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Reassessing ASEAN's Five-Point Consensus: on Shifting Boundaries of Legitimate Involvement and a Contested Consensus

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ABSTRACT

The Five-Point Consensus (5PC) of the Association of Southeast Asian Nations (ASEAN) adopted after the 2021 military takeover in Myanmar is generally understood as a failure given its objectives have not been achieved. Meanwhile, existing debate about the 5PC's origins, the reasons for its lack of effectiveness, and controversies surrounding its implementation have produced competing arguments. The article engages these arguments by reassessing the 5PC with reference to the literature on ASEAN's evolving principles and practices, the grouping's substantial implementation efforts, and responses to the 5PC by Myanmar's key stakeholders. This analytical and empirical contextualisation allows for a more balanced evaluation of ASEAN's 5PC. Significantly, the 5PC has involved an important shift in how far ASEAN's legitimate diplomatic involvement in Myanmar affairs now extends and represents unprecedented conflict management. At the same time, intramural contestation arising from 5PC implementation has focused on ASEAN's recent practice of the consensus principle.

1 | Introduction

Following the February 2021 military coup and the subsequent growing disorder and violence in Myanmar, the Association of Southeast Asian Nations (ASEAN) embraced a Five-Point Consensus (5PC) in April 2021 that included the appointment of a special envoy to bring about an end to the violence and facilitate an inclusive dialogue process among Myanmar's conflict parties. Although endorsed internationally, the implementation of the 5PC has attracted considerable criticism given its meagre outcomes to date. After all, the violence in Myanmar has significantly increased, rather than eased. Indeed, Myanmar descended into a brutal civil war in 2021, involving both resurgent military activities conducted by ethnic armed groups and armed resistance from the newly formed people's defence forces (PDFs) fighting the military regime to establish a new political future. Armed conflict has spread all around Myanmar's periphery and even to the country's central areas, with the military mostly in

control of only urban areas (Henschke et al. 2024). Also, no meaningful inclusive dialogue process has emerged involving the ruling military regime, the anti-junta and pro-democracy forces, as well as the many ethnic armed organisations (EAOs) that have long struggled for a federal state and autonomy. Lastly, only limited progress has been achieved on delivering humanitarian assistance. With Myanmar seemingly headed towards fragmentation and possible collapse (International Crisis Group 2024; Mathieson 2024; Selth 2023; South 2024), it is also easy to see why some critics would believe efforts to implement the 5PC have been overtaken by events on the ground.

However, reassessing the 5PC is justified for at least three reasons. First, the existing literature is not clear on whether the 5PC was primarily a response to the coup or the violence that followed the coup. To date, ASEAN has not collectively recognised Myanmar's coup regime. Some members have linked the 5PC to the re-establishment of Myanmar democracy. This

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response differs from ASEAN's reaction to the 2014 coup in Thailand when ASEAN was said to have engaged in habitual face-saving by withholding a strong rebuke despite the Thai military violating the ASEAN Charter (Glas 2022: 117–118). The different response to the 2021 military takeover has unsurprisingly prompted some scholars to examine whether the 5PC was motivated by the global anti-coup norm (Plunkett and Tansey 2024). However, the 5PC's immediate goal has been to minimise or eliminate the violence in Myanmar and to provide humanitarian assistance.

Secondly, there are competing explanations why the 5PC has not proved very effective to date. Two are often emphasised: first, the lack of commitment to the 5PC by the military regime in power in Naypyidaw and, secondly, ASEAN's limitations. In relation to the latter, ASEAN's noninterference principle and the lack of any enforcement mechanism in the ASEAN toolkit to deal with members 'gone rogue' are seen as major obstacles to ASEAN's effectiveness (Acharya 2022: 147; Gunawan 2024; also see Saravanamuttu 2025). Both explanations have their limits. The focus on the junta's recalcitrance in explanations of why the 5PC has not yielded better outcomes is understandable, but it neglects the question of how other parties to the conflict in Myanmar have viewed and responded to the 5PC in the context of the civil war. At the same time, arguments that ASEAN's processes and institutional limitations have led to the 5PC failing appear inconsistent with the widespread recognition that the Association has gone further than ever in terms of taking on the junta.

Third, there is an unresolved debate on how to explain intra-ASEAN controversy surrounding 5PC implementation. Some emphasise regime type and the divide between maritime countries and mainland Southeast Asian states (e.g. Ganesan 2024a; Ganesan 2024b). Others have preferred exploring intra-ASEAN contestation among recalcitrant, revisionist and 'middle ground' positions over the competing norms of ASEAN centrality and noninterference (Serey et al. 2024). This raises the question what intra-ASEAN controversy in relation to the 5PC has been about first and foremost.

This article aims to contribute to the literature on the 5PC by addressing these questions and debates. It will do so by contextualising the 5PC with reference to the literature on the 'ASEAN way', zooming in on the ASEAN Chairs' implementation efforts, which are rarely discussed in the literature beyond very brief mentions, and highlighting the perspectives on the 5PC as held by key Myanmar's stakeholders beyond Min Aung Hlaing and the military regime. Reassessing the 5PC in this manner will allow me to focus on the question whether ASEAN really remains hobbled by the principle of non-interference in the way often alleged and the extent to which ASEAN may actually have turned a new page in relation to conflict management where the conflict is primarily an intra-state one. Also, such a reassessment can usefully focus our attention on an alternative reading of what principle of the 'ASEAN way' has proved the most controversial in 5PC implementation. More generally, re-assessing the 5PC as proposed will thus yield insights into how ASEAN members currently understand and practise key principles guiding their intramural relations with reference to Myanmar. The arguments made here can feed into larger re-evaluations of ASEAN

or even wider comparative research of different regions, but no such effort is attempted here. That said, the reassessment offered also speaks to the themes of the special issue in three ways. It discusses the 5PC as an instance of conflict management; points to pragmatism inherent in different approaches to 5PC implementation; and notes how contestation over the latter have provoked some members to create opportunities in pursuit of their particular interests and concerns regarding the situation in Myanmar. Methodologically, the article involves not only the study of primary source documents published by ASEAN or the ASEAN chairs as well as scholarly assessments and expert commentary; but also draws on several background interviews that were conducted in Jakarta in the summer of 2024.

I offer four main arguments: first, I take the 5PC to be a response to the violence against unarmed civilians in the aftermath of the coup rather than the coup itself, notwithstanding the continued nonrecognition of the military junta. Secondly, I argue that we should understand the 5PC as a new ASEAN consensus on what role the Association can legitimately adopt vis-à-vis Myanmar. This argument draws on scholarship that has noted how over a long period of time the boundaries of noninterference versus legitimate involvement in ASEAN practice have been contested and shifted, a point that applies first and foremost to Myanmar (e.g. Collins 2019; Glas and Laurence 2022; Haacke 1999). Having for decades been quite reluctant to embrace a collective, 'corporate' conflict management role within one of its member states, I also argue that the 5PC marks the first time the grouping -with respect to a fellow member- has resolved to essentially address *by itself* such a conflict. Thirdly, the article suggests that existing analysis of why the 5PC has been ineffective is not wrong but incomplete. Beyond zooming in on how Min Aung Hlaing's recalcitrance has challenged ASEAN's efforts at facilitating an inclusive dialogue, I suggest that more attention should also focus on the other parties to Myanmar's civil war and the shifting military balance between them. Finally, the article argues that the most significant intramural contestation that has arisen in the context of 5PC implementation relates to the practice of consensus, especially the consensus to exclude the State Administration Council from ASEAN summits and foreign ministers' meetings. Following an initial section that outlines and summarises relevant insights of preceding works on ASEAN's principles and related practices, these arguments are developed in four further sections.

