

## ASEAN's Albatross: Burma, ASEAN's 'Image' and the Emergence of a 'Regional Interest'

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We don't set out to change the world and our neighbours. We don't believe in it. The culture of ASEAN is that we do not interfere.

- Goh Chok Tong, Prime Minister of Singapore, 1992<sup>1</sup>

ASEAN is trying to democratise Myanmar.

- Nguyen Dy Nien, Foreign Minister of Vietnam, 2004<sup>2</sup>

### Introduction

Many third-world regional organisations cite non-interference as one of their most cherished principles, but the Association of Southeast Asian Nations (ASEAN) is unique in rhetorically elevating it to almost sacred status.<sup>3</sup> According to constructivist scholarship, which dominates the field of ASEAN studies, it is the most important part of a bundle of norms that also include 'quiet diplomacy' and decision-making by consensus, known collectively as the 'ASEAN way' of regionalism.<sup>4</sup> After the Cold War, a self-confident ASEAN, home to several Asian 'tiger economies', projected the 'ASEAN way' outwards, declaring its intention to include all Southeast Asian states and issuing a claim to manage the security order of the Asia-Pacific via the ASEAN Regional Forum (ARF),<sup>5</sup> fending off external criticism of its autocratic governments and human rights abuses by citing non-interference and trumpeting so-called 'Asian values'.<sup>6</sup> The economic and political catastrophe of the 1997 Asian Financial Crisis (AFC), however, badly damaged ASEAN's credibility. 'Asian values' were seen as little more than an excuse for

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<sup>1</sup> *The Economist*, 29 February 1992.

<sup>2</sup> *Kyodo*, 2 July 2004.

<sup>3</sup> ASEAN was formed in 1967 and grouped Thailand, Singapore, Malaysia, Indonesia and the Philippines. Brunei joined in 1984, Vietnam in 1995, Laos and Burma in 1997, and Cambodia in 1999.

<sup>4</sup> See Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (London: Routledge, 2001). For instance, most scholars argue that concern for non-interference determined ASEAN's confrontation of Vietnam following its 1978 invasion of Cambodia. For a critique of this interpretation see Lee C. Jones, 'ASEAN's Intervention in Cambodia: From Cold War to Conditionality', *Pacific Review* 20:4 (2007).

<sup>5</sup> Michael Leifer, *The ASEAN Regional Forum: Extending ASEAN's Model of Regional Security* Adelphi Paper 302 (Oxford: Oxford University Press/ Institute for Strategic Studies, 1996).

<sup>6</sup> Richard Robison, 'The Politics of Asian Values', *Pacific Review* 9:3 (1996).

corruption and nepotism, while non-interference was blamed for ASEAN's inability to deal with the AFC's fallout.<sup>7</sup>

Ten years on, how has the supposedly 'cherished' norm of non-interference fared? This paper examines the case of ASEAN's engagement with Burma. It argues that in contrast to constructivists' arguments and expectations, this engagement - even before the AFC - was always premised on the promise of political change in Burma. ASEAN has attempted to recover from the AFC by pursuing economic integration and re-projecting itself as a progressive, competent manager of regional order. However, its profoundly weakened status means the fulfilment of these goals depends on the support of its key Western 'dialogue partners', the US and EU, who have demanded ASEAN take responsibility for the situation in Burma to substantiate its status. By doing so, ASEAN has tied its prospects of recovery to the Burmese regime's standing in the West. ASEAN has reluctantly had to sideline the non-interference norm as it made various attempts to cajole and discipline Burma to conform to international expectations. The failure of these efforts has helped crystallise for leading ASEAN elites an incipient 'regional interest' being damaged by the military regime's behaviour, to which national interests should now be legitimately subordinated.

The paper begins with an overview of the problem and a summary of ASEAN's 1992-97 'constructive engagement' approach. It then looks at the way ASEAN has sought to recover from the AFC and the way this has played out in relation to Burma, in the immediate aftermath of the crisis, in the cooperative years of 2000-03, and since the Depayin Massacre of 2003. A concluding section sums up and considers the impact of ASEAN's travails with Burma on the development of the ASEAN Charter.

## 1. Burma, ASEAN and 'Constructive Engagement'

In 1988, mass protests brought down the sclerotic Burmese Socialist Programme Party government in Rangoon, leading the military to seize power as the State Law and Order Restoration Council (SLORC) and promise elections in 1990. SLORC refused to immediately transfer power to the National League for Democracy (NLD), headed by Aung San Suu Kyi (ASSK), which won 60 per cent of the vote, compared to 21 per cent for SLORC's political front, the National Unity Party,<sup>8</sup> prompting the West to identify Burma as a pariah state, subjecting it to economic sanctions and annual condemnatory resolutions in UN human rights bodies. SLORC has since been able to corral popular support through the 11-million-strong Union Solidarity and Development Association, while the NLD has proven incapable of seizing power, committed only to non-violent protest and being progressively weakened by repression. Burmese civil society has remained profoundly weak and disorganised, and nearly all the communist and ethnic insurgent groups that imperilled the regime in 1988-90 had, by 1995, signed ceasefires with the military, turning their attention to developing the areas under their control.<sup>9</sup> The resultant

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<sup>7</sup> Kay Moller, 'Cambodia and Burma: The ASEAN Way Ends Here', *Asian Survey* 38:12 (1998).

<sup>8</sup> Derek Tonkin, 'The 1990 Elections in Myanmar: Broken Promises or a Failure of Communication?' *Contemporary Southeast Asia* 29:1 (2007). SLORC renamed Burma as 'Myanmar'.

<sup>9</sup> Morten B. Pedersen, 'International Policy on Burma: Coercion, Persuasion, or Cooperation? Assessing the Claims', in Morten B. Pedersen, Emily Rudland, and Ronald J. May, (eds.), *Burma Myanmar: Strong Regime, Weak State?* (Adelaide: Crawford House Publishing, 2000); Mary Callahan, 'Cracks in the Edifice? Military-Society Relations in Burma since 1988', in

political stalemate has turned Burma into a site of international intervention for nearly 20 years.

ASEAN states, particularly Thailand, began engaging with Burma in the late 1980s, seeking raw materials and energy resources to feed their booming economies. Thailand's business class threw off military rule in 1988, establishing political dominance via a deeply corrupt parliamentary system and initiating predatory trade links with neighbours under the rubric of Prime Minister Chatichai's 'New Look' policy.<sup>10</sup> Cronyist business interests from Malaysia and Indonesia also hastened to exploit untapped resources and investment opportunities.<sup>11</sup> This trade and investment provided vital revenue to sustain the junta in power. Singapore was a long-standing, low-key trading partner of Burma and its government-linked companies supported the military in the crucial 1988-90 phase and afterwards by funnelling vital arms and ammunition embargoed by the West to Burma's beleaguered military.<sup>12</sup> Far from adhering to a norm of non-interference, ASEAN helped tilt the balance of forces inside Burma towards the military, by accident and design.

However, ASEAN's policy of 'Constructive Engagement' (CE), adopted in 1992, promised the exact opposite result. Pressed by the EU, ASEAN deferred to Thailand as Burma's closest neighbour.<sup>13</sup> The Thai Foreign Ministry proposed CE as a better approach than Western sanctions, based *not* on non-interference, but on quiet diplomacy specifically aimed at changing Burma's political system. One official explained: 'Our main concern is not to isolate Myanmar; it is to encourage the Myanmar people to move gradually towards democracy and a market economy... We want to encourage those in the Yangon regime who believe there should be more liberalisation'. ASEAN officials stressed the goals of ASEAN and the West 'are the same... Only the approach is different'. One explained, 'We have told them that we would like to see them move towards a more constitutional form of government because we believe this is in their own best long-term interests and the best long-term interests of the region'. A senior Indonesian official explained, 'We are telling them very quietly, in a Southeast Asian way, without any fanfare, without any public statements: "Look, you are in trouble, let us help you. *But you have to change, you cannot continue like this*".'<sup>14</sup>

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*ibid*; David I. Steinberg, 'The State, Power, and Civil Society in Burma-Myanmar: The Status and Prospects for Pluralism', in *ibid*; Chao-Tzang Yawngnwe, 'Burma: The Depoliticisation of the Political', in Muthiah Alagappa, (ed.), *Political Legitimacy in Southeast Asia: The Quest for Moral Authority* (Stanford, CA: Stanford University Press, 1995); Seng Raw, 'Views from Myanmar: An Ethnic Minority Perspective', in Robert H. Taylor, (ed.), *Burma: Political Economy under Military Rule* (London: Hurst & Company, 2001). By 1997 virtually the only holdout was the Karen National Union (KNU).

<sup>10</sup> Marc Innes-Brown and Mark J. Valencia, 'Thailand's Resource Diplomacy in Indochina and Myanmar', *Contemporary Southeast Asia* 14:4 (1993).

<sup>11</sup> For details see *Irrawaddy*, 1 May 2001, 1 January 1997, 1 August 1997; George J. Aditjondro, 'A Poisoned 30th Birthday Present for ASEAN: Suharto's Intimate Relationships with the Burmese Military Junta', in Ralph Bachoe and Debbie Stothard, (eds.), *From Consensus to Controversy: ASEAN's Relationship with Burma's SLORC* (Bangkok: AltSEAN-Burma, 1997), pp. 40-45.

<sup>12</sup> Andrew Selth, *Burma's Secret Military Partners* Canberra Papers on Strategy & Defence, vol. 136 (Canberra: ANU, 2000), pp. 27-39. Singaporean banks were also crucial clearing houses for downpayments on critical Chinese arms.

<sup>13</sup> Kavi Chongkittavorn, 'Thai-Burma Relations', in International IDEA, *Challenges to Democratization in Burma: Perspectives on Multilateral and Bilateral Responses* (Stockholm: International IDEA, 2001), p. 122.

