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Burma and ASEAN's seat of yearning

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Myanmar's chairmanship of ASEAN in 2014 depended on a number of factors, including the Thein Sein Government's approach to human rights issues. Two of the most critical factors, however, were Myanmar's military relationship with North Korea in violation of UNSC resolutions and Naypyidaw's reported interest in acquiring nuclear weapons.

As *The Interpreter* noted last week,¹ there has been a spate of articles and op-eds in recent months looking at the apparently more openminded and conciliatory approach being taken by Burma's President Thein Sein.² Inevitably, given the opaqueness of Burmese politics and the highly polarised nature of the Burma-watching community, opinion on this development is divided, sometimes bitterly so.

A number of respected commentators have taken a strategic view and, with the usual caveats, sought to highlight what may prove to be the first signs of a gradual process of political reconciliation and incremental reform.³

1 Andrew Carr, 'Monday Linkage', *The Interpreter*, 5 September 2011, www.lowyinterpreter.org/post/2011/09/05/Monday-linkage-110905.aspx [page discontinued] [now at archive.lowyinstitute.org/the-interpreter/monday-linkage-82].

2 Andrew Marshall, 'The Slow Thaw of Burma's Notorious Military Junta', *TIME*, 31 August 2011, www.time.com/time/world/article/0,8599,2091229,00.html [page discontinued] [now at content.time.com/time/world/article/0,8599,2091229,00.html].

3 David Steinberg, 'The Folly of More Burma Sanctions', *The Diplomat*, [Washington, DC], 2 August 2011, the-diplomat.com/2011/08/02/the-folly-of-more-burma-sanctions/ [page discontinued] [now at thediplomat.com/2011/08/the-folly-of-more-burma-sanctions/].

A hard core of activists and their supporters, however, have dismissed the latest developments as part of a massive confidence trick by an entrenched military regime.⁴ Focusing on more immediate issues, some have even called for harsher sanctions against Naypyidaw.

It is always difficult to discern what is in the minds of Burma's leaders, but few of their decisions lend themselves to simple explanations. Most seem to reflect consideration of a range of complex issues. One possible reason for the more nuanced policies emanating from Naypyidaw that has not received much attention to date is that Burma is seeking to satisfy certain expectations expressed by ASEAN to assume the chairmanship of the association in 2014.

In 2005, when Burma gave up its turn to assume the chair, citing the 'ongoing national reconciliation and democratisation process', it was on the understanding that it could reclaim the position when it was ready to do so. Naypyidaw has now made its wish for the position abundantly clear and it would lose considerable face if its bid was unsuccessful. As the current chair, Indonesia plans to send a review team to Burma shortly and will make a recommendation on the matter at this November's summit meeting in Bali.

Despite strong reservations on the part of a few member states, and opposition from the US and EU, there is a reasonable chance that Burma will get its wish. It will ultimately be a political decision, not an objective one, but arguably the measures being taken by Thein Sein help Burma demonstrate its commitment to the ASEAN charter. Remarkably, given the organisation's rather mixed membership, this requires states to adhere to 'the principles of democracy and constitutional government' and to promote and protect human rights.

As Singapore-based Burma scholar Tin Maung Maung Than has noted, there are no formal benchmarks to measure these commitments.⁵ However, if ASEAN was keen to find signs of Burmese compliance, it could cite the 2008 constitution, the 2010 elections and the hybrid civilian–military government that was inaugurated in January. All three are gravely flawed,

4 Bertil Lintner, 'Could Burma Finally be Poised for Reform?', *Global Asia*, 22 December 2010, www.globalasia.org/V5N4_Winter_2010/Bertil_Lintner.html [page discontinued].

5 Tin Maung Maung Than, 'ASEAN Chair for Myanmar: Musical Chairs?', *News* (Singapore: Institute of South East Asian Studies, 30 July 2011), asc.iseas.edu.sg/images/stories/pdf/TinOp-ed_MyanmarASEANchairAug11.pdf [page discontinued].

but Burma's new 'disciplined democracy' has been described positively by some ASEAN members and accepted by others as at least a step in the right direction.

