

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

26 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 505 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 505 organizations including 301 organizations who have chosen to not disclose their name:

1. 8888 Generation (New Zealand)
2. Action Committee for Democracy Development (Coalition of 14 grassroots networks)
3. Active Youths (Kalaymyo)
4. Ah Nah Podcast - Conversation with Myanmar
5. All Arakan CSOs Network (AACN)
6. All Arakan CSOs Partnership
7. All Arakan Students' and Youths' Congress (AASYC)
8. All Burma Democratic Face in New Zealand
9. All Burma Indigenous People Alliance (ABIPA)
10. Alliance for Democracy in Myanmar (Western USA)
11. ALTSEAN-Burma
12. Anti Dictatorship in Burma - DC Metropolitan Area

13. Anyar Taw Eain
14. Arakan Community Engagement Network (ACEN)
15. Arakan CSO Network
16. Arakan Rivers Network (ARN)
17. Arakan Workers' Organization
18. ASEAN Parliamentarians for Human Rights (APHR)
19. Asia Justice and Rights (AJAR)
20. Asia Pacific Solidarity Coalition (APSOC)
21. Asian Democracy Network
22. Asian Forum for Human Rights and Development (FORUM-ASIA)
23. Asians Cultural Forum on Development Foundation (ACFOD)
24. Assistance Association for Political Prisoners
25. Association of Human Rights Defenders and Promoters
26. Association Suisse - Birmanie
27. Athan - Freedom of Expression Activist Organization
28. Auckland Kachin Community NZ
29. Auckland Zomi Community
30. Ayeyarwaddy Youth Network
31. Back Pack Health Worker Team
32. Bago MATA
33. Buddhist Solidarity Association
34. Burma Action Ireland
35. Burma Campaign UK
36. Burma Human Rights Network
37. Burma Medical Association
38. Burmese Canadian Network
39. Burmese Community Group (Manawatu, NZ)
40. Burmese Rohingya Welfare Organisation New Zealand
41. Burmese Women's Union
42. Cambodian American and Friends for Democracy and Human Rights advocate, USA
43. Cambodian Center for Human Rights (CCHR)
44. Cambodian Human Rights and Development Association (ADHOC Cambodia)
45. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
46. Campaign for a New Myanmar
47. Campaign for Popular Democracy (CPD)
48. Chin Community of Auckland
49. Chin Community SF Bay Area
50. Chin Human Rights Organization
51. Chin MATA
52. Chin Resources Center
53. CIVICUS: World Alliance for Citizen Participation
54. Civil Society Forum for Peace Network (Arakan)
55. Community Resource Centre (CRC)
56. Cross Cultural Foundation (CrCF)
57. CRPH & NUG Supporters Ireland
58. CRPH Funding Ireland
59. Danu Youth Organization
60. Dawei Development Association
61. Democracy for Ethnic Minorities Organization
62. Democracy, Peace and Women's Organization
63. Democratic Youth Council
64. Educational Initiatives Myanmar
65. ENLAWTHAI Foundation (EnLAW)

66. Equality Myanmar
67. ETOs Watch Coalition
68. Federal FM Mandalay
69. Federal Myanmar Benevolence Group (NZ)
70. Foundation of Khmer Samaki, USA
71. Free Burma Action Committee – Northern California (San Francisco, Sacramento, Chico and Central Valley)
72. Free Burma Campaign (South Africa) (FBC- SA)
73. Free Myanmar Inc.
74. Friends Without Borders
75. Future Light Center
76. Future Thanlwin
77. Generation Wave
78. Grass-root People
79. Green Network (Myeik)
80. Human Rights and Development Foundation (HRDF)
81. Human Rights Educators Network
82. Human Rights Foundation of Monland
83. Human Rights Lawyers Association
84. In Defense of Human Rights and Dignity Movement (iDEFEND) Philippines
85. India for Myanmar
86. Info Birmanie
87. Initiatives for International Dialogue
88. Inlihtan Peninsula Tenasserim
89. Institute for Asian Democracy
90. Inter Pares
91. International Campaign for the Rohingya
92. Jagriti Child and Youth Concern Nepal
93. Just Associates Southeast Asia (JASS SEA)
94. Justice For Myanmar
95. Kachin Women’s Association Thailand
96. Karen Association of Ireland
97. Karen Human Rights Group
98. Karen Peace Support Network
99. Karen Women’s Organization
100. Karen Youth Ireland
101. Karenni Civil Society Network
102. Karenni National Women’s Organization
103. Karenni Society New Zealand
104. Kayaw Women’s Organization
105. Keng Tung Youth
106. KontraS Indonesia
107. Kyae Lak Myay
108. Kyaukse University Students’ Union
109. La communauté BIRMANE de France
110. Let’s Help Each Other
111. Los Angeles Myanmar Movement (LA2M)
112. Mandalay Youth Association
113. Me Boun Foundation
114. Metta Campaign Mandalay
115. Migrant Workers Rights Network (MWRN)
116. Migrant Working Group (MWG)
117. Mindanao Peacebuilding Institute Foundation, Inc

