

CHAPTER V

RECENT CHANGES IN THE ASEAN'S POLICIES TOWARD BURMA

The military government in Burma does presently appear to be as strong as at any time in the country's history. This observation was quite affirmed by the rejection of the regime to take the chairmanship position in ASEAN in 2006 in exchange for them not to go through the democratization process and preserve and maintain the current political status quo – “military dictatorship”. The junta refused to release Aung San Suu Kyi and other political prisoners and to implement substantial and measurable political reform. Pavin Chachavalpongpun also writes: "Asean anticipated that Burma's chairmanship of the group would provide the impetus to make the country a more responsible member. Instead, Burma blithely gave up the rotating chairmanship."¹

The regional bloc's long-term goal of establishing in ASEAN community by 2015, and of launching as ASEAN Charter, possibly by November 2007, has forced the bloc to acknowledge the urgency of toughening its stance on Burma, which has long represented a major barrier in ASEAN's external relations particularly with Europe and the US.² Accordingly, ASEAN leaders recently announced that Burma would now be required to defend itself before the international community. Some members even called for a UN debate on Burma should the junta fail to expedite its 'road map' to democracy.

Thus, this chapter will explore the recent changes in the ASEAN's policies toward Burma. Particular attention will be given to the role of the ASEAN Inter-Parliamentary Caucus on Myanmar (AIPMC), which was formed in Kuala Lumpur in November 2004 because its formation in the region dramatically changed the dynamics of the association's approach to Burma. It is crucial to understanding of Burma's military regime perspective. Thus, the last part of this chapter will include a study on Burma's response to ASEAN when its engagement policy dramatically shifted to address the unchanged situation in Burma.

¹ Pavin Chachavalpongpun, "The ASEAN Dilemma." *The Irrawaddy*. 1 August 2007
<http://www.irrawaddy.org/article.php?art_id=8048>.

² Ibid.

5.1. ASEAN's frustrations and shifting attitudes to Burma

According to Human Rights Watch's world report, there were increasing indications of ASEAN frustration with Burma in both political and economic affairs after Burma became an ASEAN member in 1997. "The regional financial crisis in 1997 cut two ways. Not only did the financial constraints in several ASEAN states, notably Thailand, Malaysia and Indonesia, curtail joint economic projects, but from the beginning of the year the SPDC also shut off its borders to imports, trying to salvage the value of the rapidly falling Burmese kyat. In particular, Thailand was frustrated by the continued closure by the SPDC of the Myawaddy-Mae Sot Friendship Bridge, a prestige Thai investment, as well as attacks by both Burmese army and DKBA troops along different parts of the border. The refugee crisis in Thailand became a matter of growing ASEAN concern."³

Moreover, ASEAN was unhappy with the big corruption of the Burmese generals in the country's economic activities. Corruption is a fact of life, stemming from the highest to the lowest ladder of civil and military bureaucracies.⁴ Ardeth Maung Thawngmung and Paul Sarno, from Burma studies group, notes: "purges within the military circle, a majority of them based on economic crimes and corruption, have been frequent since the military's takeover in 1989. A newly minted tradition of unscrupulousness began with a 1997 reshuffling of government ministers, and this was followed by the infamous arrest of General Ne Win (the military dictator from 1962 to 1987) and his relatives in 1999. This culminated in the latest purge of Khin Nyunt, the prime minister of SPDC and head of military intelligence (MI) and many of his associates."⁵ However, given the prevalent nature of corruption amongst the top generals and their children, purges have been selectively targeted against only those who pose a threat to the power and business interests of the army in general and General Than Shwe in particular. This selective crackdown on corruption 'will do very little to restore business confidence'.⁶

³ "World Report: Burma." Human Rights Watch 1999. Available from: <http://www.hrw.org/worldreport99/asia/burma3.html>.

⁴ Larry Jagan. "Paranoia Drives Myanmar's Generals." South China Morning Post 6 August 2005.

⁵ Thawngmung and Paul Sarno, 2006. p. 54

⁶ Larry Jagan. "Nervous Junta Plans to Head for the Hills, Taking Parliament Too." South China Morning Post 21 July 2005.

