



Republic of the Union of Myanmar

National Unity Government

Ministry of Foreign Affairs

Statement (10/ 2023)

13 May 2023

Statement on the ASEAN Chairman's Statement issued at the 42nd ASEAN Summit

The Republic of the Union of Myanmar, as represented by the National Unity Government, expresses disappointment at the Chairman's Statement issued at the conclusion of ASEAN's 42nd Summit in Indonesia on 11 May 2023.

The Summit outcome is yet another lost opportunity for action on Myanmar. Progress has again been held hostage to consensus.

Since ASEAN's November 2022 Summits, the illegal military junta has intensified its atrocity campaigns against civilians and treated ASEAN and its Five-Point Consensus with continued contempt.

On 13 April, the ASEAN Chair issued a statement condemning the junta's horrific air strikes on Kanbalu Township of Sagaing Region. The large scale massacre defied the UN Security Council's binding resolution on Myanmar, adopted in December 2022, which demanded an immediate end to all junta violence.

And as recently as 10 May, ASEAN Leaders condemned the junta-led attack on a AHA Center/ASEAN Monitoring Team convoy in Shan State, demanding that the perpetrators be held accountable.

Yet despite these deliberate junta acts of provocation, the new Chairman's Statement merely expresses deep concern at the 'escalation of the armed conflicts and violence in Myanmar' and reiterates past ASEAN decisions.

ASEAN Leaders are clearly unable to collectively address the junta-generated political, economic, human rights and humanitarian crises in Myanmar and the rising threat to the region's peace and security. They must bring in outside support.

The ASEAN Leaders' Review and Decision on the implementation of the Five-Point Consensus agreed at last November's Summits included a general call for support from the UN and external partners. The ASEAN Chair should now issue clear requests, including calls on:

- the UN Security Council to formally place Myanmar on its agenda as a threat to international peace and security and to urgently address the junta's failure to comply with its resolution under Chapter VII of the UN Charter
- the UN Secretary-General to use his good offices to intensify efforts to secure a political solution in Myanmar consistent with the democratic will and interests of the Myanmar people
- the International Criminal Court to accept the National Unity Government's Article 12(3) declaration under the Rome Statute and expand its current investigation to cover all of Myanmar's territory
- States that exercise universal jurisdiction to use their national courts to prosecute alleged perpetrators of atrocity crimes in Myanmar.

The ASEAN Chair should also progress other commitments made by ASEAN Leaders last November.

First, the delivery of humanitarian assistance to all persons in need without discrimination must be prioritised. The National Unity Government repeats its call on the ASEAN Chair to convene an urgent meeting between the Office of the ASEAN Special Envoy on Myanmar, the Special Envoy of the UN Secretary-General on Myanmar and the Inclusive Humanitarian Forum to coordinate and progress the safe delivery of humanitarian aid.

Second, the ASEAN Leaders' Review and Decision called for a Five Point Consensus implementation plan that outlines concrete, practical and measurable indicators with specific timelines. To realise this, the ASEAN Chair should task the Office of the ASEAN Special Envoy with producing sub-points under each Point that set out concrete actions, clear indicators, firm timelines, and enforcement mechanisms for compliance failures. The ASEAN Chair should also develop a set of escalating punitive measures against the junta to be triggered by continued acts of violence.

Third, further to paragraph 9 of the ASEAN Leaders' Review and Decision, the ASEAN Chair should remove the junta's representative from the AHA Center's Governing Board. The Chair should also formally confirm that the ban on junta representatives at ASEAN Summits and Foreign Ministers' Meetings extends to all ASEAN gatherings.

The National Unity Government supports Indonesia's sustained efforts as ASEAN Chair and as Head of the Office of the ASEAN Special Envoy on Myanmar.

Ministry of Foreign Affairs
National Unity Government