

To: ASEAN Leaders

H.E. Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, Prime Minister of Brunei Darussalam
H.E. Hun Sen, Prime Minister of the Kingdom of Cambodia
H.E. Joko Widodo, President of the Republic of Indonesia
H.E. Thongloun Sisoulith, Prime Minister of the Lao People's Democratic Republic
H.E. Dato' Sri Ismail Sabri bin Yaakob, Prime Minister of Malaysia
H.E. Ferdinand Romualdez Marcos, Jr., President of the Republic of the Philippines
H.E. Lee Hsien Loong, Prime Minister of the Republic of Singapore
H.E. Prayut Chan-o-cha, Prime Minister of the Kingdom of Thailand
H.E. Phạm Minh Chính, Prime Minister of the Socialist Republic of Vietnam

25 October 2022

Subject: Open letter from civil society organizations concerning ASEAN's approach to the ongoing political, human rights and humanitarian crisis in Myanmar

Your Excellencies,

We, the 457 undersigned Myanmar, regional and international civil society organizations, call on the Association of Southeast Asian Nations ('ASEAN') to cease inviting all political and non-political representatives of the Myanmar military junta to all summits and meetings, and revise the mandate of the Special Envoy to Myanmar. We further call on ASEAN under the Indonesian Chairship, as a regional bloc and as individual states, to move beyond the failed [Five-Point Consensus](#) ('5PC'), enable effective humanitarian assistance, and publicly recognize the National Unity Government.

For the past 20 months since the failed coup, ASEAN has been largely ineffective in responding to the escalating crisis in Myanmar. ASEAN's "dialogue" demonstrates a selective approach to the 5PC and yields no results to stop the ongoing crisis in Myanmar. Despite being put on notice for non-compliance with the 5PC in a [joint communique](#) in August 2022, the junta has continued committing atrocity crimes against the Myanmar people. Just one month after the warning, the junta's [airstrikes](#) on a school in Sagaing Region killed 11 children.

The exclusion of the junta from ASEAN Summits in [October](#) 2021 and [November](#) 2022 was a step in the right direction. We also note positive stances taken by Indonesia, Malaysia, Philippines and Singapore, and welcome the bloc's [statement](#) in July 2022. Nevertheless, any engagement with the junta is in [breach](#) of the ASEAN Charter. The crimes that are being committed by the Myanmar military amount to acts of a [terrorist organization](#) under international legal definitions and Myanmar's domestic laws. The Myanmar military stands accused of atrocity crimes at the International Court of Justice and the International Criminal Court, and under a universal jurisdiction case in Argentina. We are alarmed that this illegal entity holds sway in ASEAN's actions.

Mandate of Special Envoy

Since the establishment of the desultory 5PC, the mandate of the ASEAN Special Envoy ('SE') has proven unsuccessful in resolving, let alone positively impacting, the worsening crisis in Myanmar. Several efforts by the SE, and by extension of ASEAN, to initiate "dialogues" and "visits" to the military junta have not actualized in any meaningful progress. Instead, such actions have condoned and emboldened the illegal junta to continue its heinous crimes with blanket impunity.

Evident in the visits by the second SE, Cambodian Foreign Minister Prak Sokhonn, in [March](#) and [June](#) 2022, the junta has been reassured of ASEAN's inaction and launched intense aerial attacks against civilians and spiked the [death toll](#) of children. State Counsellor, Daw Aung San Suu Kyi was [repeatedly given](#) additional

prison sentences, along with her economic adviser, [Sean Turnell](#). It is a shame that, per the junta's disapproval, in none of the visits was the SE allowed access to the State Counsellor and other arbitrarily detained parliamentarians elected in the November 2020 general elections. The SE has further failed to meet with the Acting President, Prime Minister or other officials of the National Unity Government ('NUG'), the legitimate government of Myanmar, key ethnic revolutionary organizations ('EROs') and civil society organizations ('CSOs').