On the one hand, ASEAN's concern was Burma's rapid emergence as a top regional trading house for narcotic drugs. Thailand, a frontline state with a long border with Burma, has to be wary about spill-over effects from other sources of instability within Burma: rising production of stimulant drugs flowing into major cities all over the country, constant migration of illegal labourers across borders, and the cross-border spread of the HIV/AIDs epidemic. The continuing flows of refugees from Burma across its national borders make the region worried. In addition to international attention surrounding human rights and democracy issues, there are more immediate sources of concern for the governments within the region to involve in the resolution of Burma's problem.⁷ ASEAN is therefore caught by the growing threat from non-traditional sources that undermine the stability of the entire region.

The association has attempted to express displeasure over the stalemated political situation in Burma, especially after the "protective custody" and subsequent "house arrest" of Aung San Suu Kyi in May 2003. For example, in 2003, Indonesia proposed invoking the ASEAN troika mechanism, drawing on the resources of the current, previous, and future ASEAN chairs, to resolve the situation. This plan had the blessings of Malaysia and the Philippines but was rebuffed which indicated a preference for bilateral dealings with individual countries.⁸ In June 2004, at the ASEAN Ministerial Meeting in Jakarta, as well as the ASEAN Summit Meeting in Vientiane in November of that year, ASEAN discussed the situation in Burma and called on the military regime to "engage all strata of Myanmar society"—a veiled reference to Aung San Suu Kyi and the NLD.⁹ American scholar Michael Green urges "ASEAN and its member governments have begun recasting their approach to Burma, calling on the regime to release Aung San Suu Kyi and convincing Than Shwe last year to pass on chairing ASEAN when his turn came up in 2006. ASEAN leaders' embarrassment at Burma's non-response to

⁷ Zaw Oo, "International reactions towards democratic struggle in Burma: Exploration on inside/outside linkages." *Burma Fund*. September 1999.

⁸ Jurge Haacke, "Enhanced Interaction' with Myanmar and the Project of a Security Community: Is ASEAN Refining or Breaking with Its Diplomatic Culture?" *Contemporary Southeast Asia* 27, no. 2(August 2005): p. 193.

⁹ Ibid.

constructive engagement has led to even tougher words from the governments in the region both privately and publicly since then."¹⁰

The gravity of the situation in Burma was illustrated by the fact that even individual ASEAN member countries that had supported a policy of noninterference in the domestic affairs of member states have publicly chastised the military government. Malaysia's UN special envoy, Razali Ismail, tried no less than twice in 2003 to have Aung San Suu Kyi released, but it was to no avail. By late 2004 and 2005, he indicated that he might no longer be welcome in Burma.¹¹ Ex-Malaysian Prime Minister Mahathir was also quite vocal against the Burma regime and even mentioned the possibility of expelling Burma from ASEAN if change was not forthcoming before stepping down as prime minister. Indonesia's ex-Foreign Minister Ali Alatas was also unable to persuade the Burma regime to undertake political reform. Even Singapore, which has traditionally supported ASEAN's noninterference policy, became critical of the situation in Burma.

In March 2005, Singapore Prime Minister Lee Hsien Loong conveyed ASEAN's concerns to the SPDC during his first visit to the country. At the ASEAN's Summit meeting in November, Filipino President Macapagal-Arroyo said: "Today's statement was similar to one issued at the end of the 2005. ASEAN 2005 summit in Kuala Lumpur, when the leaders noted the increased interest of the international community on developments in Myanmar. We encouraged Myanmar to expedite the process. We also called for the release of those placed under detention."¹² And also the issue of Burma's political situation-those political detainees include pro-democracy leader Aung San Suu Kyi -was also at the heart of an agreement that ASEAN started work on a charter promoting democracy, human rights and good governance. "The charter would govern everyone but the Myanmar issue was the trigger," a South East Asian official told the French news agency AFP. BBC correspondent said that the response to concerns over Burma was unusual because ASEAN has a tradition of keeping out of the internal affairs of its member states.¹³

¹⁰ Michael Jonathan Green. "The Strategic Implications of the Burma Problem." Testimony before the Senate Foreign Relations Committee Subcommittee on Asia Pacific Affairs, Washington DC. 2006.

