

UNIVERSITY OF GOTHENBURG
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**‘Exploring the Nexus between Framing and Conflict
Resolution’:**

The Rohingya Conflict and the Limitations of the ‘ASEAN Way’

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Abstract

The central aim of this study is to explore ASEAN's approach to the resolution of the Rohingya conflict between 2017-2020. The approach of the Association to the resolution of the conflict is investigated through a thorough analysis of the body's "frame package" – a cluster of implicit and explicit frames applied by the Association to convey its perception on the conflict and the paths to its resolution. According to the assumptions of the scholarship on conflict resolution, the way actors involved in a given conflict frame and perceive the conflicting issues allows one to identify their approach to conflict resolution. Thus, in essence, the current study attempts to identify the nexus between ASEAN's conflict framing and its approach to the resolution of the Rohingya conflict. In order to do so, the project distinguishes the frames applied by the Association from the frames employed by the international humanitarian community [IHC]. An Interpretative Content Analysis is conducted on a number of purposively-selected documents issued by various agencies and representatives of IHC and ASEAN. The main findings of the research support the thesis' central assumption that the approach of ASEAN to the resolution of the conflict is limited due to the constraining/regulating effects of the "ASEAN Way" of decision-making, i.e., the body's corporate culture and the main norms embedded in it, such as the norm of non-interference in domestic affairs of states and the resulted tradition of refraining from publicly criticising the actions of the Member States.

Key words: ASEAN, Conflict Resolution, Document Analysis, Framing, Rohingya Conflict

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Acronyms

AA	– Arakan Army
AHA Centre	– ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management
AICHR	– ASEAN Intergovernmental Commission on Human Rights
APSC	– ASEAN Political – Security Community
ARSA	– Arakan Rohingya Salvation Army
ASEAN	– Association of Southeast Asian Nations
ASEAN-ERAT	– ASEAN Emergency Rapid Assessment Team
C4ADS	– Centre for Advanced Defense Studies
CFR	– Council on Foreign Relations
EU	– European Union
FMM	– Fact-Finding Mission
GoM	– Government of Myanmar
HADR	– Humanitarian Assistance and Disaster Relief
HRs	– Human Rights
HRW	– Human Rights Watch
ICA	– Interpretative Content Analysis
ICG	– International Crisis Group
ICJ	– International Court of Justice
IHC	– International Humanitarian Community
IHL	– International Humanitarian Law
IOM	– International Organisation for Migration
MaBaTha	– Association for the Protection of Race and Religion in Myanmar
MSF	– Myanmar Security Forces
OHCHR	– Office of the United Nations High Commissioner for Human Rights
PNA	– Preliminary Needs Assessment
ROs	– Regional Organisations
UN	– United Nations
UNHCR	– United Nations High Commissioner for Refugees
UNHRC	– United Nations Human Rights Council
UNIC	– United Nations Information Centre
UNOCHA	– United Nations Office for the Coordination of Humanitarian Affairs
UNSG	– United Nations Secretary General
US HMM	– United States Holocaust Memorial Museum
U.S.	– United States of America
SA	– Southeast Asia
SIDA	– Swedish International Development Cooperation Agency
TAC	– Treaty on Amity and Cooperation in Southeast Asia

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Figure 1. A map of Myanmar (Source: Nations Online Project based on UN map No. 4168)

Chapter 1

1.1 Introduction

Recent developments in Myanmar's northern Rakhine have been described as the “darkest chapter in Myanmar's history” (Human Rights Watch 2018). On August 25, 2017, an ethnic rebel group founded with a purpose to fight against the protracted systematic discrimination of the Rohingya Muslims in Myanmar, the Arakan Rohingya Salvation Army [ARSA], carried an attack on around 30 police outposts, killing 12 state officials. What followed after was a launch of a series of “clearance operations” by Myanmar security forces [MSF], a term used to define multiagency attempts to eliminate Rohingya militants (US HMM 2017). Since the operations, more than 745,000 Rohingyas have fled to refugee camps in neighbouring Bangladesh (Refugee Council 2020).

As a response to these developments, on September 18, 2017, the Independent Fact-Finding Mission on Myanmar [FFM], upon the request of the United Nations Human Rights Council [UN HRC], issued a 440-page report documenting horrific accounts of atrocities committed by MSF against the stateless, Muslim Rohingya community¹ in northern Rakhine and other ethnic communities in Shan and Kachin States. The release of the report was accompanied by a statement of the Mission's chair, Marzuki Darusman, who referred to the violence committed by MSF as “crimes of the highest order under international law” including “murder, enslavement, rape, sexual slavery, torture, forcible transfer of a population and enforced disappearance” (Choudhury 2018). The crimes related to Rakhine state amounted to “extermination and deportation” and constituted a “genocidal intent” under the international humanitarian law [IHL] (A/HRC/39/64, par. 85-88).