<sup>14</sup> All quotations from *Straits Times* (ST), 26 August 1992. Emphasis added.

ASEAN had little interest in promoting genuine participatory democracy in Burma but believed constitutional governance closer to ASEAN's own illiberal, polyarchic regimes could preserve the status quo and relieve Western pressure. Evidence suggests Indonesia was the model adopted by Burma's generals.<sup>15</sup> Like CE, Burma's entry to ASEAN in 1997, stridently opposed by the West, was also justified by Malaysian Prime Minister Mahathir as a way of changing Burma: 'we think it will have a very positive effect on them'; by exposing them to 'how Malaysia manages its free market and its system of democracy' they would become less 'afraid of the democratic process' and 'over time, they will tend to give more voice to the people... They become a member first, then put their house in order'.<sup>16</sup> The West was unimpressed. In addition to slapping sanctions on Burma, the US boycotted the forthcoming biannual US-ASEAN Dialogue while the EU cancelled its joint meetings with ASEAN, refusing to admit ASEAN's new members to the Asia-Europe Meetings (ASEM), the major inter-regional cooperation forum.

## 2. ASEAN's Pathway from Crisis

The West's punishing boycotts came at the peak of the AFC. ASEAN's *dirigiste* economies, heavily dependent on FDI and deeply enmeshed in globalised production and trading networks, were plunged into chaos as investors fled the region and the IMF sought to dismantle the cronyist networks of rent-seeking that characterised the region's political economies.<sup>17</sup> Indonesia, Malaysia and Thailand saw their real GDP per capita shrink by an average 11 per cent in 1998, while Thailand and Indonesia's GDP loss over 1997-2002 was around 35 per cent.<sup>18</sup> Economic collapse exacerbated separatist movements across the region, and prompted massive inter-communal violence in Indonesia.<sup>19</sup> Unprepared for the crisis, ASEAN elites descended into bitter recriminations and mutual criticisms.<sup>20</sup> The crisis quickly brought down the Chavalit government in Bangkok, whose cronyist connections left it unwilling to implement IMF demands, and the social upheavals arising from IMF austerity measures toppled Suharto from power in May 1998, ushering in democratic rule.<sup>21</sup> Compounding the image of profound malaise, Indonesian forest fires enveloped the region in a stifling smog. Three years later, Singaporean Foreign Minister Jayakumar, citing poor investment rankings and quoting typical academic and media commentaries on ASEAN that referred to the Association as a 'feeble vehicle' that was 'drifting apart', warned his colleagues that despite signs of economic recovery ASEAN was now seen as an

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<sup>15</sup> Andreas Harsono, 'Love at First Sight: SLORC meets ABRI', *Inside Indonesia*, October-December 1997; Ulf Sundhaussen, 'Indonesia's New Order: A Model for Myanmar?' *Asian Survey* 35:8 (1995).

<sup>16</sup> *Irrawaddy*, 1 May 1997.

<sup>17</sup> See Mark Beeson, *Regionalism and Globalization in East Asia: Politics, Security and Economic Development* (London: Palgrave-Macmillan, 2006), pp. 204-10.

<sup>18</sup> *The Economist*, 30 June 2007, pp. 83-4.

<sup>19</sup> Rizal Sukma, 'Domestic Sources of Regional Stability and Instability in Southeast Asia', paper presented at conference on The Dynamics of Asia-Pacific Security: A Fin-de-Siècle Assessment (Taipei: 1999).

<sup>20</sup> Jeannie Henderson, *Reassessing ASEAN*, Adelphi Paper 328 (Oxford: Oxford University Press, 1999), pp. 39-46.

<sup>21</sup> Kuan Yew Lee, *From Third World to First - The Singapore Story: 1965-2000* (Singapore: Singapore Press Holdings, 2000), p. 386; Dewi Fortuna Anwar, 'The Fall of Suharto: Understanding the Politics of the Global', in Francis Loh Kok Wah and Joakim Öjendal, (eds.), *Southeast Asian Responses to Globalization: Restructuring Governance and Deepening Democracy* (Singapore: ISEAS, 2002).

‘ineffective... sunset organisation’. Such perceptions ‘are political facts. Perceptions can define political reality - if we continue to be perceived as ineffective, we can be marginalised as our Dialogue Partners and international investors relegate us to the sidelines’.<sup>22</sup>

The foundation of ASEAN’s previous status had been its booming economies. As ASEAN Secretary-General Ong Keng Kong explained, ‘Only with economic clout can we continue to draw the big powers and our key trading partners, like the US, China, Japan and the EU, to engage with us in the equally important political and security areas.’<sup>23</sup> But whereas in 1990 ASEAN had attracted 7.5 per cent of global investment, by 2001 this had slumped to 1.8 per cent, with China sucking in 97 per cent of FDI in Asia by 2003. Much of the FDI that did return was in the form of predatory mergers and acquisitions, neither producing growth nor reducing the region’s catastrophic unemployment levels. Japan’s economic woes also meant ASEAN became far more dependent on trade and investment with Europe and America.<sup>24</sup> ASEAN therefore attempted to recovery from the crisis by instituting neoliberal reforms designed to make its economies more attractive to Western investors. This started at a small scale, with country-specific special offers, regional trade fairs, the ASEAN Surveillance Process (a peer-review mechanism designed to ‘lock in’ pro-market reforms), and the launch of the ASEAN Investment Area. But as investors stubbornly stayed away, the process escalated, with the acceleration of AFTA timescales, liberalisation of capital markets, non-discrimination between national/regional and extra-regional investors (2001) the Initiative for ASEAN Integration (2002), and, in response to McKinsey’s ASEAN Competitiveness Report, the 2003 launch of the ASEAN Economic Community, aimed at creating an EEC-style single market by 2020.<sup>25</sup>

Notwithstanding a brief ‘backlash’ period in Malaysia from 1997-2000, and the ongoing resistance of rent-seeking, *dirigiste* forces, these reforms reflected the dominance of liberalising political coalitions.<sup>26</sup> Since the authoritarian nature of Southeast Asia’s capitalist development meant that the region’s middle classes were generally weak, dependent on the state and often illiberal in their outlook, the emphasis was on economic, not political liberalisation,<sup>27</sup> but to varying degrees ASEAN elites adjusted their rhetoric to restore their battered domestic legitimacy and project an image of progressive governance to dialogue partners and investors alike. In Indonesia, this included acceding to human rights instruments, granting a vote on East Timorese independence, and the cultivation of the image of ‘the world’s largest Muslim democracy’.<sup>28</sup> Malaysia, Singapore (and most other ASEAN

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<sup>22</sup> S. Jayakumar, ‘Opening Statement, 33rd ASEAN Ministerial Meeting’, Bangkok, 24 July (2000), accessed at <http://www.aseansec.org/3734.htm>.

<sup>23</sup> *Agence France Press (AFP)*, 22 June 2003.

<sup>24</sup> Rodolfo C. Severino, *Southeast Asia in Search of an ASEAN Community: Insights from the Former ASEAN Secretary-General* (Singapore: ISEAS, 2006), pp. 250-51; Beeson, *Regionalism and Globalization*, p. 214; Mark Beeson, ‘Southeast Asia’, in Anthony Payne, (ed.), *The New Regional Politics of Development* (London: Palgrave-Macmillan, 2004), p. 138.

<sup>25</sup> For an overview, see Severino, *ASEAN Community*, pp. 245-52.

<sup>26</sup> Etel Solingen, ‘Southeast Asia in a New Era: Domestic Coalitions from Crisis to Recovery’, *Asian Survey* 44:2 (2004).

<sup>27</sup> Garry Rodan (ed.), *Political Oppositions in Industrialising Asia* (London: Routledge, 1996); Richard Robison et al. (eds.), *Politics and Markets in the Wake of the Asian Crisis* (London: Routledge, 2000). Thailand is the partial exception, the ramifications of which are explored below.

<sup>28</sup> Philip J. Eldridge, *The Politics of Human Rights in Southeast Asia* (London: Routledge, 2002), pp. 69, 131-33, 151. Emerson argues this image has been crucial in ending

states) embraced the international financial institutions' 'good governance' discourse both as a signal to investors and to replace the 'performance legitimacy' aspects of the now-discredited Asian values discourse.<sup>29</sup> ASEAN communiqués from around 2002 onwards read like World Bank technobabble, with references to 'transparency', 'partnership', 'stakeholders', 'capacity-building' and 'social risks', 'participation' and even human rights.<sup>30</sup> The ASEAN 'Economic Community' was augmented with plans for a 'Security Community' and a 'Socio-Cultural Community', with an ASEAN Charter drafted in 2006. Some of these developments doubtless reflects the rise of reformist technocrats in ASEAN states and genuine attempts at reform. Their major explicit purpose, however, was to enhance the 'image', 'relevance' and 'credibility' of ASEAN, and capture absolutely crucial resources from wealthy Western dialogue partners, whose 'concrete support' was constantly solicited for ASEAN's schemes.<sup>31</sup>

The coexistence of such moves with continued illiberalism, 'money politics' and widespread political violence was facilitated by the onset of the War on Terror. While certainly posing challenges for some governments and prompting fears of 'surging unilateralism',<sup>32</sup> the War on Terror prioritised preventing 'state failure' over domestic illiberalism, giving ASEAN regimes leeway to roll back human rights and draw in US support for the brutal treatment of Muslim separatist movements in southern Thailand, Aceh and the southern Philippines.<sup>33</sup> This has paradoxically created a favourable environment for the relaxation of sovereignty, since intervention is likelier to reinforce than to threaten territorial integrity, allowing powerful domestic interests to be satisfied. The Philippines and Indonesia have both benefited from this tendency and both have drawn in other ASEAN states to assist them. Manila has welcomed both US troops to help crush the Moro insurgency and alleged terrorist groups in Mindanao, and Malaysian negotiators and monitors to try to create a settlement.<sup>34</sup> Jakarta accepted the Aceh Monitoring Mission in 2005, led by the EU but with participation from five ASEAN states, to implement a brokered peace deal there.<sup>35</sup> Indonesia proposed the creation of an ASEAN Peacekeeping Force in 2003, and Mindanao and Aceh are explicitly cited as models of regional and inter-regional cooperation.<sup>36</sup>

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Washington's military boycott of Indonesia: Donald K. Emmerson, 'Garuda and Eagle: Do Birds of a (Democratic) Feather Flock Together?' *Indonesian Quarterly* 34:1 (2006).