Two other issues that are bound to be considered by ASEAN members are Naypyidaw's treatment of opposition leader Aung San Suu Kyi and the plight of the 2,200 political prisoners currently believed to be held in Burmese prisons.⁶ Here, too, if ASEAN was looking for reasons to justify Burma's elevation to the chairmanship, its members may be able to claim that there has been some progress.

Not only has Aung San Suu Kyi been released from house arrest, she also has been invited to Naypyidaw for discussions with Thein Sein about political reconciliation and other matters. She has expressed herself 'happy and satisfied' with the discussions to date, going so far as to describe them as 'a positive beginning'.⁷ More importantly, for ASEAN's purposes, she has reportedly stated that 'the president wants to achieve real positive change'.⁸ Among other things, this suggests that a release of political prisoners is imminent.

The Burmese Government has already declared one amnesty this year, releasing around 14,000 people from the country's jails, but few were counted as political prisoners.⁹ It is now rumoured that the release of around 500 in this category will be announced soon. Nothing short of an amnesty for all 2,200 will satisfy Naypyidaw's strongest critics, but a tranche of 500 may be large enough for ASEAN members to claim that, in this respect too, the regime's record is improving and it is making an effort to meet the criteria for the chairmanship.

Even so, until ASEAN makes its final decision, nothing can be taken for granted. Another mass protest in Burma, for example, prompting yet another military crackdown, would be hard for the association to ignore. An escalation of the current counterinsurgency campaigns against armed

6 Larry Jagan, 'Burma's New Political Dynamics', *Radio Free Asia*, [Washington, DC], 9 September 2011, www.rfa.org/english/commentaries/burma-09092011132605.html?searchterm=None.

7 'Positive Beginning', *Radio Free Asia*, [Washington, DC], 1 September 2011, www.rfa.org/english/women/conversation-aungSanSuuKyi/conversation-09012011174918.html.

8 'Suu Kyi Says Burma President Wants "Real Change"', *Bangkok Post*, 24 August 2011, www.bangkokpost.com/news/asia/253296/suu-kyi-says-burma-president-wants-real-change [page discontinued].

9 'Myanmar Prisoner Release Fails to Impress', *Al Jazeera*, 17 May 2011, english.aljazeera.net/news/asia-pacific/2011/05/2011517181542379456.html [page discontinued] [now at www.aljazeera.com/news/asia-pacific/2011/05/2011517181542379456.html].

ethnic groups and a renewed flood of refugees across Burma's borders would also be major obstacles. And there is still Naypyidaw's problematic relationship with Pyongyang, with its associated claims of ballistic missile and nuclear weapons cooperation.

ASEAN seems unpersuaded by these claims.¹⁰ Yet, if it could be shown that Burma was violating UNSC resolutions against defence links with North Korea, Naypyidaw's chances of international rehabilitation would plummet. And if hard evidence could be produced of an active WMD program, Burma's relations with ASEAN would be seriously jeopardised. As Washington's new Burma envoy recently said of such a development, with regard to relations with the US, it would be a 'game-changer'.¹¹

Any questions of UNSC violations aside, ASEAN might be able to wear Burmese acquisition of short-range ballistic missiles (which have long been held by Vietnam, for example). However, the association simply could not ignore firm evidence that one of its members had blatantly disregarded the 1995 Bangkok Treaty, which declared Southeast Asia a nuclear weapon-free zone. Already, one ASEAN Secretary-General has stated that discovery of a secret nuclear weapons program would mean Burma's expulsion from the organisation.¹²

10 Mustaqim Adamrah, 'Myanmar Developing Nukes? We Don't Think So, ASEAN Says', *The Jakarta Post*, 21 July 2011, www.thejakartapost.com/news/2011/07/21/myanmar-developing-nukes-we-don%E2%80%99t-think-so-asean-says.html [page discontinued].

11 'The Straits Times (Singapore): On Myanmar Chairing ASEAN and Its North Korean Ties', *Burmanet News*, 6 September 2011, www.burmanet.org/news/2011/09/06/the-straits-times-singapore-on-myanmar-chairing-asean-and-its-n-korean-ties/ [page discontinued].

12 'No US Confirmation of Myanmar Nuclear Report', *Global Security Newswire*, 10 August 2009, www.globalsecuritynewswire.org/gsn/nw_20090810_9726.php [page discontinued].

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