1.1 | Theoretical Context and Evolution of the ASEAN Way

The main theoretical and analytical reference points for this paper are provided by works on norms and practices with reference to ASEAN. Many studies on how its members have managed their intramural relations have focused on the 'ASEAN way' (e.g. Acharya 2001, 2021; Haacke 2003; Katsumata 2003). The 'ASEAN way' is associated with a set of principles and related practices, pertaining to principles such as noninterference, sovereign equality, decision-making by consensus, alongside expectations concerning informal and respectful interactions, and an emphasis on settling disputes by peaceful means. Some have conceptualised the 'ASEAN way' as a diplomatic and security culture that has

served the members with respect to the management of their original alienation and varying political identities, as well as their competing interests and security concerns (Haacke 2003). For others, the routine doings and sayings associated with the ‘ASEAN way’ highlight the perceived continued importance specifically of ‘face saving’ in the context of members’ diplomatic encounters, not least given members’ insecure authoritarianisms (Nair 2019). Not least because of the ‘ASEAN way’, ASEAN has increasingly been examined as a community of practice (Davies 2016; Glas 2022). Trying to account for the continuities of the ‘ASEAN way’, practice theory emphasises a practical logic and habitual dispositions that make possible certain behaviours but tend to preclude others. At the same time, there is widespread recognition across different theoretical persuasions that ASEAN’s normative framework has evolved—as captured also in the ASEAN Charter. And that its principles and their practice is contested even as there is a consensus (Rüland 2022; Glas and Laurence 2022; Martel and Glas 2023). Unsurprisingly, there have been many proposed revisions to aspects of the ‘ASEAN way’ from within the membership. Such challenges, which tend to relate to the routinised actions or practices of key principles in intra-regional relations, have been linked to recognition or security motives. As Ba has shown, ASEAN has historically been subject to many external challenges that have sparked individual and/or collective legitimisation efforts (Ba 2013). In her words ‘... external expectations and criticisms can challenge, substantiate, and mobilise internal legitimacy claims’ (Ba 2013, p. 159). However, proposals challenging existing understandings of what are appropriate or competent ways of dealing with one another in the context of ASEAN have tended to result in adaptations of the ‘ASEAN way’, not its wholesale abandonment.

1.1.1 | Situating the 5PC

Having introduced some theoretical markers for the analysis to come, the next step involves further contextualising this article’s reassessment of the 5PC with respect to previous scholarship and debate about the ‘ASEAN way’, especially the principle of non-interference and ASEAN’s longtime approach to the management of internal conflicts. As we shall see, much of this literature has built on ASEAN’s past approaches to dealing with Myanmar.

As regards noninterference, ASEAN has upheld a clearly evolving consensus on the differentiation between acceptable corporate involvement in a member’s domestic affairs and unacceptable involvement, also understood as interference. This differentiation emerged against the backdrop of the 1997 coup in Cambodia and the Asian financial and economic crisis as intra-ASEAN debate took off on ‘constructive intervention’ and ‘flexible engagement’ (Haacke 1999). Though noninterference was maintained, ASEAN members nevertheless came to accept—some more grudgingly than others—that it would be legitimate for the grouping to discuss ‘domestic’ issues that potentially might have regional repercussions. Such an understanding and subsequent practice has also been associated with the notion of enhanced interactions, a term that subsequently found its way into the ASEAN Charter. Since the 2000s, Myanmar has been the principal target of ASEAN’s preparedness to involve the grouping in relation to questions that in previous decades might have been seen as incompatible with ASEAN’s collective practice of noninterference.

And, notably, Myanmar generally accommodated the other members. For instance, the previous military regime for years went along with critical ASEAN language used in joint communiqués, language that usually was of course far softer than that used by other international organisations, let alone Western powers. Myanmar also accepted a range of ASEAN measures.

To illustrate: in the mid-2000s, in the face of the Burmese military abuses and the regime’s unrushed implementation of its self-postulated roadmap toward a ‘discipline flourishing democracy’ that internationally was considered a sham, ASEAN talked the SPDC leadership into temporarily relinquishing its ASEAN Chairmanship to focus on its domestic situation. In September 2007, ASEAN foreign ministers formulated a strongly worded criticism in response to the military government’s suppression of the so-called ‘Saffron Revolution’. That said, when Singapore, as the then ASEAN Chair, even tried to boost the ‘good offices’ role of the UNSG Special Envoy for Myanmar—by planning his attendance at the 2007 East Asia Summit, the initiative failed as Myanmar objected. Less than a year later, however, facing renewed international outrage and regional concern over the handling by Myanmar’s generals of the humanitarian crisis induced by Cyclone Nargis, ASEAN foreign ministers effectively compelled their Myanmar counterpart to persuade Naypyidaw’s military leaders to accept an ASEAN intermediary role in the international management of the humanitarian catastrophe, which was subsequently celebrated as a significant success for all. The broadening over time of the parameters determining what for ASEAN falls under legitimate involvement thus occurred already in the 2000s, as the grouping faced challenges to its international standing and credibility because of the military’s actions in relation to events such as the Depayin incident in 2003, the so-called ‘Saffron Revolution’, and Cyclone Nargis (Jones 2008; also see Glas 2022; Haacke 2006; Roberts 2010).

It should be noted that a range of authors characterise these ASEAN actions as infringements or violations of the non-interference principle and the ‘ASEAN way’. For instance, some of ASEAN’s past actions vis-à-vis Myanmar have been described as ‘subtle interventionism’ (Serey et al. 2024), while others have even spoken of ASEAN ‘mercilessly interfering’ in Myanmar (Jones 2010). This latter view has always been problematic as Jones mostly does not distinguish between, on the one hand, the rhetoric and actions by individual member states of the Association (or powerful economic interests and social forces within members) designed to influence those in power in Myanmar and, on the other hand, the grouping’s corporate consensus and practice on Myanmar. Moreover, the argument that ‘ASEAN’ has routinely or consistently violated noninterference does not take account of how the recognised boundaries of what could legitimately be discussed by ASEAN have shifted considerably—by consensus. In other words, what is regularly taken by some authors to be ASEAN interference vis-à-vis Myanmar is often more appropriately understood as perceived legitimate involvement by the grouping even as noninterference is maintained as an important principle (Haacke 2005; Suzuki 2019).

Significantly, while ASEAN thus expanded the boundaries of legitimate involvement in relation to a member’s domestic affairs, these shifting understandings and practices did not extend to

ASEAN's practical involvement in addressing a member's intra-state conflicts more generally.¹ ASEAN—the grouping—hence did not collectively become involved, diplomatically or otherwise, in the various political or separatist conflicts taking place within member states such as the Philippines or Thailand. What involvement occurred was sanctioned and arranged bilaterally (Na Thalang 2023). Accordingly, ASEAN's intrastate conflict management record pales in comparison to that of certain other regional or subregional bodies. Indeed, ASEAN has no record at all when it comes to intra-regional peacekeeping operations conducted under ASEAN auspices (Chang and Jenne 2020).² Seeming deviations from this consensus on *intra-ASEAN* conflict management should be looked at carefully: in the case of Cambodia, which was of course not a member state until 1999, ASEAN's role supported a UN process on the back of a previously agreed power-sharing agreement (Peou 2000). In the case of East Timor/Timor Leste, some ASEAN states, albeit not acting under ASEAN auspices, responded in effect to Indonesian urgings when Jakarta was facing considerable international pressures and intervention based on a UN Security Council Chapter 7 resolution (e.g. Southgate 2019). Notably, while it was rhetorically designed to address in a timely manner urgent and important regional political and security issues and situations of common concern likely to disturb regional peace and harmony, the invocation of the ASEAN Troika was made subject to noninterference, too; indicating the tension and distinction between legitimate involvement and interference relative to intra-state conflict.