<sup>29</sup> Surain Subramaniam, 'The Dual Narrative of "Good Governance": Lessons for Understanding Political and Cultural Change in Malaysia and Singapore', *Contemporary Southeast Asia* 23:1 (2001). See also William Case, 'Malaysia: New Reforms, Old Continuities; Tense Ambiguities', *Journal of Development Studies* 41:2 (2005).

<sup>30</sup> E.g., see ASEAN, 'Vientiane Action Programme 2004-2010', Vientiane, 29 November (2004), accessed at [www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf](http://www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf).

<sup>31</sup> E.g., see ASEAN, 'Joint Communiqué of the 36th ASEAN Ministerial Meeting', Phnom Penh, 16-17 June (2003), accessed at <http://www.aseansec.org/14833.htm>.

<sup>32</sup> See Megawati Soekarnoputri, 'Statement by the President of the Republic of Indonesia At the Opening Session of The 37th ASEAN Ministerial Meeting', 30 June (2004), accessed at <http://www.aseansec.org/16186.htm>.

<sup>33</sup> Jim Glassman, 'US Foreign Policy and the War on Terror in Southeast Asia', in Garry Rodan, Kevin Hewison, and Richard Robison, (eds.), *The Political Economy of Southeast Asia: Markets, Power and Contestation* (Oxford: Oxford University Press, 2006).

<sup>34</sup> *Reuters*, 17 July 2007.

<sup>35</sup> For details see <http://www.aceh-mm.org>.

<sup>36</sup> Jürgen Haacke, "'Enhanced Interaction" with Myanmar and the Project of a Security Community: Is ASEAN Refining or Breaking with its Diplomatic and Security Culture?' *Contemporary Southeast Asia* 27:2 (2005), p. 203; ASEAN, 'Chairman's Statement of the 11th ASEAN Summit: "One vision, One Identity, One Community"', Kuala Lumpur, 12 December (2005), accessed at <http://www.aseansec.org/18039.htm>; Abdullah Ahmad

To recover from the economic and political effects of the AFC, then, ASEAN sought to project an image of credibility, competence and progress, signalling its intentions to embark on economic reforms and launching lofty, aspirational initiatives to attract the attention and support of dialogue partners, with an atmosphere of permanent revolution being sustained by the continued under-performance of ASEAN economies.<sup>37</sup> The following sections trace out the impact of these developments on ASEAN's treatment of Burma, illustrating how ASEAN was made to substantiate its claim to manage regional order and dilute its practice of non-interference by pushing Burma to change its political system, and how its 'credibility' (and everything that depended on that) was thus put at stake when Burma retreated from change in 2003.

### 3. 'Flexible Engagement' and ASEAN Policy, 1997-2000

The AFC brought to power in Thailand the Democrat Party, a predominantly urban, middle-class based party espousing liberal values which began implementing reforms aimed at 'internationalising' both Thailand and the region. Democrats were traditionally highly critical of Burma,<sup>38</sup> and now seized on the crisis to push for changes to facilitate a more forceful ASEAN policy. Foreign Minister Surin Pitsuwan warned Thailand faced 'formidable impersonal forces that heed no borders... we either reform ourselves to meet international standards, or we can resist and be overwhelmed in the end, with no control over the pace or direction of change'. Yet since 'Thailand cannot meet the challenge alone; the region as a whole must rise to the occasion'. Because 'delays and setbacks in one country can affect the region as a whole', Surin maintained that openness is 'no longer a choice countries can embrace or reject as they see fit', meaning that ASEAN's 'cherished principle of non-intervention [should be] modified to allow ASEAN to play a constructive role in preventing or resolving domestic issues with regional implications'.<sup>39</sup> This proposal was dubbed 'flexible engagement' (FE). Sukhumbhand Paribatra, Surin's deputy, downplayed the 'rights' and benefits of ASEAN membership, prioritising 'responsibilities': 'responsibilities for engagement, that is for contributing to the achievement of common regional goals and for managing bilateral differences or improving bilateral relations'.<sup>40</sup> He warned that 'States or groups of states which hope to play an influential role in the international political arena may not wish to conform to these [Western] norms and values, and in many cases get away without having to do so. But they cannot blatantly and cynically ignore or violate them on a sustained basis',<sup>41</sup> arguing that 'it is essential that members do their utmost to make themselves acceptable in the eyes of the international community. No one can live in isolation. Otherwise,

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Badawi, 'Preservation and Innovation in Planning the Future of ASEAN', Kuala Lumpur, 8 August (2006), accessed at <http://www.aseansec.org/18634.htm>, 25 July 2007.

<sup>37</sup> E.g., in 2004, FDI flows to the region were still 10 per cent lower than in 1995, while Indonesia continued to haemorrhage capital. ASEAN Secretariat, *ASEAN Statistical Pocketbook 2006* (Jakarta: ASEAN, 2006), p. 58.

<sup>38</sup> N. Ganesan, 'Thailand's Relations with Malaysia and Myanmar in Post-Cold War Southeast Asia', *Japanese Journal of Political Science* 2:1 (2001), p. 140.

<sup>39</sup> Surin Pitsuwan, 'Thailand's Foreign Policy During the Economic and Social Crises', speech at Faculty of Political Science, Thammasat University, Bangkok (1998).

<sup>40</sup> Surin Pitsuwan, 'Thailand's Non-Paper on the Flexible Engagement Approach', (Bangkok: Thai Foreign Ministry, 1998).

<sup>41</sup> Sukhumbhand Paribatra, 'ASEAN and the SLORC Conundrum: Is Burma Ready for Membership?' in Bachoe and Stothard, (eds.), *Consensus to Controversy*, p. 11.

regional integration will not be able to move forward'.<sup>42</sup> Paribatra later explained that in order 'to shift from a culture of sovereign impunity to acceptance of the principle and practice of sovereign accountability, ASEAN members have, I believe, the right to encourage fellow members to become more accountable to the region and to the international community'.<sup>43</sup>

However, the imperative of submitting the region to the 'impersonal forces' of globalisation was not yet broadly accepted. Mahathir, for instance, was busy protecting cronyist interests.<sup>44</sup> Given the timing of the proposal - shortly after the US and IMF had essentially levered Suharto from power and when ASEAN states were still trading threats and recriminations - FE was rejected.<sup>45</sup> In addition to this, Surin also recognised severe domestic constraints: Entrenched 'border business interests and some in the bureaucracy' would resist 'quickly and aggressively... pressing for greater democracy in the region', creating a backlash and causing the policy to fail.<sup>46</sup>

Hence, Thai and ASEAN policy towards Burma from 1997-2000 was relatively cautious. The tensions within the Thai state which Surin alluded to expressed themselves in May 1999 when the Labour Ministry, controlled not by the Democrats but by Chavalit crony Sompong Amornvivat, cancelled an International Confederation of Free Trade Unions conference called to develop plans to 'assist in the struggle for... democracy in Burma' (and backed by Surin) on the grounds that it 'would result in negative effects on the good relations' between the two states.<sup>47</sup> Thailand, joined by the Philippines, did try to craft a new international consensus at the Chilston Park conference on Burma in October 1998, where Paribatra argued for dropping 'the old policy of isolation and sanctions', and a new 'carrot-and-stick' approach was adopted, offering \$1bn of World Bank aid in return for political reform.<sup>48</sup> Although Burma rejected the plan, Rangoon-based ambassadors, including Manila's, pressed the regime to accept a UN envoy or face harsher UN resolutions. The UN's Alvaro de Soto was subsequently allowed to visit, where he repeatedly pushed the 'aid-for-reform' line.<sup>49</sup> However, illustrating the international constraints on Thai policy, in responding ASSK's plea for ASEAN to 'nudge Burma towards democracy', Paribatra said such 'dreams' must be subjected to 'reality tests': while Thailand had pushed bilaterally on human rights, narcotics and refugee flows, non-interference remained the 'glue keeping ASEAN together';

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<sup>42</sup> *Irrawaddy*, 1 July 2000.

<sup>43</sup> *Irrawaddy*, 1 July 2004.

<sup>44</sup> Mahathir argued: 'the fact that globalisation has come (and is apparently irresistible) does not mean we should just sit by and watch as the predators destroy us'. Mohamad Mahathir, 'Globalization and Smart Partnership', Speech to the 4th Langkawi International Dialogue, Langkawi, 25 July (1999), accessed at <http://www.pmo.gov.my/WebNotesApp/PastPM.nsf/a310590c7cafaae48256db4001773ea/33df47ed7278d97448256ab1000641a2?OpenDocument>.

<sup>45</sup> Only Manila backed the proposal, which was ultimately watered down to the meaningless phrase 'enhanced interaction' and not even mentioned in ASEAN communiqués.

<sup>46</sup> Surin Pitsuwan, 'Thailand's Foreign Policy'.