118. Minority Affairs Institute - MAI (Myanmar)
119. Mon State Development Center
120. Monywa People's Strike Steering Committee
121. Myanmar Accountability Project (MAP)
122. Myanmar Alliance for Transparency and Accountability
123. Myanmar anti-military coup movement in New Zealand
124. Myanmar Campaign Network
125. Myanmar Community Group Christchurch New Zealand
126. Myanmar Community Group Dunedin New Zealand
127. Myanmar Democratic Force in Denmark
128. Myanmar Emergency Fund (Canada)
129. Myanmar Engineers - New Zealand
130. Myanmar Gonye (New Zealand)
131. Myanmar People Alliance (Shan State)
132. Myanmar Students' Union in New Zealand
133. Myaung Education Network
134. Myaung Medical Team
135. Nelson Myanmar Community Group New Zealand
136. Network for Advocacy Action
137. Network for Human Rights Documentation Network - Burma (ND-Burma)
138. New Zealand Doctors for NUG
139. New Zealand Karen Association
140. New Zealand Zo Community Inc.
141. No Business With Genocide
142. Non-Binary Thailand
143. Northern California Hong Kong Club
144. Nway Oo Guru Lay Myar
145. Nyan Lynn Thit Analytica
146. Overseas Mon Association, New Zealand
147. Oway Institute
148. Padauk Phue - Blooming Padauk
149. Pakokku Youth Development Council
150. Peace and Culture Foundation
151. Peace Working Committee (PWC)
152. People's Empowerment Foundation (PEF)
153. People's Goal
154. Progressive Voice
155. Protection International
156. Pyithu Gonye (New Zealand)
157. Rvwang Community Association New Zealand
158. Save and Care Organization for Ethnic Women at Border Areas
159. Save Myanmar - USA
160. Save Myanmar Fundraising Group (New Zealand)
161. Sea Junction
162. Second Tap Root
163. Shan Community (New Zealand)
164. Shan MATA
165. Shape-Sea
166. Sisters 2 Sisters
167. Social Garden
168. Social Action for Community and Development (Cambodia)
169. Social Program Aid for Civic Education (SPACE)
170. Southeast Asia Freedom of Expression Network (SAFEnet)

171. Southern Youth Development Organization
172. Spirit in Education Movement (SEM)
173. Support group for Democracy in Myanmar (Netherlands)
174. Swedish Burma Committee
175. Swedish Foundation for Human Rights
176. Synergy - Social Harmony Organization
177. Ta'ang Women's Organization
178. Taiwan Association for Human Rights
179. Tanintharyi MATA
180. Tanintharyi People's Voice
181. Tanintharyi Women's Network
182. Thai Action Committee for Democracy in Burma (TACDB)
183. Thai Lawyers for Human Rights (TLHR)
184. The Ladies
185. The Mekong Butterfly
186. The Regional Center for Social Science and Sustainable Development
187. Thint Myat Lo Thu Myar Organization
188. Together Thanlyin
189. U.S. Campaign for Burma
190. Union for Civil Liberty (UCL)
191. 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
192. Vorapat Veerapattanakup, Human Rights Activism
193. Women Advocacy Coalition - Myanmar
194. Women's League of Burma
195. Women's Peace Network
196. Yangon Medical Network
197. Youths for Community – Myaung
198. ၈၈ မျိုးဆက်ငြိမ်းချမ်းရေးနှင့်ပွင့်လင်းလူ့အဖွဲ့အစည်း(မြိတ်ခရိုင်)
199. ခုနစ်စဉ်ကြယ်အဖွဲ့
200. တူမီး-တော်လှန်ရေးစာစဉ်
201. ဒို့မြေကွန်ရက် (LIOH)
202. ပြည်သူ့လှုပ်ရှားမှုဦးဆောင်အဖွဲ့-ပုလောမြို့နယ်
203. ပွင့်ဖြူလယ်ယာမြေကွန်ရက်
204. မြစ်ကွေ့ - လူထုတော်လှန်ရေးစာစဉ်

***The list of signatories has been updated on 26 October 2022.**