Before 2021 ASEAN countries also did not seek a direct corporate conflict management role with regard to Myanmar that would have involved facilitating dialogue between the military and the opposition National League for Democracy, let alone between the Burmese military regime and any of the many ethnic parties and organisations. Despite serious concerns about violence and abuses in Rakhine State, the Association also did not assume such a role in relation to the evolving situation there, not before and not after 2017. Taking account of the sensitivities of the nominally civilian governments led first by Thein Sein (2011–2016) and then Aung San Suu Kyi (2016–2021), ASEAN states only highlighted the 'need to find a comprehensive and durable solution to address the root causes of the conflict...' (ASEAN 2020). Consequently, ASEAN's consensual embrace of a collectively self-mandated conflict management role with respect to Myanmar in the aftermath of the military's February 2021 takeover marked a major crossroads. Taking this step, ASEAN has once again collectively moved the boundary in relation to noninterference, at least in relation to the specific case of Myanmar. As the term itself suggests, the 5PC should therefore not be viewed as a violation of noninterference. That principle of course still has meaning in an ASEAN context, and there remain many angles related to domestic affairs considered off-limits not least by those in power in Myanmar and fellow members (e.g. explicitly supporting one side over another in the civil war, future domestic political arrangements, the future of the military).

1.2 | ASEAN and Myanmar: Agreeing and Implementing the 5PC

Why did ASEAN adopt the 5PC? As noted, some have analysed this move as an effort to maintain an international anti-coup

norm (Plunkett and Tansey 2024). The coup was at odds with the ASEAN Charter commitment to adhere to the principles of democracy and constitutional government. It also clearly reversed the progress towards democratisation in Myanmar achieved since 2011 that ASEAN had supported. The coup also prompted strong reactions in Western capitals, especially in Washington, leading to external pressure on the grouping. The position taken here though is that it was not first and foremost ASEAN's commitment to an anti-coup norm that led to the 5PC. That commitment appears more rhetorical than real, considering the grouping's effective nonresponse to the military takeover in Thailand in 2014, which was justified with reference to the Thai king legitimising the coup. Instead, the primary factor prompting ASEAN leaders into coming up with the 5PC was the growing violence by the Myanmar military regime against peaceful and unarmed protesters. This violence, which made for uncomfortable television footage for domestic and regional audiences that amplified longstanding questions about ASEAN's credibility and relevance, was deemed unacceptable in regional capitals (Interviews, Jakarta June 2024). It made for a serious delegitimising challenge for ASEAN (Connelly 2021; and Ba 2023).

Evidence for the above includes ASEAN's initial response to Min Aung Hlaing's February coup which was immediate but restrained. The ASEAN Chair, Brunei Darussalam, reminded Myanmar's military leadership of the ASEAN Charter principles, emphasised the importance of political stability in Myanmar for a peaceful, stable, and prosperous ASEAN Community, and encouraged 'the pursuance of dialogue, reconciliation and the return to normalcy' (ASEAN 2021a). However, as the peaceful resistance postcoup came to be met with lethal force, ASEAN members grew increasingly concerned. Singapore's foreign minister, Vivian Balakrishnan, unequivocally asked that the military desist from using live rounds on unarmed civilians under any circumstances. When that happened regardless, and with increasing intensity, he denounced the use of lethal force as 'inexcusable' (Singapore Ministry of Foreign Affairs 2021a, 2021b). Then Prime Minister Lee called it 'disastrous', both internationally and domestically (Singapore Ministry of Foreign Affairs 2021c).

As the region was working out how to respond, Singapore supported a US proposal for an ASEAN-US foreign ministers' meeting, while Malaysia's then foreign minister Hishammuddin Hussein proposed invoking the ASEAN Troika (Chongkittavorn 2021a). Amidst further growing violence against anti-coup protesters and expressions of grave concern from Western democracies, Indonesia's President Joko Widodo then proposed a special ASEAN leaders' meeting to restore stability, democracy, and peace in Myanmar, drawing support from Malaysian Prime Minister Muhyiddin Yassin. Indicating what ASEAN's role might be, Balakrishnan argued that '...it is essential for ASEAN to consider, to contemplate, to support and to be a constructive presence inside Myanmar. We still do not believe in foreign interference in domestic politics but ...' (Singapore Ministry of Foreign Affairs 2021d). In the event, it was not before April that ASEAN leaders (except those from Thailand, the Philippines and Laos, who were represented by their foreign ministers) came together at the ASEAN Secretariat for an informal ASEAN Leaders' Meeting, so called to avoid formally recognising Min Aung Hlaing as head of Myanmar's State Administration Council. Building on key

regional concerns and ideas articulated, Brunei as ASEAN Chair outlined the Five-Point Consensus that was attached to the Chair's statement (ASEAN 2021b).

The 5PC called for: first, an immediate halt to the violence and utmost restraint from all sides and, secondly, a constructive dialogue among all parties to achieve a peaceful resolution in the interests of the Myanmar people. The consensus, thirdly, also stipulated the appointment of a special envoy to the ASEAN Chair to facilitate mediation of said dialogue process, with the assistance of the Secretary General (SG) of ASEAN, as well as, fourthly, the provision of humanitarian assistance through the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre). Finally, the 5PC also directed the agreed special envoy and delegation to visit Myanmar to meet with all parties concerned. Unlike the Chairman's statement issued for the meeting, the 5PC did not mention the release of political detainees, which some members had strongly pushed for; nor did it call on Myanmar's military to honour the results of the 2020 elections.

Notably, the 5PC was a consensus in the ASEAN usage of the term, meaning not the absence of disagreement but the absence of open and vocal opposition. Myanmar officials apparently did not comprehensively oppose the 5PC text pre-meeting, and neither did Min Aung Hlaing when in Jakarta (confidential interview, Jakarta, June 2024). That said, Min Aung Hlaing apparently was keen to see omitted from the draft the point about the release of political detainees, which he agreed with the Chair, but he failed to link the 5PC to the regime's Five-Point Road Map. It is possible that Min Aung Hlaing did not object to the 5PC because Foreign Minister Wunna Maung Lwin might not have properly appraised him of how ASEAN would pursue the consensus (confidential interview, Jakarta, June 2024). Interestingly, the regime claimed subsequently that Brunei Darussalam as ASEAN Chair did not officially negotiate the 5PC and simply annexed these points to the Chairman's statement (Global New Light of Myanmar [GNLM] 2023; also see Chongkittavorn 2021b). The SAC regime has also argued that the points covered in the 5PC amounted only to constructive suggestions and did not make for a formally adopted, 'legally binding document'. Be that as it may, never until April 2021 had ASEAN resolved to become involved in a similarly ambitious diplomatic process of facilitating mediation with respect to domestic political conflict in a member state. Indeed, for some, the 5PC presented a framework for 'legitimate intervention' (interview with Indonesian scholar, Jakarta, June 2024). As such, the 5PC, then, has amounted to one of ASEAN's most noteworthy attempts at legitimisation by claiming an unprecedented role in relation to conflict management in Myanmar.