<sup>47</sup> *The Nation*, 22 May 1999. This was due to the attendance of Sein Win, 'Prime Minister' of the 'National Coalition Government of the Union of Burma', a small exile group. Sein Win was subsequently allowed to visit Manila, but only if he kept a low profile. Aung Zaw, 'ASEAN-Burma Relations', in International IDEA, *Challenges to Democratization*, p. 47.

<sup>48</sup> *Asiaweek*, 31 March 2000.

<sup>49</sup> Jürgen Haacke, *Myanmar's Foreign Policy: Domestic Influences and International Implications*, Adelphi Paper 381 (Abingdon: Routledge, 2006), p. 90.

as such, Thailand could give moral support to democratisation but not champion it.<sup>50</sup>

However, while relatively little was therefore done to push Burma to change, with ASEAN gravely weakened by the crisis and being pushed to substantiate its long-standing claims that engagement with Burma would liberalise it, relatively little was done to defend Burma. The crisis totally discredited 'Asian values', meaning Burma could no longer benefit from that normative shield, as it had in earlier years.<sup>51</sup> ASEAN was mostly distracted by the East Timor issue, and when its members did begin to speak up again, they argued not for non-interference or the inapplicability of human rights in Asia, but for a less 'confrontational' approach, favouring 'cooperation' to help countries improve.<sup>52</sup> Likewise, when Washington campaigned for an unprecedented resolution to effectively expel Burma from the International Labour Organisation (ILO) in response to persistent violations of labour rights, ASEAN's defence was not to cite non-interference but to request Burma be given more time to comply.<sup>53</sup> This stance was repeated in 2000, with Malaysia arguing for 'technical assistance' for Burma to help it improve. Singapore likewise argued that a recent 'positive step regarding compliance' meant that Burma deserved more time, strongly implying conditionality. The Philippines stressed that 'ASEAN was not asking that the sword of Article 33 be turned into plough shears [*sic*], only that the sword be placed in the scabbard while cooperation with Myanmar is being worked out. Should cooperation fail, then the sword remains available to the Conference'.<sup>54</sup> ASEAN's defence of Burma was essentially limited to asking assistance for Rangoon to meet international demands. This was not totally alien to FE's emphasis on international acceptability and reflected the way ASEAN had legitimated engagement with Burma, and ASEAN's diminished capacity to offer a more robust defence.

#### 4. Taking Responsibility for Burma: The Cooperative Years (2000-03)

As ASEAN's political and economic woes continued into 2000, the necessity of more thoroughgoing reforms to enhance ASEAN's attractiveness to investors and dialogue partners became increasingly accepted, as noted in section 2. Mahathir's shift to a reformist agenda in response to continued investor scepticism and domestic political protests against cronyism was crucial.<sup>55</sup> In order to resume ASEAN-EU Ministerial Meetings, suspended since 1997, and receive support for Indonesia's territorial integrity and ASEAN regional integration, with the explicit hope of promoting trade and investment flows,<sup>56</sup> ASEAN was compelled to accept responsibility for Burma's transition to democracy. The West had already assigned this in 1997, with Madeleine Albright declaring: 'By admitting Burma as a member,

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<sup>50</sup> See the exchange in *The Nation*, 13 and 16 July 1999.

<sup>51</sup> See for example Malaysia and Singapore's interventions on the agenda item beneath which the situation in Burma was being considered at the UN in 1990: A/C.3/45/SR.41, pp. 2, 10; A/C.3/45/SR.49, p. 8. See also Chee Soon Juan, *To Be Free: Stories from Asia's Struggle Against Oppression* (Melbourne: Monash Asia Institute, 1999), p. 84.

<sup>52</sup> See, e.g., Malaysia's interventions at E/CN.4/2000/SR.16, pp. 5-6.

<sup>53</sup> *AFP*, 17 June 1999.

<sup>54</sup> ILO, 'Submission, Discussion and Adoption of Reports of the Selection Committee, 15 June 2000', (2000), accessed at <http://www.ilo.org/public/english/standards/relm/ilc/ilc88/com-seld.htm>, 15 July 2007.

<sup>55</sup> See Case, 'New Reforms', pp. 293-7.

<sup>56</sup> ASEAN, 'Vientiane Declaration - 13th ASEAN-EU Ministerial Meeting', 11-12 December (2000), accessed at <http://www.aseansec.org/676.htm>.

ASEAN assumes a greater responsibility, for Burma's problems now become ASEAN's problems'.<sup>57</sup> But now Burma had to pledge to lift restrictions on and engage in 'early' talks with the NLD, and accept an EU Troika mission. European participants in the December 2000 meeting recalled that such commitments, while not included in the final communiqué, were 'openly' made before ASEAN delegates. In what the Dutch representative rightly called 'a departure from the non-interference principle', in Europe's eyes 'it now remained for ASEAN to ensure the junta kept its word'.<sup>58</sup> ASEAN thus staked its future on its capacity to have Burma converge with international expectations.

Prospects were improved by the ascendancy of moderate forces within Burma's State Peace and Development Council (SPDC),<sup>59</sup> with General Khin Nyunt apparently gaining control of policy. The appointment of Paulo Sérgio Pinheiro as UN Special Rapporteur for Burma, who disavowed 'megaphone diplomacy', helped reinforce Nyunt's position, with Burma's UN representative able to welcome Pinheiro's reports as 'positive and fairly balanced' and even to 'emphasise that the current improvement in the country's political climate had been brought about by the engagement, cooperation and encouragement of the international community'.<sup>60</sup> Domestic change in Thailand also helped. Despite Surin's warning of the need to balance social forces in formulating policy, the Democrats' neoliberal reform agenda did little for Thailand's poor while the capitalist class increasingly feared its own demise.<sup>61</sup> Apparently trying to boost nationalist support prior to the 2001 elections by giving free rein to the military to confront powerful drug-trafficking groups within Burma,<sup>62</sup> the Democrats wildly overreached against big business interests, which returned to direct power in the form of Thaksin's Thai Rak Thai administration. To restore more cooperative relations with Burma, Thaksin gradually muzzled liberal critics, purged the bureaucracy and reorganised the military to suit his new policy of 'forward engagement' - essentially the promotion of business interests via 'mutual trust and respect' and 'non-intervention'.<sup>63</sup>

Malaysia, having spearheaded Burma's early admission to ASEAN in the first place, was already engaged in trying to cajole the regime to become more acceptable and now took the leading role in this new arrangement. It joined Bangkok and Manila at the March 2000 Seoul conference on Burma, billed as 'Chilston Park 2', which asked the UNHCR and UNDP to assist Burma's refugees and minorities and urged the UN Secretary-General to appoint a new Special Envoy.<sup>64</sup> Subsequently, de Soto was replaced by Razali Ismail, a close associate of Mahathir. Razali visited Burma 14 times by December 2005, his main role being to facilitate talks between the regime

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<sup>57</sup> *Associated Press (AP)*, 24 July 1997.

<sup>58</sup> *AFP*, 12 December 2000.

<sup>59</sup> SLORC underwent a reshuffle and rebranding to SPDC in 1997.

<sup>60</sup> A/C.3/56/SR.35, p. 8.

<sup>61</sup> Kevin Hewison, 'Thailand: Boom, Bust, and Recovery', in Rodan *et al.* (eds.), *Political Economy of Southeast Asia*, pp. 98-101.

<sup>62</sup> Rodney Tasker and Shawn W. Crispin, 'Flash Point', *Far Eastern Economic Review* 163:22 (2000).

<sup>63</sup> Surakiart Sathirathai, *Forward Engagement, Thailand's Foreign Policy: Collection of Speeches by Dr Surakiart Sathirathai, Minister of Foreign Affairs* (Bangkok: Ministry of Foreign Affairs, 2003), p. 42. See Amy Kazmin, 'A Setback for Thai Democracy: The Rise, Rule and Overthrow of Thaksin Shinawatra', *Asian Affairs* 38:2 (2007), pp. 218-220; Pasuk Phongpaichit and Chris Baker, *Thaksin: The Business of Politics in Thailand* (Copenhagen: NIAS, 2004), pp. 138-66, 184-7; Duncan McCargo and Pathmanand Ukrist, *The Thaksinization of Thailand* (Copenhagen: NIAS Press, 2005), pp. 54-5, 131-51.

<sup>64</sup> *Kyodo*, 8 March 2000; *AsiaWeek*, 31 March 2000.

and the NLD, which resumed in secret in September 2000.<sup>65</sup> Razali's role was formally endorsed by the July 2000 ARF in the hope it would 'facilitate positive developments'.<sup>66</sup> In January 2001, Mahathir visited Rangoon as ASEAN's representative to push for political progress, returning to announce a 'blueprint' whereby elections would be held 'in a few years', though warning: 'when elections are held, people must understand that elections have limits. And not to use elections to undermine authority' - reflecting his own illiberal orientation. Asked to reconcile his involvement with ASEAN's non-interference policy, he explained 'Myanmar is a special case. The West is trying to pressure Myanmar, pressure ASEAN. While we do not want to interfere in the internal affairs of other countries, we feel that the benefits of the kind of liberal democracy that we have in ASEAN countries should be exposed and made known to the people and Government of Myanmar so they will not reject the system.'<sup>67</sup> Visiting again in August 2002, Malaysia's foreign minister Hamid Albar explained ASEAN's approach was to encourage Burma to 'go into the mainstream of the international community by moving to the political and democratic process... "They promised they will do that"'.<sup>68</sup>