The report and the accounted severe human rights abuses have alarmed large portions of the international humanitarian community [IHC]. On December 5, 2017, the UN HRC opened a special session to discuss the situation of human rights of the Rohingyas in Myanmar, during which a number of actors from various United Nations [UN] formats expressed their concerns

¹ Despite this study recognises the struggles and suffering of other ethnic communities in Rakhine State, such as the Kaman and Mandalay Muslims who have too been affected by the ongoing armed conflict between ethnic armed groups and the armed forces of Myanmar in northern Rakhine, due to the limitations of the study, when referring to the victims of the conflict the project will mainly address the ethnic group which is currently considered by the United Nations as “the most prosecuted community in the world” (UN HCR 2020) – the Rohingya Muslims.

over the Rohingya conflict and the associated humanitarian crisis. For instance, the UN High Commissioner for Human Rights [UN HCHR], Zeid Al-Hussein, framed the actions of the Government of Myanmar [GoM] during its clearance operations as “a textbook example of ethnic cleansing” (Reuters at the UN 2017). The Special Representative of the Secretary-General on sexual violence in conflict, Pramila Patten, framed the systemic sexual violence perpetrated by MSF during the operations as “a tool of dehumanisation and collective punishment” (UN HRC 2017). In her views, to prevent the violence from re-emerging, “underlying conditions, the conditions that put them [the Rohingyas] at risk of torture, persecution, and displacement, must be changed” (ibid.). Apart from the international outcry over the GoM’s actions against the ethnic Rohingyas, the findings of the Mission and the accounts of severe human rights abuses have established a solid ground for the public hearings carried out in December 2019 in a lawsuit filed by Gambia accusing Myanmar of genocide in front of the International Court of Justice [ICJ].

Yet, the report and the documented severe human rights abuses conducted by MSF have not resonated in the discourse of Myanmar’s neighbours, and the region’s most prominent organisation established in 1967 with a purpose of ensuring stability, security, and prosperity in Southeast Asia, the Association of Southeast Asian Nations [ASEAN]. Instead of establishing diplomatic pressure on Myanmar to bring the perpetrators of the crimes to justice and thus pave the way for the comprehensive transformation of the conflict² (APHR 2019; Lau 2018; Tang 2020; The Jakarta Post 2019; The Star 2018), when the conflict escalated in August 2017, ASEAN Chairman issued a short statement in which the Association did not even employ the term “Rohingya”; called the conflict as an “inter-communal issue” rather than genocide; and refrained from mentioning the violence conducted by MSF (see ASEAN Chairman 2017a).

However, given the severity of the humanitarian crisis which erupted following the military crackdowns in August 2017, Myanmar asked its neighbours to assist the state with the provision of humanitarian assistance in the northern Rakhine. Since October 2017, ASEAN Member States have been delivering relief items through the ASEAN Coordinating Centre for

² Such a line of argumentation corresponds to the views and sentiments of the ASEAN population. According to the survey ‘The State of South-east Asia’ conducted by the ISEAS-Yusof Ishak Institute in 2020, the majority of respondents in each ASEAN member state are disappointed with ASEAN’s approach to the Rohingya conflict. Within the disapproving group, 43 per cent of the respondents affirm that the Association should assume a role of a mediator facilitating a dialogue between the government of Myanmar and the Rakhine and Rohingya communities, while the second most popular opinion was that ASEAN should establish a “diplomatic pressure on Myanmar” (Tang 2020).

Humanitarian Assistance on Disaster Management [AHA Centre] tasked with the provision of humanitarian assistance in cases of emergencies resulted *primarily* from natural disasters (AHA Centre 2017). Between January 15-31, 2018, the AHA Centre deployed the ASEAN Emergency Response and Assessment Team [ASEAN-ERAT] to Myanmar aimed at supporting the government efforts with the preparations for the repatriation of the over 745,000 refugees currently residing in over-crowded camps in neighbouring Bangladesh, among other practical measures (AHA Centre 2018, p. 8-22).