The junta was emboldened to carry out extrajudicial [executions](#) of four political activists in July despite the appeal from ASEAN Chair, Cambodian Prime Minister Hun Sen. The executions clearly demonstrated, as Singapore's Foreign Minister [put](#) it, "the high level of cynicism or even outright disrespect for the role of ASEAN". We are deeply disappointed that such a reprehensible action, which may constitute war crimes and crimes against humanity, was met with no more than empty condemnation.

These imprudent engagements of the SE further caused extensive damage to the struggle of Myanmar people to end military tyranny and establish a federal democracy. Such actions stand in contrast to the 5PC's promise to strive for a solution "in the interests of the people". Furthermore, the vague nature of the SE mandate has so far created public confusion of whether the mandate is a political mediator, interlocutor or focused on humanitarian delivery.

Humanitarian Aid and AHA Centre

ASEAN's ongoing cooperation and [engagement](#) with the military junta to deliver humanitarian aid through the bloc's Coordinating Centre for Humanitarian Assistance on Disaster Management ('AHA Centre') has only exacerbated the humanitarian crisis. The AHA Centre, designed to tackle natural disasters, is [ill-equipped](#) to deal with a multi-dimensional political crisis. With its [operating procedures](#), the Centre relies on the junta for access and is dictated by a board consisting of the junta's Myanmar Task Force. Aid is being [weaponized](#) by the very perpetrators of crimes against humanity and war crimes that led to the ongoing humanitarian crisis, and of the genocide of the Rohingya in 2017. The former director of the AHA Centre [stated](#) that the junta "is unwilling to provide access to the people in line with humanitarian principles," and called on ASEAN to remove the junta as aid partner.

Local humanitarian actors and CSOs have been effectively delivering the much-needed humanitarian assistance to communities since the failed coup, along with the NUG and EROs. Border-based CSOs have been indispensable in assisting groups in hardest-to-reach areas with financial and subsistence support. The NUG [provided](#) 2.73 billion Myanmar Kyat to internally displaced people and the Civil Disobedience Movement in a year. Meanwhile, international humanitarian organizations, UN agencies and the AHA Centre have been largely [unable](#) to reach those most in need. In his letter to the ASEAN Secretary-General, the Malaysian Foreign Minister [noted](#) that "the special [humanitarian] task force formed by ASEAN together with the junta is not working well". With the lack of trust in the junta as a result of its ongoing campaign of terror and weaponization of aid, local aid providers are increasingly unwilling to work with the junta or organizations linked to it.

Recommendations

While Myanmar people themselves are sacrificing their lives, livelihoods and futures for the future of their young generations, ASEAN must take concrete actions to end all inhumane acts committed by the military junta. We appeal to the Indonesian President, set to assume ASEAN Chairship in 2023, to support the will of the Myanmar people.

It is imperative that ASEAN no longer holds official meetings with the junta or recognizes it and its representatives as the government of Myanmar. The bloc must bar all junta representatives, political and non-political, from all ASEAN summits and meetings, including the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Intergovernmental Commission on Human Rights (AICHR). Such disengagement must include ending [defense ties](#) with the

Myanmar junta. ASEAN must officially recognize the NUG, allowing its delegation to the bloc and member states.

We strongly urge ASEAN to move beyond the 5PC and develop a plan that includes clear benchmarks and indicators of success to realistically measure progress. The plan must be based on extensive consultation with the NUG, the National Unity Consultative Council ('NUCC'), EROs and CSOs. ASEAN must establish actionable punitive measures upon the junta's non-compliance with the 5PC to cease the ongoing violence.

At the November Summit, we also call on ASEAN to amend the mandate of the SE to be a full-time position from 2023 onwards with a three-year term, appointed by the ASEAN Chair, and to represent and be accountable to ASEAN as a whole. The SE must have clear terms of reference not for peace-brokering, but be grounded in human rights principles, justice and accountability, and the will of the Myanmar people. The mandate must hold authority and independence to take actions unencumbered by the delay of infrequent ASEAN high-level meetings. The mandate must immediately open formal communications and engage with the NUG, the NUCC, EROs, CSOs and the Committee Representing Pyidaungsu Hluttaw.