Collectively, ASEAN promoted political change in Burma in this period, invoking 'non-interference' not to defend Burma's sovereign right to resist external demands for change, but to justify ASEAN's 'quiet diplomacy'. At an Informal Foreign Ministers' Meeting in Yangon in April 2001, the Philippine Foreign Minister said, 'We will encourage' SPDC-NLD talks, claiming that 'it's moving in a positive direction because there is non-interference. We can encourage, we can persuade, but we cannot do it with publicity... they know they have to find a solution and they know they have to ultimately follow the democratic process'.<sup>69</sup> ASEAN Ministerial Meeting (AMM) and ARF statements began referencing the situation in Myanmar for the first time, providing praise and encouragement for progress. The 2001 ARF statement explicitly 'extended appreciation' to ASEAN, Burma, Pinheiro and Razali, which suggests that despite its claims to non-interference ASEAN was happy to take credit for the regime's new cooperative stance and any progress made.<sup>70</sup> At the UN, ASEAN campaigned vigorously behind the scenes against overly-critical resolutions, not on the basis of non-interference, but on the grounds that Burma was making progress, mainly expressing anxiety that harsh wording might 'hamper efforts towards national reconciliation' (Indonesia), with Thailand declaring 'itself willing to assist' and hoping that Myanmar would 'continue on the right path'.<sup>71</sup> ASEAN spoke collectively for the first time on Burma from March 2002, arguing for the resolution to be reconfigured as 'Assistance to Myanmar in the Field of Human Rights'.<sup>72</sup> This stance differed from that of other third-world states defending Burma, such as Egypt, which specifically stated it was 'as always, opposed to any interference in the internal affairs of States on the pretext of investing [*sic*] the human rights situation'.<sup>73</sup> ASEAN's support was implicitly conditional and aimed at bolstering the liberalising forces within Burma: 'positive actions merited a consultative and constructive approach by the Commission...

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<sup>65</sup> Haacke, *Myanmar's Foreign Policy*, pp. 90-91.

<sup>66</sup> ASEAN, 'Chairman's Statement of the 7th ASEAN Regional Forum', Bangkok, 27 July (2000), accessed at <http://www.aseansec.org/600.htm>.

<sup>67</sup> *New Straits Times (NST)*, 29 January 2001.

<sup>68</sup> *Bernama*, 20 August 2002.

<sup>69</sup> *AFP*, 30 April 2001.

<sup>70</sup> ASEAN, 'Chairman's Statement of the 8th ASEAN Regional Forum', (Hanoi: 2001).

<sup>71</sup> A/C.3/56/SR.54, pp. 3-4.

<sup>72</sup> E/CN.4/2002/SR.55, p. 15.

<sup>73</sup> A/C.3/57/SR.54, p. 3.

ASEAN called on both parties [i.e., the regime and the opposition] to further their cooperation'.<sup>74</sup>

Although progress was slow, some significant changes did occur during this period. Pinheiro undertook six fact-finding missions to Burma from April 2001, yielding hundreds of prisoner releases.<sup>75</sup> In September 2001, ILO representatives were allowed to visit Burma. Malaysia and Razali's UN-based engagement helped initiate SPDC-NLD talks, prisoner releases, the reopening of some NLD offices, and the 2002 release of ASSK, all welcomed by the West.<sup>76</sup> Less than a year later, however, the cooperative period was to come to a bloody end.

## 5. Depayin and the Chairmanship Crisis

On 30 May 2003, following a campaign of harassment against the NLD, a USDA contingent attacked an NLD motorcade, killing four of ASSK's bodyguards and leading to ASSK's return to 'protective custody', signalling a backlash from hard-line forces in the regime. ASEAN's reaction - Mahathir stated bluntly: 'we have made our stand known that Aung San Suu Kyi is to be released immediately'<sup>77</sup> - illustrated that, having staked its 'credibility' on the delivery of progress in Burma, non-interference had become conditional upon Burma staying on-course. Hamid explained, 'Whatever developments that can derail or delay the reconciliation process are of concern to us as ASEAN members.'<sup>78</sup> 'Whether we like it or not, it is an internal affair of Myanmar but it has implications for the region'.<sup>79</sup> Hamid met Burmese Foreign Minister Wing Aung before the July AMM, demanding a timetable for ASSK's release, saying: 'It will be good if there is a clear date to end the current situation. He gave his assurance that they want [to release ASSK] in accordance with our wish', promising any political setback would be 'only something temporary'. Since it had done 'everything possible not to sideline Burma', Hamid explained ASEAN needed to account for Burma's situation 'in a very credible manner to ensure ASEAN's reputation and image was not questioned'.<sup>80</sup>

Questioned, it certainly was. With its regional embassies issuing notes demanding ASEAN pressurise Rangoon, a European diplomat noted that Washington was 'doing everything they can to have the Southeast Asian countries influence the government of Burma'.<sup>81</sup> Thaksin, on an official visit to the US, was lambasted by leading senators for 'coddling' Burma,<sup>82</sup> and, to preserve a hoped-for US-Thailand FTA, had little choice but to issue a joint statement with President Bush expressing 'deep concern over recent developments' affirming Thailand's 'readiness to do whatever possible to facilitate Burmese national reconciliation and a return to

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<sup>74</sup> E/CN.4/2003/SR.52, p. 12.

<sup>75</sup> Haacke, *Myanmar's Foreign Policy*, pp. 86-7.

<sup>76</sup> Zunetta Liddell, 'International Policies Towards Burma: Western Governments, NGOs and Multilateral Organisations', in International IDEA, *Challenges to Democratization*, pp. 141-2.

<sup>77</sup> *Bernama*, via BBC Monitoring, 10 June 2003.

<sup>78</sup> *Bernama*, 10 June 2003.

<sup>79</sup> *Kyodo*, 12 June 2003.

<sup>80</sup> *Bernama*, 15 June 2003.

<sup>81</sup> *Washington Post*, 10 June 2003.

<sup>82</sup> Senator John McCain, Capitol Hill Press Release, 9 June 2003, via Lexis Nexis. McCain also played on ASEAN's worst fears, deriding the 'rot at the heart' of ASEAN, stating inaction over Burma would illustrate its inability to play a 'coherent role' meaning it 'will have little enduring relevance'.

democracy' and demanding an immediate resumption of dialogue.<sup>83</sup> Colin Powell pledged to use the ARF to 'turn the tables on Burma's thugs',<sup>84</sup> Japan threatened to withdraw aid from Burma and the US and EU prepared fresh sanctions

These moves were pre-empted at the July AMM,<sup>85</sup> where, as Singapore's Foreign Minister Jayakumar explained, Win Aung was told 'it was a setback for ASEAN... because ASEAN had admitted Myanmar... despite strong opposition from some Western countries'.<sup>86</sup> The AMM discussed the Depayin incident and 'urged Myanmar to resume its efforts of national reconciliation and dialogue among all parties concerned leading to a peaceful transition to democracy', welcomed Burma's assurances that measures taken were only temporary and 'looked forward to the early lifting of restrictions' on ASSK and the NLD.<sup>87</sup>

Jayakumar and Thai Foreign Minister Surakiart both claimed that ASEAN had reached a new level of 'maturity' in discussing Burma's internal affairs. ASEAN's Assistant Director, M.C. Abad, reported 'a discussion of broadening the interpretation and application of [the non-interference] principle'.<sup>88</sup> Philippine Foreign Minister Blas Ople observed that ASEAN 'had made a clean break with the past. Now with the Myanmar precedent, the principle still stands. But no country from here on may claim absolute immunity from collegial scrutiny if certain policies or acts of commission or omission tended to put the whole organisation in disrepute or undermine its credibility'.<sup>89</sup> This reflected the extent to which Thailand's earlier arguments on the need to make the region internationally acceptable had been tacitly accepted in the context of ASEAN's attempt to renew its credibility. Mahathir, admitting 'we have done our very best to get them to change their minds', later suggested Burma might have to be expelled from ASEAN if it remained impassive because 'what one state does embarrasses us, causes a problem for us... [it] has affected us, our credibility'.<sup>90</sup> The fact that ASEAN cared far more about its endangered process of renewal than Burmese freedom and democracy is well-illustrated by the remarks of Ali Alatas, special envoy of Indonesia's President Megawati, who visited Burma in September to urge ASSK's release. ASEAN wanted to 'focus on the very important issues' on the forthcoming Summit's agenda (the launch of the tripartite 'ASEAN Community'), 'rather than focusing on the irrelevant issues. Myanmar could understand this condition, and it promised to release ASSK at the right time'.<sup>91</sup> Surakiart disagreed with the idea of expulsion but expressed the same logic, advising that 'international pressure can be reduced if Burma heads in the right direction',<sup>92</sup> and conceding that ASEAN had to 'play an increasingly creative role' to avoid 'other groups tak[ing] up the issue and then order[ing] ASEAN to do as they say'.<sup>93</sup> Thailand tried to assist by rather

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<sup>83</sup> 'Joint Statement Between the USA and the Kingdom of Thailand', FDCH Federal Department and Agency Documents, 11 June 2003, via Lexis Nexis.

<sup>84</sup> *Wall Street Journal (WSJ)*, 12 June 2003.

<sup>85</sup> The AMM was held on 16 July, the day the EU tightened its sanctions and Japan issued its threat; the US did not implement new sanctions until 28 July.

<sup>86</sup> S. Jayakumar, 'Remarks to Singapore Media', 16 June (2003), accessed at [http://app.mfa.gov.sg/pr/read\\_script.asp?View,2010](http://app.mfa.gov.sg/pr/read_script.asp?View,2010), 13 August 2007.

<sup>87</sup> ASEAN, 'Joint Communiqué of the 36th AMM', Phnom Penh, 16-17 June (2003), accessed at <http://www.aseansec.org/14833.htm>.

<sup>88</sup> *New York Times*, 17 June 2003.

<sup>89</sup> *AFP*, 18 June 2003.

<sup>90</sup> *AFP*, 20 July 2003.