1.2.1 | Implementation

It took several months for the ASEAN Chair's special envoy to be appointed, with Brunei's second foreign minister ultimately assuming the position. However, as the special envoy planned to visit Myanmar, Min Aung Hlaing refused to allow meetings with the deposed NLD leadership or representatives of the armed opposition. Doubts about whether the special envoy would gain full access had of course been voiced already at the

time of his appointment. Nevertheless, SAC's stance prompted an Emergency ASEAN Ministerial Meeting in October 2021 at which several consequential positions were adopted: first, ASEAN members decided there was insufficient progress on the implementation of the 5PC, emphasising the importance of the special envoy having access to all parties concerned.

More importantly, ministers also resolved that Min Aung Hlaing would be excluded from the 38th and 39th ASEAN Summits, and related summits, scheduled for later in October 2021. This would be a signature decision, favoured more by the maritime than the continental Southeast Asian states, and one which Myanmar rejected. To justify this unprecedented step, it was argued that there was no consensus for a political representative from Myanmar to attend these meetings (Brunei Darussalam Ministry of Foreign Affairs 2021). Continuing not to recognise SAC as the legitimate representative of Myanmar was clearly important for some members. But Min Aung Hlaing's exclusion from the ASEAN summit meetings was mainly rationalised on account of Myanmar's lack of cooperation impacting regional security as well as the 'unity, credibility and centrality of ASEAN, as a rules-based organisation' (Brunei Darussalam Ministry of Foreign Affairs 2021). The formula of allowing nonpolitical representation still enabled ASEAN to make the argument that Myanmar remained free to participate at the summit; the country's flag, it was pointed out, was also not being removed. In that sense, SAC's exclusion has been qualitatively different from membership suspension. Significantly, ASEAN's decision to lock out SAC from summits and foreign ministers' meetings has arguably been the most contentious 5PC-related decision, because for some it was not underpinned by a real consensus, and because it has proved ineffective.

First though, it is important to clarify what the ASEAN chairs have done to implement the 5PC to achieve a long-term peaceful resolution of Myanmar's multi-dimensional crisis that ASEAN emphasises must be Myanmar-owned and Myanmar-led. In Cambodia's case, Hun Sen undertook an early visit to Myanmar to meet with Min Aung Hlaing. Upon his appointment, Cambodian special envoy Prak Sokhonn also quickly met with Min Aung Hlaing and some government ministers, which again served the three priority purposes of reducing/ending violence, clearing the way for humanitarian assistance and creating a conducive environment for inclusive dialogue. In his two travels to Myanmar, Prak Sokhonn found however that—despite repeated requests—access to deposed NLD leaders such as Win Myint and Aung San Suu Kyi was denied and meetings with anti-regime forces were also not permitted, with only exchanges involving lesser political players being organised (Chongkittavorn 2022). During Prak's June 2022 visit, his non-SAC stakeholder interlocutors included seven EAOs (signatories to Nationwide Ceasefire Agreement) and seven political parties— but not the NLD. Prak though accepted the regime's point that violence was being perpetrated not only by the authorities, leading him to argue that '[e]nding violence can only be achieved with sincere will and through participation and restraint from all sides.' (Kingdom of Cambodia, Ministry of Foreign Affairs & International Cooperation MFAIC 2022b). As he admitted, he did not have 'a panacea [a magic elixir] to Myanmar's crisis', such was the complexity of Myanmar's historical ethnic conflicts and political dynamics. Arguing that the

‘commencement of the political dialogue is the most difficult among the five points’ (Kingdom of Cambodia MFAIC 2022c), Prak put forward a 7-point plan that called not only for a ‘concrete implementation plan’, but also incorporated expectations in relation to ‘all concerned parties’.

Indonesia’s Ministry of Foreign Affairs (Kementerian Luar Negeri, KEMLU) would appear to have underestimated until late 2022 the scale of the challenge inherent in implementing the 5PC, possibly because of a lack of Myanmar expertise and unwittingly buying into dominant Western narratives portraying the country’s conflict as being primarily about the military and the democratic opposition (confidential interview, Jakarta, June 2024; also see Brenner 2024). Significantly, the approach to 5PC implementation then adopted by Jakarta was different than Cambodia’s. First, foreign minister Retno Marsudi established an Office of Special Envoy within KEMLU. She relied heavily on the diplomatic skills of Ambassador Ngurah Swajaya to make headway in discussions with the various Myanmar conflict parties and stakeholders, including Myanmar’s National Unity Government (NUG), both abroad and in Indonesia. By the end of 2023, Jakarta had reportedly organised more than 180 online and in-person meetings. While informally also engaging Myanmar’s then new foreign minister U Than Swe, who is associated with US-Myanmar rapprochement from 2009 and unlike his predecessor Wunna Maung Lwin not a part of SAC, Retno eschewed formal contact with the regime. She did not visit Myanmar once during Indonesia’s 2023 chairmanship, in part to avoid prematurely legitimating the junta. In the event, Indonesia could only achieve limited progress on the issue of humanitarian assistance, primarily in terms of the AHA Centre completing a Joint Needs Assessment and partial deliveries of said assistance. No breakthrough was attained however in relation to reducing the ever-growing violence and fighting or starting an inclusive dialogue. To maintain a role beyond its chairmanship, Indonesia ultimately pushed for a Troika mechanism involving present, past and future chairs of ASEAN.

Lao PDR’s approach to implementing the 5PC more closely resembled Cambodia’s rather than Indonesia’s playbook. Having appointed as special envoy a senior official, Alounkeo Kittikhoun, Vientiane opted for early and direct engagement of Myanmar’s coup regime. The regime responded in time for the ASEAN foreign ministers’ retreat by reconsidering its prior refusal to send a senior MFA official to participate as a nonpolitical representative at foreign ministers’ and summit meetings. Meanwhile, Vientiane signalled that unlike other members it did not aim to restore democracy in Myanmar through the 5PC, committing only to a focus on peace and stability (ASEAN 2024a). Laos’s special envoy, together with ASEAN Secretary-General Kao Kim Hourn, jointly met with Min Aung Hlaing in Naypyidaw in May 2024, seemingly to discuss Myanmar cooperation in ASEAN and conditions of Myanmar participation in ASEAN meetings, as well as elections planned by SAC. Vientiane remained more tight-lipped than Jakarta about its facilitation efforts, raising questions about which stakeholders the Lao special envoy engaged. Its chairmanship ended with Bangkok hosting a foreign ministers’ meeting involving Myanmar’s neighbours and Myanmar foreign minister Than Swe, while Vientiane chaired an informal extended ASEAN Troika meeting, also in Bangkok, albeit without political representatives from Myanmar present.