On humanitarian aid, ASEAN must stop partnering with the junta and recognize that the AHA Centre cannot address the humanitarian crisis. We recommend to ASEAN to take a [solidarity-based approach](#) to facilitate cross-border aid by working in partnership with local humanitarian actors, the NUG and EROs. ASEAN members must also accept and provide protection for asylum seekers from Myanmar. All regional efforts must be based on humanitarian principles of do-no-harm, humanity and impartiality, and the agency of displaced communities.

The political, human rights and humanitarian crisis in Myanmar is not merely an "internal affair," but a threat to regional security and stability which ASEAN vowed to protect. Without swift action, Myanmar's neighboring countries and ASEAN states will continue to face the influx of refugees, loss of commercial interests and irreparable reputational damage. We believe that ASEAN's credibility depends on its ability to act in a timely manner to effectively prevent the junta's violence and destruction spilling over and destabilizing the entire region.

We CSOs remain at your disposal to ensure the bloc's effective action in addressing the needs of Myanmar people in line with their will and aspirations.

For more information, please contact:

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Signed by 457 organizations including 297 organizations who have chosen not to disclose their name:

1. Action Committee for Democracy Development (Coalition of 14 grassroots networks)
2. Active Youths (Kalaymyo)
3. All Arakan Students' and Youths' Congress (AASYC)
4. All Burma Indigenous People Alliance (ABIPA)
5. Alliance for Democracy in Myanmar (Western USA)
6. ALTSEAN-Burma
7. Anti Dictatorship in Burma - DC Metropolitan Area
8. Anyar Taw Eain
9. Arakan CSO Network
10. Arakan Rivers Network (ARN)
11. Arakan Workers' Organization
12. ASEAN Parliamentarians for Human Rights (APHR)

13. Asia Pacific Solidarity Coalition (APSOC)
14. Asian Democracy Network
15. Asian Forum for Human Rights and Development (FORUM-ASIA)
16. Asians Cultural Forum on Development Foundation (ACFOD)
17. Assistance Association for Political Prisoners
18. Association of Human Rights Defenders and Promoters
19. Association Suisse - Birmanie
20. Athan - Freedom of Expression Activist Organization
21. Ayeyarwaddy Youth Network
22. Back Pack Health Worker Team
23. Bago MATA
24. Buddhist Solidarity Association
25. Burma Action Ireland
26. Burma Campaign UK
27. Burma Human Rights Network
28. Burma Medical Association
29. Burmese Women's Union
30. Cambodian American and Friends for Democracy and Human Rights advocate, USA
31. Cambodian Center for Human Rights (CCHR)
32. Cambodian Human Rights and Development Association (ADHOC Cambodia)
33. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
34. Campaign for a New Myanmar
35. Campaign for Popular Democracy (CPD)
36. Chin Community SF Bay Area
37. Chin Human Rights Organization
38. Chin MATA
39. Chin Resources Center
40. CIVICUS: World Alliance for Citizen Participation
41. Community Resource Centre (CRC)
42. Cross Cultural Foundation (CrCF)
43. Danu Youth Organization
44. Democracy for Ethnic Minorities Organization
45. Democracy, Peace and Women's Organization
46. Democratic Youth Council
47. Educational Initiatives Myanmar
48. ENLAWTHAI Foundation (EnLAW)
49. Equality Myanmar
50. ETOs Watch Coalition
51. Federal FM Mandalay
52. Foundation of Khmer Samaki, USA
53. Free Burma Campaign (South Africa) (FBC- SA)
54. Free Myanmar Inc.
55. Friends Without Borders
56. Future Light Center
57. Future Thanlwin
58. Generation Wave
59. Grass-root People
60. Human Rights and Development Foundation (HRDF)
61. Human Rights Educators Network
62. Human Rights Foundation of Monland
63. Human Rights Lawyers Association
64. In Defense of Human Rights and Dignity Movement (iDEFEND) Philippines
65. India for Myanmar