¹¹ "UN Envoy Says Snubbed by Myanmar at ASEAN Meet." Channelnews Asia 26 July 2005.

¹² "Asean Says It Needs to Push Myanmar toward Democracy." Bloomberg 14 Jan 2005.

¹³ "Asian group raps Burma on rights: Break with history." BBC-Asia Pacific 12 December 2005.

With the first direct Presidential elections in Indonesia 2004 and increasing pluralism and parliamentary activism in Thailand, Malaysia and Singapore, the character of other ASEAN member states is changing and many within are taking on their nations.¹⁴ These changes have been pushed by transnational groups within ASEAN such as the Inter-Parliamentary Myanmar Caucus (AIPMC). Indonesia's new activism was most encouraging, with President Yudhoyono's visit to Burma in 2006 to establish a joint commission between Rangoon and Jakarta with the primary focus of monitoring the regime's progress towards democratic reform.

5.2. Formation of the ASEAN Inter-Parliamentary Caucus on Myanmar (AIPMC)

The AIPMC played significant role in leading the pressure on ASEAN leaders to bar Burma from assuming the chairmanship of the association in 2006. It was originally formed by Malaysian legislators in May 2004 and comprises representatives from Malaysia, Indonesia, Singapore, Thailand, the Philippines and Cambodia. AIPMC's stated objectives were the commencement and promotion of a genuine, inclusive democratic transition in Burma that included the unconditional release from detention of Daw Aung San Suu Kyi and all other political detainees such as members of parliament elected during the 1990 general elections.

AIPMC president Zaid Ibrahim said: "ASEAN must have more self-respect than to accept leadership by a regime that rules not by the voice of the people, but by the barrel of a gun, by a regime that has consistently failed to honor its promises... ASEAN should no longer be a buffer for Burma, which has come at the expense of ASEAN's reputation and productivity. No other member in the 38-year history of ASEAN has garnered such negative attention for the entire group," Zaid wrote this stinging editorial days before the regional ministerial meeting.¹⁵

In Indonesia, where a resolution was passed in parliament urging the government to boycott ASEAN meetings if Burma took over the regional grouping's chairmanship¹⁶, AIPMC member Nursyahbani Katjasungkana likened the struggle in Burma to that

¹⁴ Green, 2006.

¹⁵ Ibrahim, Zaid, "Time for ASEAN to Stop Dithering." The Nation, Bangkok 13 July 2005.

¹⁶ "Indonesian parliament rejects Myanmar's plan to chair ASEAN." Associated Press (1 June 2005).

against the dictatorial rule of Indonesia's President Suharto. " While we were struggling against the injustices of the military, the Burmese people's overwhelming vote for democracy in 1990 gave us hope that we could achieve the same in Indonesia, despite what seemed at the time like a hopeless cause in the face of an entrenched military regime and an unshakable dictator. So it can be with Burma too," she wrote this in the *Asian Wall Street Journal*.¹⁷ Lim Kit Siang, Malaysian opposition leader and AIPMC member, also said it was important that regional leaders tackle Burma's problems before it takes over the ASEAN chairmanship. He even urged them to expel Burma from the grouping unless there was political progress in the country.¹⁸

ASEAN secretary-general Ong Keng Yong said the creation of the AIPMC was "a reflection of the maturity of the political culture" in ASEAN and showed that "in public policy making, there is a growing acceptance that not everything has to come from the government."¹⁹ Therefore, the AIPMC was a key driver behind the move to deny Burma the chair of ASEAN. Direct and behind-the-scenes pressures from the AIPMC had contributed significantly to Burma's decision to relinquish the position.

Moreover, the political pressure applied by AIPMC member resulted in achievements of the Philippines support for putting Burma on the UNSC agenda and the ASEAN Summit decision to designate a special envoy to visit Burma to assess efforts for political reform and national reconciliation in December 2005.²⁰

Datuk Syed Hamid Albar, the ASEAN Special Envoy and Malaysia's Foreign Minister, was mandated to visit Burma to evaluate the military regime's progress in implementing democratic reform. The AIPMC also called for the UN Security Council to act officially on Burma. It urges that misrule in Burma poses a security threat; hundreds of thousands of people have fled Burma as refugees and illegal migrant workers; ignorance and bad governance have contributed to the thriving drug trade and conditions

¹⁷ Nursyahbani Katjasungkana, "Indonesia's lessons for Burma." *Asian Wall Street Journal* (30 May 2005).