Building on Prime Minister Anwar’s 2023 suggestion that Myanmar should potentially be ‘carved out’ of ASEAN to avoid damaging the grouping, the current ASEAN Chair, Malaysia, has sought to inject new momentum into the process, also with a view to addressing the unresolved Rohingya issue. In this context, Foreign Minister Mohamad Hasan led the grouping’s foreign ministers at their retreat in January 2025 to clarify that for ASEAN the priority was not holding elections but mitigating the violence, a prompt that induced SAC to extend Myanmar’s national emergency and to temporarily put off elections.³ With former Thai prime minister Thaksin Shinawatra initially serving as ‘personal adviser’ to Anwar, which created some questions as to Malaysia’s strategy (Jatusripitak 2025), there appeared to be an interest in greater flexibility for Malaysia to engage the military regime than seemed politically acceptable during Indonesia’s chairmanship. Following the devastating earthquake that hit Myanmar’s central regions in March 2025, Anwar met with Min Aung Hlaing in Bangkok. While Anwar was at pains to clarify that this meeting did not confer recognition to the regime, the meeting apparently contributed to a succession of temporary ceasefires being announced by the military regime. Meanwhile, in another important, probably linked but unreported, development, Malaysian special envoy Othman Hashim was allegedly able to visit Aung San Suu Kyi, whose release from detention for some ASEAN governments remains ‘vital for national reconciliation’ (quoted in Dancel 2024). Moves to agree on an ASEAN special envoy on Myanmar as opposed to an envoy of the ASEAN Chair have also been afoot.

That said, after more than 3 years of diplomatic efforts by successive ASEAN Chairs, the Association was by early 2025 no closer to bringing about an immediate end to the violence and getting ‘all parties’ to exercise ‘utmost restraint’ than it was in April 2021. If anything, violence levels increased during the time of 5PC implementation. Indeed, the speed and scope of the slide into the postcoup civil war since 2021 has been spectacular (see Loong 2023; Vrieze 2023; Martin 2022), leading to growing concerns that Myanmar has become a failed state and a threat to its neighbours (Kurlantzick 2021; Ye Myo Hein and Myers 2022). Studies examining casualty levels following the 2021 coup indicate that more than 6300 civilians died even by September 2022. Of these, more than 3000 deaths are attributed to the military regime, while more than 2150 killings are pinned on anti-regime forces targeting presumed regime collaborators (Oo Min Zaw and Tønnesson. 2023), with other perpetrators unspecified. Building on figures from the Association for Political Prisoners, the UN’s OHCHR (Office of the High Commissioner for Human Rights) reported just under 6100 civilian deaths at the hands of the regime by the end of 2024 (OHCHR Myanmar Team 2025). Civilian deaths have continued to rise not only because of indiscriminate artillery attacks by the coup regime and increased air strikes, but also the effects of initially unexploded ordnance. Battlefield deaths seem to have spiralled too, with one NGO (Armed Conflict Location & Event Data, ACLED) reportedly estimating the overall death toll to be around 50,000 in 2024 (Reliefweb 2024). While even before the coup Myanmar had experienced decades-long resistance by EAOs against the Burmese military, which has a track record of harsh counter-insurgency measures, the last few years have seen a massive upsurge in fighting at quite significant cost also to the Burmese military. Mirroring developments elsewhere, the

PDFs have resisted and fought the Burmese military across many areas, resorting in part to drone warfare (Radio Free Asia 2023), which the Burmese military subsequently more than matched however. Inevitably, the temporary ceasefires declared following the March 2025 earthquake have proved brittle.

As regards the goal of a ‘constructive dialogue among all parties’, none of the ASEAN Chairs have since 2021 been able to bring Myanmar’s major conflict parties and stakeholders into a single room. Only in relation to ASEAN’s humanitarian goals has limited progress been achieved. Initially the coup regime stalled on providing access, leading to calls for AHA to have a presence in Myanmar and for ASEAN to suspend participation of the regime representative on the AHA board of governors (Kamal 2021; Kamal 2022). Notwithstanding demands that humanitarian assistance should be delivered only via anti-regime and pro-democracy forces, ASEAN’s framework for humanitarian assistance - designed for disasters rather than war situations- has proved resilient though. Eventually, a role for AHA was negotiated, with limited access agreed in a phased approach. In early 2024, the AHA Centre was able to engage some displaced and vulnerable people in select townships in Southern Shan State. Later, ASEAN also welcomed a Thai-Myanmar initiative to increase humanitarian assistance along the shared border through their respective Red Cross Societies as a potential contribution to the grouping’s collective efforts.

1.3 | Implementation Challenges

Arguments why the 5PC has not proved effective emphasise two reasons in particular: Min Aung Hlaing’s recalcitrance, and ASEAN’s principles and institutional limitations. In relation to Min Aung Hlaing, there are two quite similar arguments actually: one says Myanmar’s military regime has failed to honour its commitment to implement the 5PC; the other that the regime was never going to honour the 5PC as originally decided (Marciel 2022). There is much that supports these arguments. It was Min Aung Hlaing who suggested immediately after the April 2021 informal leaders’ meeting that pursuing the 5PC should be dependent on first restoring stability. Also, it was the SAC chairman who consistently refused to allow successive special envoys to meet with all players in-country. He also placed weighty conditions on entering negotiations about the country’s future with groups his regime decries as ‘terrorist’. And most importantly, the Burmese military has routinely resorted to seemingly indiscriminate airpower. Additionally, the senior general’s decisions have repeatedly showcased how little ASEAN means to him as he responds to anti-regime opposition and military forces. During Cambodia’s chairmanship in 2022, Myanmar’s military regime executed four pro-democracy activists despite Hun Sen having appealed in a personal letter to Min Aung Hlaing not to proceed. Burmese forces also had no compunction about prosecuting air strikes near or during ASEAN foreign ministers meeting. In April 2023, the regime’s air force even attacked an ASEAN aid convoy. For those who have studied the Burmese military, its actions, abuses and atrocities are hardly surprising. Certainly not in the context of a civil war. As Ye Myo Hein (2023) put it: the military constitutes ‘a paranoid clique of battle-hardened ultranationalists radicalised and traumatised by decades of

warfare’ that will not ‘engage in a political dialogue process in good faith’.

Some contextualisation of these points is warranted, however. In contrast to a previous era in which Aung San Suu Kyi and the NLD remained committed to the non-use of force in their struggle for democracy, the anti-SAC resistance has been resorting to violence and military engagements since 2021. These engagements have often resulted in considerable casualties. Reports of PDFs becoming increasingly sophisticated in conducting drone warfare against the Burmese military also suggest an offensive character of many of their tactical operations. Moreover, it is obvious that given the substantial defeats suffered by the coup regime at the hands of multiple ethnic armed groups in 2023 and 2024, anti-junta forces have tended to reinforce their military efforts with a view to bringing about the latter’s strategic collapse. ASEAN has acknowledged this aspect of the fighting, which has led to calls for restraint on all sides.

ASEAN has had to recognise that if Myanmar’s military junta has had little interest in seriously considering an inclusive national dialogue and putting an end to military operations, the NUG and wider anti-junta resistance forces too are similarly predisposed. Their political goal is, after all, taking the military out of Myanmar’s national politics. Indeed, from the NUG’s perspective, the military is completely illegitimate and its 2008 Constitution dead - as made clear in the articulation of its six political objectives to guide the establishment of a Federal Democratic Union (National Unity Government 2025). Meanwhile, Myanmar’s wider civil society seems to strongly favour re-building democracy from the ground up. For at least some of its representatives, ASEAN’s diplomatic efforts for an inclusive dialogue to take Myanmar out of its current impasse are viewed as hindering building Myanmar democracy from below (Justice for Myanmar 2024). Meanwhile, ethnonational groups remain divided, while lacking trust both in the Burmese military and the resistance. Some have assumed control over much of the territory they want to hold in their respective quests for greater autonomy or possible independence. Navigating these developments and multiple dynamics has been recognised as a central challenge by all recent ASEAN chairs.

1.3.1 | Could ASEAN Have Done More?