<sup>91</sup> *Jakarta Post*, 26 September 2003.

<sup>92</sup> *The Nation*, 16 June 2003.

<sup>93</sup> *FT Global Newswire*, 24 July 2003.

presumptively drafting a 'roadmap' for Burma's democratic transition. Rangoon reacted coolly, then issued its own 'roadmap', which Thailand sought to promote to other countries.<sup>94</sup> Hamid cautioned darkly: 'It is wiser for Myanmar to listen now' before 'other countries, other regional organisations including the UN, may come in to decide their fate... Myanmar need not be isolated, they can be mainstream but... They have to pay heed to the wishes of the international community, including ASEAN'.<sup>95</sup>

However, ASSK was not released, and Western pressure, anticipating Burma's scheduled 2006-07 chairmanship of ASEAN, was relentless. The EU cancelled ASEM Finance and Economic Ministerial Meetings in 2004, depriving ASEAN of crucial opportunities to secure cooperation on trade, investment and economic integration.<sup>96</sup> The ASEM Summit scheduled for October 2004 was only salvaged by ASEAN committing to pressurise Burma. Vietnam's Foreign Minister promised: 'ASEAN is trying to democratise Myanmar'.<sup>97</sup> The EU also used ASEM to issue a raft of conditions to be fulfilled before Burma took the chair.<sup>98</sup> Ahead of the 2004 ARF, US policymakers made it clear they would boycott ASEAN if Burma took the chair.<sup>99</sup> Some senators pushed for sanctions on Thailand to compel it to lean on Burma, raising the spectre of secondary sanctions on ASEAN.<sup>100</sup> In February 2005, after Myanmar had used the December 2004 ASEAN Summit to announce the extension of ASSK's detention, Washington's ambassador in Bangkok said it was 'no secret' that the prospect of Burma's chairmanship impacting on trade with the US and EU was being discussed in ASEAN capitals,<sup>101</sup> with US politicians still stoking threats of a boycott.<sup>102</sup> Secretary of State Rice signalled her intention to skip the 2005 ARF meeting while Washington also threatened to suspend funds for regional development projects.<sup>103</sup>

The space opened up by ASEAN's open criticism of Burma encouraged a small number of ASEAN parliamentarians to form the ASEAN Inter-Parliamentary Caucus on Myanmar (AIPMC) in November 2004. AIPMC also opposed Burma's chairmanship, highlighting not only the threat to ASEAN's credibility and external relations but also Burma's human rights record and the resultant security externalities.<sup>104</sup> While AIPMC members were able to pass resolutions in Philippine and Indonesian

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<sup>94</sup> See AFP, 27 July 2003; *Radio Myanmar* 30 August 2003, via BBC Monitoring, 1 September 2003; Haacke, *Myanmar's Foreign Policy*, pp. 53-4.

<sup>95</sup> AFP, 27 June 2003.

<sup>96</sup> Ruukun Katanyuu, 'Beyond Non-Interference in ASEAN: The Association's Role in Myanmar's National Reconciliation and Democratization', *Asian Survey* 46:6 (2006), p. 842.

<sup>97</sup> *Kyodo*, 2 July 2004.

<sup>98</sup> Burma Campaign UK, 'EU Lets Burma into ASEM', 6 September (2004), accessed at [http://www.burmacampaign.org.uk/pm/more.php?id=138\\_0\\_1\\_0\\_M](http://www.burmacampaign.org.uk/pm/more.php?id=138_0_1_0_M), 14 August 2007. Petersson's argument that the EU 'surrendered' to ASEAN (Magnus Petersson, 'Myanmar in EU-ASEAN Relations', *Asia Europe Journal* 4:4 (2006), pp. 575-6) is thus completely back to front.

<sup>99</sup> US State Department, 'Report on US Trade Sanctions Against Burma', 28 April (2004), accessed at <http://www.state.gov/p/eap/rls/rpt/32106.htm>, 14 August 2007.

<sup>100</sup> Catharin Dalpino, 'Summitry Hints of a More Activist Approach', *Comparative Connectons* 7:2 (2005), p. 6.

<sup>101</sup> *Irrawaddy*, 1 March 2005.

<sup>102</sup> AP, 30 March 2005.

<sup>103</sup> Dalpino, 'Activist Approach', p. 6.

<sup>104</sup> AIPMC, 'Statement of the Workshop of ASEAN Parliamentarians on the Myanmar Issue', 26-28 November (2004), accessed at [http://www.aseanmp.org/index.php?option=com\\_content&task=view&id=24&Itemid=20](http://www.aseanmp.org/index.php?option=com_content&task=view&id=24&Itemid=20), 23 July 2007.

legislative bodies and committees calling on their governments to force Burma to relinquish the chair, adding somewhat to pressure on ASEAN states seeking to project themselves as legitimate and progressive,<sup>105</sup> their role was far from decisive. Indonesia had indicated that Burma should focus on its domestic problems rather than take the chair three months before the resolution.<sup>106</sup> Thaksin's strength in Thailand meant he could easily reject a feeble motion asking the government to debate its Burma policy.<sup>107</sup> Malaysia, where AIPMC had been created, did not even allow its parliament to have a vote.<sup>108</sup> Although AIPMC statements went beyond official ASEAN positions by calling for the suspension of Burma's membership, its activities, rather than spurring governments to action, were more a reflection of the fact that, as Australia's former ambassador to Rangoon, Garry Woodard, said, ASEAN states had 'given their legislatures unusual licence to join to add to the pressure'.<sup>109</sup>

It was in response to external, not internal pressure that ASEAN elites issued dozens of statements in the run-up to the 2005 AMM politely making it clear that Burma must relinquish the chair.<sup>110</sup> Hamid - who flatly stated 'there is no such thing as absolute non-interference'<sup>111</sup> - said, 'we don't want to tell [Burma] they must get out, or that they must miss their turn, but they know what they need to do, and the action must be done by them'.<sup>112</sup> Burma's internal travails were now increasingly presented as a threat to an incipient 'regional interest'. Singapore's Foreign Minister George Yeo explained, 'Their domestic politics and *our interests as a region* have been intertwined. It is good that these will be decoupled'.<sup>113</sup> Yeo told parliament, 'The real point of concern is that what happens in Myanmar affects *ASEAN as a whole* and our relationship with our dialogue partners'.<sup>114</sup> Prime Minister Lee told Burma's leaders that while political development was their remit, 'in an interdependent world, developments in one ASEAN country could impact on ASEAN as a whole'.<sup>115</sup> Philippine Foreign Minister Romulo said that if Burma followed the roadmap, 'then there is no problem', but 'in the end, we have to consider the credibility of ASEAN and *what is good for ASEAN*'.<sup>116</sup> As such, Laos and Cambodia's muted support for Burma was overridden;<sup>117</sup> Burma was effectively stripped of the ASEAN chair with a face-saving declaration citing its decision to focus on domestic affairs. Burma was thanked 'for not allowing its national preoccupation to affect ASEAN's solidarity and cohesiveness' and showing 'its commitment to the *well-being of ASEAN* and its goal of advancing the interest of all Member Countries'.<sup>118</sup>

## 6. A Threat to the Peace: Burma, ASEAN and the Security Council

<sup>105</sup> *JP*, 31 May 2005; *Irrawaddy*, 1 March 2005.

<sup>106</sup> Haacke, 'Enhanced Interaction', p. 196.

<sup>107</sup> *The Nation*, 10 and 11 May 2005.

<sup>108</sup> *AFP* 29 April 2005.

<sup>109</sup> *The Age*, 6 June 2005.

<sup>110</sup> See AltSEAN, 'Pressure Works: Burma Backs Off From ASEAN Chair', 6 August (2005), accessed at <http://www.altsean.org/Reports/ASEANChair.php>.

<sup>111</sup> *IHT*, 2 February 2005.

<sup>112</sup> *AFP*, 19 July 2005.

<sup>113</sup> *Financial Times*, 27 July 2005, emphasis added.

<sup>114</sup> *Irrawaddy*, 1 March 2005, emphasis added.

<sup>115</sup> *International Herald Tribune (IHT)*, 1 April 2005.

<sup>116</sup> *Philippine Star*, via BBC Monitoring, 8 April 2005; *IHT*, 12 April 2005, emphasis added.

<sup>117</sup> *IHT*, 12 April 2005; Haacke, 'Enhanced Interaction', p. 196.

<sup>118</sup> ASEAN, 'Joint Communiqué of the 38th AMM', Vientiane, 26 July (2005), accessed at <http://www.aseansec.org/17592.htm>. Emphasis added.

From 2005, the US changed its policy, identifying Burma as a threat to international peace and security and seeking UN intervention, referring to UNSC Resolution 688 as a precedent.<sup>119</sup> In September, the Havel-Tutu report, *Threat to the Peace*, urging UNSC intervention, was published, and welcomed both by Burma's powerless dissident groups and AIPMC.<sup>120</sup> Fearing an invasion, Burma abruptly relocated its capital hundreds of miles inland which, following in the wake of a purge of Khin Nyunt and his supporters, aptly symbolised its recalcitrant withdrawal to isolation. In response to Bush's complaint at the November 2005 APEC Summit that ASEAN was not doing enough to pressurise Burma, Philippine President Arroyo 'agreed to support efforts in the UN, particularly in the Security Council where the Philippines is currently a nonpermanent member, to help spur democratic reforms in Myanmar'.<sup>121</sup> This was, as Haacke notes, 'an extraordinary diplomatic move by one ASEAN state against another',<sup>122</sup> but rather than illustrating adherence to 'enhanced interaction', as he suggests,<sup>123</sup> it rather reflects the disuse into which the norm of non-interference had fallen in relation to Burma.

