the democracy process, but unfortunately, they act as the opposite. ASEAN intervention is greatly limited. As declared on the ASEAN Political-Security Community pillar, the democratic life development and protection of human rights in Myanmar must be encouraged by ASEAN. An alternative solution that can also be done, is by involving the United Nations, due to its international exposure as the world's organization, having a strong instruments and authorities to pressure the military junta regime if it is deemed uncooperative in resolving the crisis that occurred in Myanmar.

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