The outcome of the ASEAN-ERAT mission was a production of a ‘Preliminary Needs Assessment’ [PNA] report which was leaked to the press in early June 2019 and which was widely criticised by media and human rights advocates for its oversimplification and yet again – not calling the community “Rohingya”, and “white-washing” of the atrocities committed by MSF (HRW 2019; Hirubalan 2019; Thuzar 2018). On top of the water-down report, the crimes against humanity committed by MSF, the real hardship of the communities on the ground and the root causes of the crisis were also not raised into attention during the 34th ASEAN Summit in Bangkok on June 20-23, 2019 (HRW 2019).

This research project chooses to embrace the afore-identified tensions – the evident divergency in the framing of the Rohingya conflict and the paths to its resolution by various agencies, formats and representatives of IHC and ASEAN – as a foundation of the analysis in order to investigate ASEAN’s approach to the resolution of the Rohingya conflict within a delineated time frame, 2017-2020 (the year the major humanitarian crisis erupted up till today). The central question of this research thus becomes the following:

What can explain the approach of ASEAN to the resolution of the Rohingya Conflict³?

In an effort to explore ASEAN’s approach to the resolution of the conflict, the current study will draw on the theoretical underpinnings of two bodies of knowledge, the framing scholarship and the scholarship on conflict resolution. Drawing upon the ideas of the framing scholarship, the approach of the Association to the resolution of the conflict will be explored through a thorough investigation of the body’s “frame package” – a cluster of implicit and explicit frames applied by the Association to convey its perception on the conflict and the paths to its resolution.

³ Due to the close interlink between the ongoing armed conflicts in Rakhine State and the resulted internal and external displacements of, predominantly, ethnic Rohingyas, this study will use the term Rohingya “conflict” and “crisis” interchangeably.

As affirmed by the scholarship on conflict resolution, an analysis of the way actors involved in a given conflict frame and perceive the conflicting issues allows one to identify their approach to conflict resolution and thus provides for an investigation of possible conflict outcomes (Aggestam 1999; Burton 1987; Canetti *et al.*, 2019; Fisher *et al.*, 1991; Ramsbotham *et al.*, 2016). Considering ASEAN's role of a mediator facilitating the repatriation process of the Rohingya refugees, it can be assumed that the way ASEAN frames the crisis and provides solutions to the problem affects the avenues for its comprehensive resolution.

In regards to the method, and as indicated above, this study chooses to contrast two contradictory framings of the crisis as a foundation of the analysis. The framing of the conflict by the Association will be juxtaposed with its framing by IHC, i.e., by various UN offices, agencies and/or representatives involved in the resolution of the conflict and in the provision of humanitarian assistance and disaster relief [HADR] in Rakhine State, such as the UN HRC, the UN Office for Coordination of Humanitarian Assistance [UN OCHA], the UN Secretary-General [UN SG], among others. The juxta-positioning of the conflict frames will be achieved through a conduct of an Interpretative Content Analysis [ICA] on a number of purposely-selected documents/written statements issued by IHC and ASEAN.

Regarding the previous research, a considerable amount of scholarly works have been dedicated to the discussion of ASEAN's role in mitigating conflicts in Southeast Asia (e.g., Acharya 2001; Huang 2008; Huxley 1986; Leifer 1980) and its approach to the resolution of the deep-seated and protracted Rohingya conflict (e.g., Nanthini 2019; Sing & Haziq 2016; Thuzar & Ha 2018; Xiong 2015). However, an insufficient scholarly attention has been devoted to providing a comprehensive and concise analysis of ASEAN's approach to the resolution of the Rohingya crisis through an observation of the body's conflict frames. To the best of my knowledge, such an analysis is scarcely found in the available literature, apart from an array of commentaries and opinion pieces written as a reaction to the leaked 2019 PNA report (e.g., HRW 2019; Leong 2019; Wai Kit 2019). Thus, the findings of the current research make an important contribution to three stands of literature: the research exploring ASEAN's conflict resolution initiatives; the literature discussing ASEAN's role in the resolution of the Rohingya Conflict; and the body of knowledge investigating the possible synergy between ASEAN's mode of framing the conflict and the measures taken to address it.

In terms of the main argument of the thesis, the study contends that the approach of ASEAN to the resolution of the conflict can be explained through an observation of the body's corporate culture commonly defined as the "ASEAN Way" of decision-making, and the norms embedded in the notion, such as the norm of non-interference and the resulted tradition of refraining from publicly criticising the actions of the member governments towards their own people (Acharya 2009, p.72). Accordingly, observing the norms constituting the paradigm allows one to understand ASEAN's limited approach to the resolution of the Rohingya conflict and the body's preference for the respect of national sovereignty of its Member States over the relevance and importance of individual, human security and the core principles of humanitarianism.