While the Philippines' action was not broadly supported, ASEAN was not inclined to defend Burma either. When Burma asked at the December 2005 ASEAN Summit for ASEAN's support, it was told 'ASEAN has lost the credibility and ability to defend Myanmar'. Secretary-General Ong confirmed that one foreign minister referred to the extension of Suu Kyi's detention as a 'slap in the face of ASEAN', and that Malaysia, Indonesia, Singapore and the Philippines had lost patience with the regime.<sup>124</sup> The Summit's communiqué praised Indonesia's handling of the Aceh situation, identifying the EU-ASEAN Aceh Monitoring Mission as 'a model for cooperation between ASEAN Member Countries in conflict resolution as provided for by the ASEAN Security Community, as well as a model for cooperation between regions', before turning to Burma, implicitly contrasting this with Rangoon's uncooperative stance. The officially-sponsored ASEAN Civil Society Conference, a new development in ASEAN's projection of a progressive image, held prior to the Summit, also called on ASEAN to act to end human rights violations in the region,<sup>125</sup> but again external considerations were key: ASEAN 'noted the increased interest of the international community on [sic] developments in Myanmar. In this context', Burma was essentially offered a final chance to cooperate, with Hamid despatched as ASEAN's envoy to 'learn first hand of the progress' on the SPDC's 'road map'.<sup>126</sup>

Hamid was blunt about his requirements: the regime had to make some progress and allow him to meet with ASSK. 'Otherwise we would lose our credibility... If they want to speak on their behalf then we need ammunition'.<sup>127</sup> But Burma snubbed Hamid for four months, citing its preoccupation with relocating the capital.

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<sup>119</sup> Jürgen Haacke, 'Myanmar's Foreign Policy Towards ASEAN: From Success to Failure?' paper presented at BISA Conference (University College, Cork: 2006), pp. 70-1.

<sup>120</sup> DLA Piper Rudnick Gray Cary, *Threat to the Peace: A Call for the UN Security Council to Act in Burma* (New York: DLA Piper Rudnick Gray Cary, 2005). *Democratic Voice of Burma*, via BBC Monitoring, 1 October 2005; *AFP*, 10 October 2005.

<sup>121</sup> Arroyo's Press Secretary Ignacio Bunye, quoted in *Philippine Daily Inquirer*, 21 November 2005.

<sup>122</sup> Haacke, 'Success to Failure?' p. 19.

<sup>123</sup> Haacke, 'Enhanced Interaction'.

<sup>124</sup> *Kyodo*, 11 December 2005.

<sup>125</sup> *Bernama*, 12 December 2005.

<sup>126</sup> ASEAN, '11th ASEAN Summit', accessed at.

<sup>127</sup> *Irrawaddy*, 1 January 2006; *AFP*, 9 January 2006.

However, Indonesian President Yudhono visited in the interim, urging Burma to make progress towards democracy and accept regional monitors *à la* Aceh.<sup>128</sup> When he was finally allowed to visit in March 2006, Hamid could not meet with ASSK and returned in high dudgeon, openly proposing ASEAN effectively abandon Burma. ‘We told Myanmar, “you talked about us helping you but how can we when you don’t give us any ammunition[?]”... Maybe Myanmar will change if we leave them alone’.<sup>129</sup> Yeo agreed, arguing that since ASEAN was ‘in no position to affect the course of internal development’ in Burma, ‘we have to distance ourselves... if it is not possible for them to engage us in a way which we find necessary to defend them internationally’.<sup>130</sup> Indonesia and ASEAN’s Secretary-General argued China and India must get involved, since Burma was not ‘solely the burden of ASEAN’.<sup>131</sup>

Hamid expressed the group’s frustration publicly in an op-ed piece in the *Wall Street Journal* just before the 2006 AMM, entitled ‘It is Not Possible to Defend Myanmar’. Hamid underlined the conditional nature of ASEAN’s support for Burma and the practice of non-interference: ‘we stood together with Myanmar to endure international criticism because we were assured that a “step-by-step” transition process was in place’. The ‘majority of ASEAN members’ now felt Burma’s intransigence was ‘putting into question ASEAN’s credibility and image’, denying it the ‘maximum benefits’ of cooperation with dialogue partners by holding external relations ‘hostage’. ASEAN was ‘aware of - and sensitive to - international pressure’ and Hamid claimed that AIPMC’s ‘unflagging campaign has had an impact, making it difficult for ASEAN governments to ignore the views of their democratically elected legislators’.<sup>132</sup> Hamid seized on Myanmar’s agreement to permit a visit by Ibrahim Gambari, the UN’s Under-Secretary-General for Political Affairs, to conclude that ‘Myanmar does not want us to stand with them... it is best that it is handled by the UN’.<sup>133</sup> Ong agreed: ‘ASEAN has lots of other things to do... almost 99 per cent are other than Myanmar. But now Myanmar seems to be always there and “clouding” the other issues out of the way’.<sup>134</sup> ASEAN expected Burma to ‘be more responsive to the damage done to ASEAN by the Myanmar issue’, but their Foreign Minister ‘has been digging in and maintaining that they should not be subjected to “pressure from ASEAN or anybody else”’. ASEAN foreign ministers felt ‘we have been taken for a ride... they are not getting what they want, and they are really “losing their patience”’.<sup>135</sup>

Burma, alarmed, denied it wanted to distance itself from ASEAN.<sup>136</sup> Thailand, with substantial business interests at stake in Burma, continued to push for an ASEAN role while calling for ‘tangible results’ to fend off UN intervention.<sup>137</sup> The 2006 AMM thus urged Burma to generate ‘tangible progress that would lead to peaceful transition to democracy in the near future’ so that Myanmar could ‘effectively

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<sup>128</sup> Haacke, ‘Success to Failure?’ p. 20.

<sup>129</sup> AFP, 21 April 2006.

<sup>130</sup> Channel NewsAsia, 2 March 2006.

<sup>131</sup> AFP, 19 April 2006; AP, 19 April 2006.

<sup>132</sup> WSJ, 24 July 2006. The choice of an American business audience was presumably not accidental.

<sup>133</sup> Radio Australia, via BBC Monitoring, 24 July 2006.

<sup>134</sup> Bernama, 22 July 2006.

<sup>135</sup> VOA interview, via US Federal News, 24 July 2006.

<sup>136</sup> NST, 25 July 2006.

<sup>137</sup> The Indochinese states probably backed this line. Bernama, 24 July 2006; AFP, 26 July 2006. As of November 2005, bilateral trade reached \$2.26bn, up 17 per cent over 2004, and in April 2006 Thailand had signed an agreement to build a \$6bn hydroelectric dam in Burma. Haacke, ‘Success to Failure?’ p. 12.

engage the international community'. ASEAN would 'remain constructively engaged as required',<sup>138</sup> yet it made little move to defend Burma internationally. In September, the US managed to include Burma on the UNSC agenda, and ASEAN left it to Cuba as Chair of the Non-Aligned Movement (NAM) to protest its inclusion.<sup>139</sup> Furthermore, in the perilous context of an expected US UNSC resolution on Burma, ASEAN's solidarity in the General Assembly's Third Committee fractured. Despite generally taking part in a NAM campaign dating back to 2003-04 against country-specific human rights resolutions, when Burma finally pushed the issue to a vote in October 2006, Singapore, the Philippines and Thailand all abstained rather than voting against the resolution. The previous month, a coup had replaced Thaksin with General Surayud, whom Thaksin had previously sidelined in order to implement his pro-Burma policy, leading to a sudden reversal. Indonesia, a NAM stalwart, explained its opposition to the resolution only in terms of the NAM campaign, stating it 'shared the concerns' of the EU's draft, which passed 79 votes to 28, with 63 abstentions.<sup>140</sup>

Washington finally tabled a draft UNSC resolution in January 2007, which was vetoed by Russia and China. Indonesia, a non-permanent Council member, abstained, stating ASEAN did not consider Burma a threat to international security.<sup>141</sup> Yet on the resolution's substance - 'the restoration of democratic institutions and practices in Myanmar, the achievement of justice for the victims of human rights violations and the attainment of national reconciliation' - Indonesia 'and all its fellow members of ASEAN share these goals... Myanmar must respond to the imperative of restoring democracy and respect for human rights. That is a matter of principle... we will do everything in our power within the framework of cooperation between the UN and ASEAN to bring about positive change in Myanmar'.<sup>142</sup> Jakarta's hope was that the shock of potential UN intervention would cajole Burma into cooperating with ASEAN. Foreign Minister Wirajuda mused: 'Perhaps in a way, the US move was a good lesson for Myanmar and for ASEAN'. 'Now that the issue has become an agenda at the UNSC, Myanmar must respond. Political statements are not enough anymore... because ASEAN's image is affected with Myanmar being brought to the Security Council'.<sup>143</sup> Hamid agreed: to avoid the 'internationalisation' of the situation, 'Myanmar must allow ASEAN to play a role in the reconciliation [process]... Myanmar must be able to help itself and show its readiness to give ASEAN a role to play'.<sup>144</sup> President Yudhyono proposed an ASEAN Troika mission involving Indonesia, Singapore and the Philippines.<sup>145</sup> Yet Singapore still continued to favour disengagement. Prime Minister Lee explained, 'We have exercised our influence, persuaded, encouraged, cajoled the authorities in Myanmar to move and adapt to the world which is leaving them behind. The impact has been limited... They want to be closed off from the rest of ASEAN'. Western

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<sup>138</sup> ASEAN, 'Joint Communiqué of the 39th AMM', (Kuala Lumpur: 2006).

<sup>139</sup> S/2006/10/Add.36; S/2006/781. Cuba's attempts to address the Council were blocked by the US.