¹⁸ Zin Linn, "Time for ASEAN to review Burma question." *Asian Tribune* (18 July 2005).

¹⁹ "ASEAN expects Myanmar's decision on leadership issue next month" *Agency France Press* 17 June 2005.

²⁰ "Key Issues-International Relation." *ALTSEAN-BURMA*. 21 Aug 2007.

that will allow threats to public health such as HIV/AIDS, bird flu and SARS to spread unchecked.²¹

It is arguable that the group achieved more in pressuring Burma during the seven months of its existence than, ASEAN had managed during eight years of constructive engagement.

5.3 ASEAN's response to Burma's rotating chairmanship in 2006

Normally ASEAN leaders avoid interfering in each other's domestic affairs. ASEAN chairmanship in 2006, however, saw ASEAN's tradition of non-interference in a member's internal affairs broken by Singapore and several other ASEAN members. They have shown sign of impatience with the Burmese regime's slow reform progress. In Malaysia, Mr Nazri Abdul Aziz, the Minister for Parliamentary Affairs, expressed his concern that "Myanmar's turn to be the chairman of ASEAN (ought) to be suspended and given to other countries until democratic reforms are carried out."²² At that time, some ASEAN members such as Cambodia and Laos supported Burma's rotating ASEAN chairmanship in 2006. "Cambodian Prime Minister Hun Sen told his Singaporean counterpart Lee Hsien Loong during his official visit in Phnom Penh in March 2005 that Cambodia supported Myanmar's chairing of ASEAN in 2006."²³ In Singapore, Foreign Minister George Yeo expressed frustration and disappointment in the Singapore Parliament that Burma's roadmap to democracy was still without a timeline; that UN efforts to facilitate and advance the national reconciliation process in Burma were unsuccessful; and that Aung San Suu Kyi remained in detention.²⁴

Among ASEAN member countries, Singapore and Malaysia have close relationship with Burma, not just in investment but also in other areas. However, concerning the possible damage to ASEAN's image and influence, they could not be silent for Burma's domestic affairs. Moreover, the Association provides the moral support

²¹ Zaid Ibrahim, *Asian Voices: Myanmar's Threat to Regional Security* p.3. 21 August 2005. Available from: <http://www.aseanmp.org/resources/aipmc%20booklet.pdf>

²² "Malaysia to press for Myanmar to be denied ASEAN chair: report." *Agence France Presse* 22 March 2005.

²³ "Cambodia tells Singapore PM it wants Myanmar to chair ASEAN in 2006." *Agence France Presse*, 31 March 2005.

²⁴ *Bernama*, Singapore, 31 March 2005.

to a grossly unjust, illegitimate regime by elevating it as the future chair.²⁵ In early April 2005, Filipino parliamentarians pressed President Macapagal-Arroyo to make an official statement against Burma's chairmanship. Mely Caballero-Anthony, political analyst at Singapore's Nanyang Technology University notes: "If you look at it in terms of crises of credibility, perhaps it is the worst crisis ASEAN has faced,"....."When one of its members lacks so much credibility that dialogue partners threaten to stay away, the organisation is going to suffer."²⁶ On the one hand, ASEAN governments faced pressure from its regular dialogue partners, especially EU and US, relating Burma's rotating chairmanship in 2006. These partners would boycott the meeting if it were held in Rangoon.

5.4 The Response of SPDC

5.4.1 *The SPDC's efforts for a rotation of ASEAN's chairmanship*

Robert Taylor, a London-based scholar, describes Burma's military regime as "clever" theorizing that the general circumvented the headaches posed by an ASEAN chairmanship while giving the appearance of performing a favor for the international community.²⁷ This theory, however, ignores the extent of loss suffered by the regime by failing to secure the ASEAN chair. In 2003, the regime spent a considerable amount of effort and resources to ready the country for the chairmanship. The report of Altsean-Burma describes: "Millions of dollars already spent upgrading Rangoon's dilapidated infrastructure for the ASEAN summit would have further depleted the regime's meager coffers."²⁸ The release in July 2004 of some 400 prisoners- over half of them political- was seen as another means to deflect pressure and criticism. Aung Zaw also notes: "Rangoon wants the chairmanship that will provide Burma with a prestigious regional role, and the generals in Rangoon have appeared at times to relish the opportunity.