66. Info Birmanie
67. Initiatives for International Dialogue
68. Institute for Asian Democracy
69. Inter Pares
70. International Campaign for the Rohingya
71. Jagriti Child and Youth Concern Nepal
72. Just Associates Southeast Asia (JASS SEA)
73. Justice For Myanmar
74. Kachin Women's Association Thailand
75. Karen Association of Ireland
76. Karen Human Rights Group
77. Karen Peace Support Network
78. Karen Women's Organization
79. Karen Youth Ireland
80. Karenni Civil Society Network
81. Karenni National Women's Organization
82. Kayaw Women's Organization
83. Keng Tung Youth
84. KontraS Indonesia
85. Kyae Lak Myay
86. Kyaukse University Students' Union
87. La communauté BIRMANE de France
88. Let's Help Each Other
89. Los Angeles Myanmar Movement (LA2M)
90. Mandalay Youth Association
91. Me Boun Foundation
92. Metta Campaign Mandalay
93. Migrant Workers Rights Network (MWRN)
94. Migrant Working Group (MWG)
95. Mindanao Peacebuilding Institute Foundation, Inc
96. Minority Affairs Institute - MAI (Myanmar)
97. Mon State Development Center
98. Monywa People's Strike Steering Committee
99. Myanmar Accountability Project (MAP)
100. Myanmar Alliance for Transparency and Accountability
101. Myanmar Campaign Network
102. Myanmar Democratic Force in Denmark
103. Myanmar People Alliance (Shan State)
104. Myaung Education Network
105. Myaung Medical Team
106. Network for Advocacy Action
107. Network for Human Rights Documentation Network - Burma (ND-Burma)
108. No Business With Genocide
109. Non-Binary Thailand
110. Nway Oo Guru Lay Myar
111. Nyan Lynn Thit Analytica
112. Oway Institute
113. Padauk Phue - Blooming Padauk
114. Pakokku Youth Development Council
115. Peace and Culture Foundation
116. People's Empowerment Foundation (PEF)
117. People's Goal
118. Progressive Voice

119. Protection International
120. Save and Care Organization for Ethnic Women at Border Areas
121. Save Myanmar - USA
122. Sea Junction
123. Second Tap Root
124. Shan MATA
125. Shape-Sea
126. Sisters 2 Sisters
127. Social Garden
128. Social Action for Community and Development (Cambodia)
129. Southeast Asia Freedom of Expression Network (SAFEnet)
130. Southern Youth Development Association
131. Southern Youth Development Organization
132. Spirit in Education Movement (SEM)
133. Swedish Burma Committee
134. Swedish Foundation for Human Rights
135. Synergy - Social Harmony Organization
136. Ta'ang Women's Organization
137. Taiwan Association for Human Rights
138. Tanintharyi MATA
139. Tanitharyi People's Voice
140. Tanitharyi Women's Network
141. Thai Action Committee for Democracy in Burma (TACDB)
142. Thai Lawyers for Human Rights (TLHR)
143. The Ladies
144. The Mekong Butterfly
145. The Regional Center for Social Science and Sustainable Development
146. Thint Myat Lo Thu Myar Organization
147. Together Thanlyin
148. U.S. Campaign for Burma
149. Union for Civil Liberty (UCL)
150. US Advocacy Coalition for Myanmar (USACM)
 - a. Campaign for a New Myanmar
 - b. Students for Free Burma (SFB)
 - c. Freedom for Burma
 - d. International Campaign for The Rohingya
 - e. Helping Hands for Burma (H2B)
 - f. Global Movement for Myanmar Democracy (GM4MD)
 - g. Chin Leaders of Today & Tomorrow
151. Vorapat Veerapattanakup, Human Rights Activism
152. Women Advocacy Coalition - Myanmar
153. Women's League of Burma
154. Women's Peace Network
155. Yangon Medical Network
156. Youths for Community-Myaung
157. တူမီး-တော်လှန်ရေးစာစဉ်
158. ဒို့မြေကွန်ရက် (LIOH)
159. ပွင့်ဖြူလယ်ယာမြေကွန်ရက်
160. မြစ်ကွေ့ - လူထုတော်လှန်ရေးစာစဉ်

Additional 297 organizations have chosen not to disclose their name.