Although ASEAN has taken on an unprecedented role in facilitating a dialogue among Myanmar’s many conflict parties to achieve a ‘Myanmar-owned’ and ‘Myanmar-led’ political solution to the crisis, critics argue that ASEAN should have done more. For instance, ASEAN is denounced for not publicly identifying the Burmese military as the root cause of Myanmar’s multi-dimensional crisis, for not recognising the NUG and not inviting its representatives to ASEAN meetings, for not actively supporting the democratic resistance, and for not doing enough in its international diplomacy to prevent the junta from being militarily re-supplied. In addition, ASEAN is said to not be tough enough on Myanmar’s ruling generals for not abiding by the 5PC, a critique also encapsulated in the occasional charge that the grouping lacks a proper ‘enforcement mechanism’.

While understandable, these criticisms rarely acknowledge how far ASEAN has already travelled in terms of widening the

consensus on what constitutes legitimate involvement in Myanmar's politics and what not. As noted, as far as decisions go, ASEAN members have taken decisions that are unprecedented. The decision to exclude Min Aung Hlaing and his foreign minister from ASEAN meetings is the key example. And importantly, noninterference has not been a barrier to ASEAN's self-appointed task to facilitate mediation among the Myanmar conflict parties with a view to promoting an inclusive dialogue. Given arguments about a divide between maritime and mainland Southeast Asian states, it is also important to highlight that even the maritime states of ASEAN with their greater democratic credentials have been clear about distinguishing between ASEAN's legitimate involvement and illegitimate interference. For instance, then Singapore's foreign minister Vivian Balakrishnan in February 2021 saw for ASEAN but a 'discrete constructive role in facilitating a return to normalcy and stability in Myanmar' (Singapore Ministry of Foreign Affairs 2021a). Subsequently, he distinguished between creating 'conducive platforms' and interference. This distinction still applies from an ASEAN perspective, irrespective of how the grouping's consensus on and practice of noninterference and impartiality is viewed elsewhere. Connelly and Loong (2024) attribute this to a range of security and strategic concerns relating to Myanmar. Some demands from anti-regime forces in Myanmar are thus still simply non-starters. That said, certain adjustments by ASEAN to 5PC implementation have been discussed but not agreed, or rhetorically agreed but not implemented, as part of the continuing intramural debate about ASEAN's legitimate involvement and its practical pursuit.

The annual releases since 2022 on the ASEAN leaders' review and decisions on 5PC implementation (ASEAN 2022c; ASEAN 2023c; ASEAN 2024b) tell a story about the proposals agreed, including some designed to add pressure on Myanmar's conflict parties, but not all have translated into respective decisions. In 2022, for instance, the review and decision document highlighted consensus on an implementation plan that would outline 'concrete, practical and measurable indicators with specific timeline' to support the 5PC. In the event, foreign ministers were tasked to develop this plan - but failed to deliver. Also, not least to maintain pressure on SAC, the ASEAN leaders tasked the ASEAN Coordinating Council to 'further review Myanmar's representation at ASEAN meetings' if required by the situation, the implication of which was that it was left open whether the Association would still seek to impose nonpolitical representation beyond Summits and foreign ministers' meetings as some members wanted. But there has been no consensus on that question to date. Also, ambiguity has remained as concerns the key goals of the 5PC. While the review part of the document since 2023 explicitly mentions the objectives of restoring peace, stability and democracy, this enumeration is not carried over into the decision part where the focus most recently was on achieving a 'durable peaceful resolution' to Myanmar's crisis (ASEAN 2024b).

The greatest efforts undertaken by ASEAN have concentrated on engagement. ASEAN leaders decided already in 2022 that engagement of all stakeholders 'would be done in a flexible and informal manner, primarily undertaken by the Special Envoy of the ASEAN Chair on Myanmar due to the neutrality inherent' in their mandate (ASEAN 2022c). Since, inclusive engagement has been significant, with some ASEAN chairs heavily invested

diplomatically in reaching out to Myanmar's many stakeholders. Indonesia's intensive efforts in 2023 probably surpassed those undertaken within a single year by any other special envoy on Myanmar, including those appointed by the UN. That said, ASEAN members have appreciated that the yearly rotation of the ASEAN special envoy in line with changing chairmanships has represented a challenge in engaging with stakeholders and associated trust-building (Tene 2024). Consequently, intensive discussions have taken place about whether to move from the rotational appointments of special envoys of the respective ASEAN chair to an ASEAN special envoy for Myanmar.

There is no evidence that taking steps beyond reconfirming repeatedly the absence of consensus on re-admitting Min Aung Hlaing and Myanmar's foreign minister to summits and foreign ministers' meetings would have yielded likely political effect other than potentially undermining ASEAN community building or even strengthening Moscow's or Beijing's position in Myanmar. I return here to the situation on the ground in Myanmar. In the more immediate postcoup period, the military regime was quite confident of its ability to suppress the civil disobedience movement and subsequent armed resistance and to move the country along a political trajectory of its own choosing. Min Aung Hlaing thus posited a roadmap for military power consolidation bearing resemblance to the playbook available to the Than Shwe-led State Peace and Development Council in power until 2011. During this period, the prospects of Min Aung Hlaing stopping the violence, making concessions to his political antagonists, or meeting ASEAN's expectations were arguably always extremely limited. With the shifting balance of military power, SAC did finally in September 2024 call on 'the ethnic armed groups, terrorists and PD terrorists' to 'join the party politics and election route' (Strangio 2024). However, their confidence boosted by military gains, there has been less and less reason for anti-regime forces to accede to the junta's likely insincere gestures if doing so would only re-legitimise the coup regime and the military.

To further contextualise, ASEAN has taken on a challenge that other international or regional organisations would also struggle with. As is well known, there is a long history of the UN Secretary General's good offices process in relation to Myanmar. Notwithstanding some intermittent successes before 2003, the latter for years essentially played no significant role when the SPDC subsequently concentrated its mind on limited political transition. Recent UN special envoys have found success similarly elusive. Western powers did not fare any better. And there is also no discernible evidence that current European or American sanctions have had any consequential impact on the coup regime's decisions regarding the 5PC. The important 2022 UNSC resolution also does not fundamentally change the international record, and there has been no further UNSC resolution since. Given these realities, there are good reasons to think that ASEAN took a significant risk in adopting the 5PC. The intra-ASEAN contestation that has arisen over Myanmar is testimony to that.

1.4 | Contestation From October 2021

Existing accounts of the 5PC implementation already highlight contestation among members. As noted, some authors see the

main contestation between two competing principles: non-interference and ASEAN centrality, while others note how intramural contestation takes place along the lines of regime type. Above I have argued that the consensus about what represents legitimate involvement and what are the areas still protected from ASEAN involvement by noninterference has shifted further. Here I argue that significant contestation has occurred in relation to the principle of consensus given intramural tension over the pursuit of international legitimation while maintaining ASEAN unity. This contestation arose with the decision taken by ASEAN foreign ministers in October 2021 whereby ASEAN would allow only nonpolitical representation from Myanmar at the 38th and 39th ASEAN Summit meetings, which has since been reaffirmed on multiple occasions. This decision, clearly made with ASEAN's regional domestic and international audiences in mind, was supposedly made by consensus- but was it?