²⁵ Becky Katz, "ASEAN's Engagement with Vietnam and Burma." *Burma: Myanmar in 2006* p. 17.

²⁶ "ASEAN-Myanmar,sched-analysis ." *Agence France Press* 27 July 2005.

²⁷ "Letter from Asia: Myanmar's withdrawal: What the junta wanted?" *International Herald Tribune* 30 Aug 2005.

²⁸ "Pressure Works: Burma Backs off from ASEAN Chair." *Altsean-Burma*, August 2005.

Therefore, it makes sense for them to try to deflect overseas criticism and pressure by releasing prisoners. The political prisoners are pawns or, in a way, hostages."²⁹

In May 2005, despite bombs wrecking two shopping centers and the Yangon Convention Center, which was being renovated to host ASEAN meetings, the regime went ahead in awarding Singapore-listed CNA Group Ltd a \$ 10.6 mil deal to expand Rangoon's International Airport.³⁰ The military government also hoped to recover its economy by hosting ASEAN summit. Dr Maung Maung Soe, well-known economist, told *The Myanmar Times*: "I certainly think it is true that employment... will have increased a lot as a result of the coming summit, and I think that this will give the economy enough of a boost to get some momentum going."³¹ The regime has since 2003 sped up several development projects designed to revamp the city, including the construction of apartments to house ASEAN delegates- worth about US\$1.8 mil and the Convention Centre, designed to host the summit, reportedly worth a similar amount.³² An overhaul of Kandawgyi Park in the center of Rangoon also began in 2003 and was expected to finish in time for the 2006 summit. The development was thought to be worth at least US\$5mil.

Furthermore, the SPDC regime had the full support of China to take a rotation of ASEAN's chairmanship in 2006. The Chinese premier pledged Beijing's support for Rangoon taking its place as the chairman of ASEAN in 2006, according to Chinese government officials.³³ The regime also made efforts in touring neighboring countries such as the Philippines in February 2005 to seek their co-operation.

5.3.2. Internal affairs of the SPDC

However, at the beginning of 2005 ASEAN governments began to speak out on the issue of Burma and the unlawful detention of Daw Aung San Suu Kyi, realizing that the US and the EU would boycott Burma if it took up the chairmanship in 2006. The US and the EU had already announced that they would boycott any meetings headed by Burma, which would debilitate such arenas as ASEM and ARF, thereby acting as

²⁹ Aung Zaw, "The real reason behind prisoner releases." *Irrawaddy*, July 2005.

³⁰ Debbie Stothard, "ASEAN has found its spine." *Malaysiakini*, 28 July 2005.

³¹ *Altsean Burma*. 2005.

³² "Burma's wasted investment." *Irrawaddy*, 27 July 2005.

³³ Larry Jagan, "Rangoon lests ASEAN off the hook". *Bangkok Post*, 29 July 2005.

anathema to trade, security and diplomatic relations in general. In response to whether Burma was unfit to chair considering its human rights record, Foreign Minister Nyan Win* offered the paltry statement, "That is their [the US and the EU] attitude, not ours. We can decide ourselves because we are an independent country."³⁴

For the generals, it is easier to give up the chairmanship than adopt political reform and release Daw Aung San Suu Kyi from house arrest. Burma's Foreign Minister Nyan Win said: "We have to draft the national constitution and after that we have to make free and fair elections."³⁵ This clearly means that the Burmese generals intend to continue on their own path without the inclusion of democratic forces and the opposition. The National Convention's anonymous peasant delegate told the Independent Mon News Agency: "The SPDC leadership has not much seriously worried for the position, but just try to have completing the draft of the army monopolized constitution from the current National Convention."³⁶

The SPDC's decision not to assume the ASEAN chairmanship in 2006 heightened another factor that was internal pressure within the army. Here are some reasons why by losing the ASEAN chair, Burma's most senior general may be in danger of losing his head. The Altsean-Burma's report describes:

- Since the purge of Prime Minister Khin Nyunt** and tens of thousand of intelligence officers and their cronies in October 2004, there has been an underlying sense of caution and unease of who will be targeted next. Although there have been regular purges of high ranking officers in the past, it has typically only been a handful of officers at a time.
- There is now a relatively large disaffected ex-military cadre among the population with considerable knowledge of the extent of corruption within the military.