<sup>140</sup> A/C.3/61/SR.52, pp. 1-6.

<sup>141</sup> ASEAN's Summit at Cebu, meeting simultaneously with the UNSC session, made no such statement, however, though Thailand and Cambodia were among those openly opposed to UN intervention. Hamid had remarked in July 2006 that there was 'no consensus' on the question (AP, 28 July 2006). ASEAN's Secretary-General stated 'ASEAN would not come to [Burma's] defence. We don't know what to do. This is now outside our purview' (AP, 11 January 2007).

<sup>142</sup> S/PV.5619, pp. 4-5.

<sup>143</sup> AP, 15 January 2007; JP, 12 January 2007.

<sup>144</sup> *Bernama*, 11 January 2007.

<sup>145</sup> JP, 15 January 2007.

dialogue partners must instead be persuaded to recognise this and focus on the 'mutual exchange and enrichment which is waiting to take place'.<sup>146</sup> With no consensus forthcoming, ASEAN appears to have run out of patience and ideas.

### **Conclusion: Burma, the 'Regional Interest' and the ASEAN Charter**

As a result of the AFC, ASEAN states increasingly adopted neoliberal reforms and eye-catching initiatives in an attempt to regain the region's lost economic and political relevance in the eyes of Western investors and dialogue partners. While Surin Pitsuwan's initial calls for the region to subordinate itself to the imperatives of the market were rejected, ASEAN's continued economic and political marginalisation allowed Western powers to link ASEAN's political capital to Burmese democratisation in 1997 and 2000. During the cooperative period of 2000-03, this could be reconciled with a thin veneer of non-interference as ASEAN manoeuvred behind the scenes to encourage progress. States such as Indonesia and the Philippines also showed themselves willing to permit intervention to help solve domestic problems. After the hardline backlash at Depayin, however, ASEAN has faced a huge challenge to its battered 'credibility' and 'image' and has openly had to revise the principle and practice of non-interference, becoming progressively more frustrated with Burma and withdrawing its support.

Since around half of Burma's trade is conducted with ASEAN, the Association does have additional leverage at its disposal, but its usage would be unrealistic. ASEAN has persistently opposed sanctions on Burma, arguing that they hurt only the poor;<sup>147</sup> the repercussions would probably also harm ASEAN states, since they lack the West's luxury of geographic distance. Furthermore, ASEAN is basically being persecuted to satisfy Western moral consciences and perpetuate ineffective 'chicken soup' policies designed not necessarily to deliver their ostensible goal, but rather to make countries feel better about themselves.<sup>148</sup> Like the Western powers who campaign against Burma, ASEAN lacks any real, direct interest in intervening more forcefully: they have been made to violate and amend their non-interference principle to protect indirectly their 'interests *as a region*'.

The damage Burma has done to the Association's attempts at renewal has helped crystallise an incipient 'regional interest' to which national sovereignty should be subordinated and has thus played an important role in ASEAN's recent development. Although the development of the ASEAN Charter - a 2006 draft of which included provisions for binding rules and sanctions for non-compliance<sup>149</sup> - reflects a desire to enhance the credibility of ASEAN's commitment to economic integration, ASEAN's travails with Burma were also a powerful motivating factor.

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<sup>146</sup> AP, 2 June 2007.

<sup>147</sup> They are not alone: see Leon T. Hadar, 'US Sanctions Against Burma: A Failure on All Fronts', Cato Institute Trade Policy Analysis No. 1, 26 March (1998), accessed at <http://www.cato.org/pubs/trade/tpa-001.html>; International Crisis Group, 'Myanmar: Sanctions, Engagement, or Another Way Forward?' Asia Report no. 78, 26 April (2004), accessed at <http://www.crisisgroup.org/home/index.cfm?l=1&id=2677>.

<sup>148</sup> A US policymaker admitted to Rodolfo Severino that since the US had no concrete interests at stake in Burma, it provided a perfect no-cost opportunity to posture: Severino, *ASEAN Community*, p. 138. See also Donald K. Emmerson, 'US Policy Themes in Southeast Asia in the 1990s', in David Wurfel and Bruce Burton, (eds.), *Southeast Asian in the New World Order: The Political Economy of a Dynamic Region* (London: Macmillan, 1996).

<sup>149</sup> ASEAN, 'Report of the Eminent Persons' Group on the ASEAN Charter', Kuala Lumpur, December (2006), accessed at <http://www.aseansec.org/19247.pdf>.

An ASEAN official noted, 'The charter would govern everyone, but the Myanmar issue was the trigger'.<sup>150</sup> Malaysia's Musa Hitam, chair of the drafting group, remarked that 'where anything that is happening within the borders of a sovereign nation is perceived to have any negative effect on the collective interest of the community...then... - it seems to be the consensus now - it would be, and should be, made a concern of this community'.<sup>151</sup> This was a near-perfect echo of Surin's FE proposal, seven years on.

As Malaysian Prime Minister Badawi put it in his opening speech to the 2006 AMM, Burma's behaviour had a deleterious 'impact on the image and credibility of ASEAN' in an era where everyone should accept that

community interests would prevail over national interests on issues affecting the community. We must find a formula where the larger community interest should never become subordinate to the veto of only one or a few members. There must be adherence, by community members, to a common set of community values... Topping the list of values must be acceptance of good governance in our respective countries and societies.<sup>152</sup>

Likewise, in his August 2006 ASEAN Lecture, Badawi noted that 'reactions to the political developments in Myanmar had subjected the TAC principle of "non-interference" to much debate and discussion'. While he warned against 'abandon[ing it] without reservation', he conceded that non-interference had 'mainly' caused the 'problem[s] ASEAN has [had] in trying to engage Myanmar', and, echoing Surin eight years previously, that it 'might require refinement, especially in the face of the onslaught of globalisation', arguing ASEAN countries 'need to cease taking positions which are purely based on narrow national interests'. He explicitly cited, at Arroyo's request, the example of Malaysian intervention in the southern Philippines as an example of 'indigenous peacebuilding' on which to base ASEAN's future development.<sup>153</sup>

Predictably, however, Burma has opposed the idea of binding rules and sanctions, and in March 2007 the draft charter's section on 'failure to meet membership obligations' had to be struck out to allow the process to move forward, although proposals for a human rights council were retained.<sup>154</sup> In the run-up to the 2007 AMM, M.C. Abad stated the Charter was 'expected to set certain norms in political governance... set a standard of behaviour in inter-state relations, but also how they govern internally'.<sup>155</sup> Indonesia and Thailand remained openly in favour of sanctions for non-compliance, while Singapore, the Philippines, Indonesia and Thailand all favoured the introduction of a human rights council.<sup>156</sup> But no consensus could be found and all the important decisions were deferred to the fortieth anniversary summit this December. The original ASEAN members' attempts to impose binding

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<sup>150</sup> *AFP*, 12 December 2005.

<sup>151</sup> *Kyodo*, 13 December 2005.

<sup>152</sup> Abdullah Ahmad Badawi, 'Opening Address to 39th AMM: "Forging a United, Resilient and Integrated ASEAN"', (Kuala Lumpur: 2006).

<sup>153</sup> Badawi, 'Preservation and Innovation in Planning the Future of ASEAN', accessed at.

<sup>154</sup> *AP*, 27 March 2007; *Philippine Daily Inquirer*, 25 March 2007; *Gulf News*, 1 and 3 June 2007. The Indochinese states may also have opposed the idea. They are generally extremely quiet about their preferences, but there are good reasons to suspect Myanmar is not totally isolated on these issues, since stronger action would likely have been forthcoming. Indochina's more recent and devastating encounter with US imperialism is doubtless a factor in their outlook.

<sup>155</sup> *AFP*, 27 July 2007.

<sup>156</sup> *JP*, 28 July 2007; *AP*, 28 July 2007; *Kyodo*, 28 July 2007.

rules was effectively undone by the opposition of Burma, probably in conjunction with the Indochinese states, again foiling the group's attempt to move forwards.

Finally, subtle parallels exist between Surin's proposals, what has emerged of late, and the idea of 'sovereignty as responsibility' and the 'Responsibility to Protect', which may be troubling.<sup>157</sup> The 'R2P' states that governments have a responsibility to protect their people, but by also emphasising that a state is accountable to the 'international community', rather than its own people, it subverts the traditional notion of sovereignty as a final authority, and the notion that, through an exercise of political will, a population must discipline its own state in order to experience freedom, promoting reliance on the abstract 'international community'.<sup>158</sup> The externalisation and extreme weakness of the Burmese opposition, with the NLD relying on external sanctions and calling for ASEAN assistance and UN intervention to compensate for its inability to seize power, means that it has essentially subjected its struggle for freedom to the caprice of foreign powers. Yet as UN Special Envoy Razali Ismail remarks:

External developments cannot bring about change in Myanmar. The job cannot be done by parties outside. For any true-blue translation of society or country... they must have elements within the country willing to do certain things. I'm not talking about a revolution, but there must be internal elements willing to do things... There's not that much room for internal elements to be able to do things... to act as a catalyst.<sup>159</sup>

The strategies of the Burmese opposition, the Western powers and now also ASEAN, therefore seem to be a recipe for disappointment and perpetual stalemate.

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<sup>157</sup> Surin served on the International Commission on Intervention and State Sovereignty which drafted the 'R2P' proposal which was subsequently endorsed by the UN in 2005.

<sup>158</sup> See Philip Cunliffe, 'Sovereignty and the Politics of Responsibility', in Christopher J. Bickerton, Philip Cunliffe, and Alexander Gourevitch, (eds.), *Politics Without Sovereignty: A Critique of Contemporary International Relations* (London: UCL Press, 2006).

<sup>159</sup> AFP, 26 November 2004.