Myanmar's Ministry of Foreign Affairs strongly protested the outcome of the Emergency ASEAN Ministerial Meeting (Global New Light of Myanmar [GNLM] 2021, p.1 and 3). For Naypyidaw, the outcome, first and foremost, violated ASEAN Charter provisions in relation to the principle of consensus. Significantly, it was argued there was no consensus reached either to invite or not to invite, whereas Brunei had only recorded that there was no consensus to invite the SAC Chairman. A second argument was that unresolved disputes among members were meant to be escalated to the ASEAN Summit, which had not happened. Third, the regime suggested that technically it was up to the ASEAN Coordinating Council to decide on invitations to ASEAN Summits, which had met before October 15th without raising the issue of representation. And fourth, since the issue of participation was linked to Myanmar's domestic situation, the outcome was even said to be in contravention with ASEAN's noninterference principle, which was the least persuasive argument given ASEAN's evolving practice of that principle. In the event, these four arguments by Myanmar were all rejected. The Chairman's Statement of the 38th and 39th ASEAN Summits reaffirmed both the need to strike an appropriate balance to the application of ASEAN principles on the situation in Myanmar' as well as the decision of 15 October to exclude Min Aung Hlaing from the October summit meetings (ASEAN 2021c). Whether ASEAN members, such as Cambodia and Thailand, that ostensibly had raised concerns at the earlier emergency meeting of foreign ministers had fully come round by then seems doubtful. From the perspective of ASEAN legitimation, however, the strong-fisted decision to exclude SAC and its reaffirmation in the new ASEAN-9 context paid off. US National Security Advisor Jake Sullivan expressed support for ASEAN's efforts under the 5PC. Importantly, Washington and other Western capitals have pragmatically continued to back ASEAN as the consensus of both April and October 2021 continues to stand.

That said, even before the ASEAN Chairmanship in 2022 passed from Brunei Darussalam to Cambodia, Hun Sen wanted a more accommodating approach towards Myanmar's military regime. As Cambodia's special envoy argued (Kingdom of Cambodia, Ministry of Foreign Affairs & International Cooperation MFAIC 2022a), '... our ASEAN Charter has set no legal basis at

all to deny participation of Myanmar in its meetings. There is no mechanism to refuse the credential.' In this spirit, Hun Sen visited Myanmar in early January 2022, the first such visit by an ASEAN head of state since the 2021 coup. Also, Cambodia planned to invite the Myanmar's foreign minister to the February 2022 foreign ministers' retreat. This was resisted by several ASEAN members, who argued that due to the absence of significant progress in implementing the 5PC there should be no change to ASEAN's collective approach on the question of nonpolitical representation (The Irrawaddy 2022).

As far as ASEAN's application of the principle of consensus itself was concerned, the ASEAN-9 leaders later clarified in their 2022 5PC review and decision document that the ASEAN Summit was the supreme decision-making body that would make the final decisions on the implementation of the 5PC, 'including when consensus cannot be achieved, in line with the ASEAN Charter' (ASEAN 2022c). For countries such as Indonesia, it was essential that this language was integrated into a consensually agreed summit outcome document rather than the Chair's Statement (confidential interview, Jakarta June 2024). Its incorporation seemed designed to address both lingering questions about whether ASEAN'S previous decision was in line with the consensus principle and the related intra-ASEAN controversy over SAC's exclusion.

Notably, there was an apparent quid-pro-quo in the said 2022 document, as paragraph 14 states that ASEAN 'shall consider exploring other approaches that could support the implementation of the Five-Point Consensus' (ASEAN 2022c). Promoted by Bangkok, the purpose of its inclusion soon became clear as, in late December 2022, foreign minister Don Pramudwinai hosted counterparts from Cambodia, Laos, and Myanmar, as well as Vietnam's deputy foreign minister, for an informal consultation on Myanmar. Significantly, Thailand thus established a pathway for parallel diplomacy, which was pursued into Indonesia's 2023 chairmanship, much to Jakarta's consternation. Thailand's direct engagement of Myanmar's coup regime was reportedly prompted by multiple security and economic concerns, including border instability, refugees, and the economic fallout of possible sanctions against Myanmar Oil and Gas Enterprise (Robinson 2023a; however, also see Pongsudhirak 2023).

As the 2023 ASEAN chair, Indonesia insisted that ASEAN's position on excluding SAC representatives from ASEAN leaders' and the foreign ministers' meetings should be retained. The ASEAN Foreign Ministers' Retreat organised in February thus again took place in the absence of SAC political representation. With no significant breakthroughs to report, however, Thailand suggested SAC's political representatives should re-join summit and foreign ministers' meetings, given that 'the time for isolation has served its purpose' (France 24 2023). This viewpoint did not win broader acceptance though; and ASEAN leaders at their 42nd summit in Labuan Bajo thus reiterated the review and decisions on the 5PC implementation as agreed the previous November (ASEAN 2023a). Continuing to challenge the existing consensus regardless, Don Pramudwinai invited ASEAN counterparts to an informal foreign ministers' meeting in Pattaya, the ostensible purpose being to 'fully re-engage' with Myanmar's coup regime. Although only serving in a caretaker government after the 14 May 2023 election, Don sought to

justify this proposed political re-engagement based on the absence of an 'explicit dissenting voice' (quoted in Petty 2023). However, only the foreign ministers from Thailand, Myanmar and Laos attended this meeting, while other ASEAN countries seemingly sent senior or junior officials and yet others preferred to give it a miss: Indonesia, Malaysia and Singapore. Retno Marsudi squarely denounced it, pointing out that there was no ASEAN consensus to 're-engage or develop new approaches to the Myanmar issue'(quoted in Reuters 2023; also see Tanamal 2023). Indeed, Singapore's Foreign Minister Vivian Balakrishnan suggested it was premature to re-engage with the junta at the Summit or foreign minister level. Veteran Singaporean diplomat Tommy Koh went further arguing that '... the reputation of ASEAN would be damaged if it were to do a U-turn and recognise the junta, without obtaining any concessions by it.' (Koh 2023).

Finding ASEAN's reversal of its October 2021 decision too difficult to achieve, Thailand sought to make a further point. Following the retreat session at the July 2023 annual foreign ministers' meeting, Don unexpectedly announced at an individually organised press briefing that he had met with Aung San Suu Kyi just days earlier. As the military regime had consistently refused access to the NLD leader to the respective ASEAN Chair's special envoy since 2021, this was likely meant to be understood as a major development brokered by Thailand that would justify engaging with SAC. However, others have preferred to interpret the move not as a change of position by the coup regime but as part of its attempt to drive a wedge between the detained NLD leadership and the NUG (Robinson 2023b; The Irrawaddy 2023). In the event, Don received a mixed reaction from ASEAN colleagues for his apparent endeavours given the lack of prior consultation and coordination, with the AMM Joint Communiqué describing Bangkok's activities as a 'positive development' (ASEAN 2023b). The latter also clarified however that complementary diplomatic efforts needed to be coordinated with the Chair in support of 5PC implementation, a position subsequently reaffirmed in the leaders' further review and decision on 5PC implementation in September (ASEAN 2023c). As before, the decision to allow only for nonpolitical representation at leaders and foreign minister level events was then also again upheld.