* Former Foreign Minister Win Aung, who was a close confidant of PM Khin Nyunt, was replaced by Major General Nyan Win, who was a deputy head of the military training college and is a Sr- Gen Than Shwe loyalist, in September 2004.

³⁴ Katz (2006), p. 17.

³⁵ Aung Zaw, "Burma's ASEAN Decision Alters Nothing." *Irrawaddy*, 27 July 2005.

³⁶ "Generals don't care for the position of ASEAN Chairmanship." *Independent Mon News Agency*, 30 March 2005:

** Khin Nyunt, the former head of the National Intelligence Bureau, was known as a 'reformer' within the context of Burmese army politics who was more 'diplomatic', and was credited with instituting the cease-fire agreements with various ethnic groups and brokering talks with Suu Kyi. He was replaced by General Soe Win, who most commentators describe as a hardliner.

- The move against Khin Nyunt and his faction has set the stage for further tension and back-biting within the senior military ranks.
- It is important to keep in mind that many military officers that were purged in the past by previous dictator Ne Win became members of the opposition groups, including the NLD. By purging tens of thousands along with Khin Nyunt, a new base of political opposition may emerge.³⁷

Some interpret this purge as retrogressive as none of the remaining circle of General Than Shwe and his supporters is pragmatic enough to 'entertain delicate diplomacy and reciprocity'³⁸. It is quite obviously a consolidation of the power and positions of the hardliners, who will make Burma more inward looking. A glaring example occurred at the Vientiane meeting in July 2005, where Foreign Minister Nyan Win refused to meet UN special envoy Razali Ismail.³⁹

Given the widespread rumor about a potential coup against Than Shwe, and several successful measures to remove his associates and protégés from strategically important positions and replace them with those of General Maung Aye.⁴⁰ The rumors rocked an already fragile economy. Shortly after the regime deferred the ASEAN chair, rumors cropped up that there was a rift among the generals based on internal disagreements about the ASEAN chairmanship.⁴¹ What followed was an assertion of Maung Aye's authority through another cabinet reorganization- the second in less than three months. This spurred rumors of an impending coup, which drove up the price of household commodities and gold.⁴²

Finally on August 28, the SPDC held a press conference where Information Minister Brig-Gen Kyaw Hsan officially denied the rumors of a coup.⁴³ He said that "[Than Shwe] is at the War Office, performing his duty round the clock and is in good

³⁷ Altsean-Burma's report, August 2005.

³⁸ David Steinberg, "Burma/Myanmar and the Dilemmas of US Foreign Policy." Contemporary Southeast Asia 21 (2) 1999, p.1-14.

³⁹ Aung Zaw, 2005.

⁴⁰ Myint Thein, "What Is There Behind Burma's Political and Military Reshuffle." Mizzima News 12 August 2005.

⁴¹ "Burma's ASEAN decision causing rift among generals." Democratic Voice of Burma 1 August 2005.

⁴² Democratic Voice of Burma. 2005

⁴³ "Burmese Junta Denies Coup Rumors." Mizzima News 28 August 2005.

health."⁴⁴ Thailand's Foreign Minister, Dr. Kantathi Suphamongkhon confirmed this statement following a meeting with the Than Shwe on September 1.⁴⁵

Arguably, the surrender of the ASEAN chairmanship provides its own danger—that of a lonely Burma. Even a democratic Indonesia cannot be as close to Rangoon as it might have been in a time of mutual dictatorship. Some ASEAN countries, notably Singapore and Malaysia, have extensive investments in Burma, and worry about increase economic isolation.

⁴⁴ "In Burma, Junta Denies Coup, Dissidents Deny Allegations." Mizzima 29 Aug 2005.

⁴⁵ "Thai Minister talks to Burma's strongman Than Shwe." Mizzima 1 Sept 2005.