Vientiane was much more relaxed than Jakarta about the continued efforts by Thailand's government to engage in parallel direct diplomacy involving the Myanmar coup regime. Notably, while the contestation about ASEAN engaging with SAC has remained unresolved, Myanmar-related diplomacy has increased further in terms of meetings held. At the 57th AMM, informal consultations began among the then ASEAN troika countries: Indonesia, Laos, and Malaysia. The troika format has not only been continued since but extended to include other ASEAN states, albeit not Myanmar's SAC. Individual members other than Thailand have also organised separate dialogues. For instance, just before Marsudi's departure as foreign minister, a meeting that involved representation from the NUG and several non-ASEAN parties was organised in Jakarta (Alexandra 2024). That said, by then even in Jakarta questions had surfaced about the utility of continuing to exclude Myanmar's military leadership from the unfolding discussions (The Jakarta Post, 28 August 2024). In view of these developments, ASEAN-9 leaders somewhat ambiguously resolved (ASEAN 2024b) that 'any

effort by ASEAN Member States in coordination with the ASEAN Chair, to address the crisis in Myanmar, shall remain in line with the 5PC.' Significantly, ASEAN leaders in 2024 still upheld their earlier decision regarding Myanmar's nonpolitical representation at summits and foreign ministers' meetings (ASEAN 2024b), arguing that a review of that decision was still dependent on 'concrete progress' in 5PC implementation. What such progress would involve is not quite clear. Singapore, for instance, has in the past pointed to both a stop to the violence and releasing political detainees, especially with respect to deposed President Win Myint and State Counsellor Aung San Suu Kyi (Singapore Ministry of Foreign Affairs 2023). One should not be surprised however if the ongoing controversy surrounding the October 2021 consensus is ultimately overcome pragmatically, in line with perceived progress with 5PC implementation. After all, while emphasising the humanitarian context of his April 2025 meeting, Malaysia's prime minister did already stretch out a hand to Min Aung Hlaing.

2 | Conclusion

Against the backdrop of works on the 'ASEAN way' and associated principles and practices, this article has provided a reassessment of ASEAN's Five Point Consensus. The article has offered four key arguments with regard to the 5PC. First, ASEAN primarily adopted the 5PC because of the escalating violence which resulted from the February 2021 coup. This puts the significance ASEAN accords to democratic principles in perspective. That said, the October 2021 decision to deny SAC participation in top ASEAN meetings, which was prompted by a second perceived credibility crisis arising from the regime's conduct in relation to 5PC implementation, has underlined the reluctance by some members to be seen to endorse SAC's recognition. Both decisions constituted major legitimisation moves.

The article also argued that the 5PC and its implementation stand in a long line of decisions and developments that testify to an evolving practice of ASEAN's noninterference principle. In other words, the 5PC has again moved the boundary between legitimate involvement and what still counts as unacceptable interference. This consensus has involved ASEAN taking an unprecedented step: namely, to address through the ASEAN Chairs intra-state conflict in a member state, albeit without formally taking sides. This deserves fuller appreciation given ASEAN's previous history.

The article has also addressed arguments whereby the limited success in achieving the goals associated with the 5PC is attributed primarily to Min Aung Hlaing's uncooperative attitude and ASEAN's limitations. While neither are to be denied, it is obvious that ASEAN has also found those fighting the military regime to be challenging interlocutors, not least given their political aims and critical perspectives on the 5PC. While no new consensus has emerged to further redraw the boundary between legitimate involvement and interference by offering explicit recognition or support to the anti-regime resistance, successive ASEAN Chairs have undertaken substantial efforts to address Myanmar's crisis within the parameters of the 5PC, with its focus on facilitation and comprehensive informal engagement. On that basis, ASEAN has done at least as well as other international actors.

At the same time, 5PC implementation has not been free from major intra-ASEAN controversy. There is clearly tension between, on the one hand, the legitimisation moves favoured mostly by those most concerned about the challenges to ASEAN's credibility and international legitimacy flowing from Myanmar's domestic developments, and, on the other hand, the idea of ASEAN unity, the importance of which is accepted by all in principle. That said, what has therefore been most at stake in this intramural contestation concerns the principle of consensus itself. Clearly, the contrived October 2021 consensus and SAC's subsequent exclusion at the political level left some members hugely uncomfortable, leading to repeated attempts to revisit the controversial consensus in place.

Looking ahead, the future of the 5PC seems uncertain at the time of writing even as it is the main international process focused on dealing with postcoup Myanmar's political-security developments that is also endorsed internationally. Various ideas to move it forward or to go beyond it have been articulated (e.g. Adhikari 2023; Barber 2023; CSIS Indonesia 2022). However, there remains significant support specifically for ASEAN involvement in Myanmar's future political process from outside the region and certainly from within (e.g. Ong et al. 2024). Of course, the fact remains that both the Burmese military and the resistance find the 5PC and its goal of an inclusive national process hugely problematic - as their preconditions make clear. Indeed, the prevailing view among a considerable section of civil society representatives is that ASEAN should not push the resistance to enter a dialogue with the Burmese military and the military regime. For EAOs, the question is arguably why such a dialogue should be pursued if their ability to expand and consolidate military control over land and populations in borderland areas already represents a step toward actual greater autonomy.

This leaves the Association with a considerable challenge. Indeed, having already also barred Naypyidaw from assuming the ASEAN chairmanship in 2026, ASEAN is running out of road as far as its engagement is concerned. Looking at the March 2025 earthquake as a possible opportunity to limit the fighting, ASEAN officials may perhaps now draw inspiration from the political dynamics unfettered in the wake of Cyclone Nargis. This may also see Malaysia push more for a longer-term ceasefire, for instance.

Meanwhile, pragmatism is likely to see Western governments as well as Myanmar's neighbours, including China, continue to back the 5PC. In some ways, China has of course been more influential on the ground in Myanmar than ASEAN. It green-lighted the Three Brotherhood Alliance's 1027 offensives in 2023 given frustrations over the junta's indifference to the scamming operations in northern Myanmar and indirectly brought about major military defeats for the Burmese military in Shan State. But China also continues to rely on the military regime to protect its strategic investments and projects in Myanmar (Tower 2024), leading Beijing to back the military regime. In early 2025, China ostensibly helped broker a previously elusive ceasefire between Kokang forces and the Burmese military, seemingly involving the former's withdrawal from the strategic town of Lashio. Such influence notwithstanding, it is difficult to see China trying to take the lead from ASEAN to effectively promote a national dialogue for peace among Myanmar's multiple conflict parties.

Regarding the wider implications of ASEAN's unprecedented diplomacy to address the political-security and humanitarian crisis in Myanmar, there must be questions about whether the 5PC would serve as a stepping stone for how ASEAN in future might proceed to deal with domestic crises in other member states, especially in cases of violence linked to coups and/or intrastate armed conflicts that have regional repercussions. One should not underestimate how far ASEAN has come. However, we may also find that given the specific circumstances and legitimisation pressures, which have long existed in relation to Myanmar, the 5PC may not easily serve as a precedent. Also, it seems premature to forecast the end of either the non-interference or consensus principle; the grouping continues to invoke and practise these principles even in an ASEAN-9 context. This is important to remember in debates about ASEAN governance, cohesion, and contestation.

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Conflicts of Interest

The authors declare no conflicts of interest.

Endnotes

¹By comparison, there had been some -quite limited- movement in ASEAN's collective approach to inter-state border disputes among members. For years, the default position in practice was that bilateral disputes are best left for the countries concerned to deal with bilaterally, notwithstanding the possibility in principle of taking such disputes to ASEAN as per the Treaty of Amity and Cooperation (Leifer 1999). However, during its 2011 ASEAN Chairmanship, Indonesia successfully moved the grouping beyond its longstanding aversion to ASEAN-led conflict management (Natalegawa 2018).

²On the factors that help explain differences between ASEAN and other regional organisations in relation to conflict management, see Diehl 2007; Williams and Haacke 2011.

³Min Aung Hlaing announced elections for late 2025 in March 2025.

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