Concerning the structure of this project, the study comprises three main chapters. The first chapter presents the introduction, the main aim and research questions and the study's delimitations. This chapter also provides a review of the previous research and situates the current project within the existing literature. The section on previous research is followed by a discussion of the study's contribution to the scholarship on Global Studies and a comprehensive overview of the background of the Rohingya conflict. The second chapter details the main theoretical framework and methods utilised for the exploration of the chosen empirical phenomenon. The third chapter presents the study's core results, interpretation of the findings and conclusion presenting a summary of the study's main arguments and some ideas for future research.

1.2 Aim and Research Questions

The principal aim of this research project is to explore ASEAN's approach to the resolution of the Rohingya conflict between 2017-2020. In order to achieve this aim, the study attempts to find an answer to the following research question: *What can explain the approach of ASEAN to the resolution of the Rohingya Conflict?*

Guided by the theoretical and methodological considerations of this work, the study seeks to investigate ASEAN's approach to the resolution of the crisis through inquiring the following:

- ⇒ *How does ASEAN frame the Rohingya conflict and the possible avenues to its resolution?*
- ⇒ *What determinants affect the Association's framing of the conflict?*
- ⇒ *What implications does ASEAN's framing of the conflict pose on the body's approach to its resolution?*

As indicated in the Introduction, in order to explore the approach of ASEAN to the resolution of the Rohingya conflict, this study chooses to contrast two contradictory framings of the crisis as a foundation of the analysis – the framing of the conflict by the Association and by IHC. Arguably, the way IHC frames the conflict provides a credible reference point since the interests and views the community represents are *transnational* and in line with the IHL regulating the conduct of parties to an armed conflict, applicable concurrently with the international human rights law (UN 2011). In contrast, the interests and views shared by ASEAN are *regional* and in line with the region’s “diverse political, economic and social systems” (ASEAN Secretary-General in Septiari 2020).

At this point, it is necessary to note that this study *does not* employ a comparative approach as a framework for the collection and analysis of the gathered data⁴. The framing of the crisis by IHC plays *a supportive role* in the analysis of ASEAN’s approach to the Rohingya conflict.

The next part of the work is devoted to the discussion of *temporal, geographic* and *subject matter* delimitations of the study allowing for conduct of a thorough and quality analysis of the chosen empirical phenomenon.

1.3 Delimitations of the Study

1.3.1 Time Frame

Cognizant of the wider historical trajectory of the conflict while, at the same time, taking the limitations of this work into consideration, the framing of the Rohingya conflict by ASEAN is confined to the analysis of the events that unfolded since August 25, 2017 – the day of the outbreak of major violence in Rakhine State, widely attributed to the “clearance operations” conducted by MSF which claimed lives of at least 6,700 Rohingyas (Albert & Maizland 2020); whereas the ending point of the analysis is confined to the first half of 2020 in order to take into consideration all the recent developments associated with the conflict and the documents/statements issued during the research process.

1.3.2 Geographic Area

Regarding the geographic area selected as a focal point for the research, this work discusses the framing of the developments occurring in the western region of Myanmar, Rakhine State. The

⁴ For more information on the research design and methods, see the ‘Methodology’ section of this work on p.31.

two main ethnic and religious communities cohabitating in Rakhine State represent the Rakhine Buddhists and the Rohingya Muslims, the former constituting the majority, while the latter the minority inhabiting predominantly the northern part of the State. All communities in the State, irrespective of their religion, suffer from poor socio-economic situation characterised by inadequate social services and livelihood opportunities – in contrast to the situation of the majoritarian ethnic Bamar Buddhists dominating the government of Myanmar (A/68/397, par. 51; A/HRC/39/64, par. 16; Green 2015, p.19). Yet it has been the Muslim Rohingyas that have been rendered stateless and exposed to decades of systematic discrimination and prosecution by the GoM, in contrast to the majoritarian Buddhist Rakhine community.

Unsatisfied with the Bamar domination of the government, many ethnic groups in Myanmar have developed their own insurgent armies aimed at winning political independence over some specific parts of the state. The ongoing struggle of the Rohingya Muslims in Rakhine State represents yet one of a series of “non-international armed conflicts” constituting the complex and multidimensional internal conflict in Myanmar (RULAC 2018).

Considering the specific time-frame and geographic location delineated for the observation of ASEAN’s approach to the Rohingya conflict (2017-2020), this study centres its attention to the armed conflict taking place in northern Rakhine State and fought primarily between, on the one side, the Arakan Rohingya Salvation Army [ARSA] and the Arakan Army [AA] and on the other side, MSF⁵. The escalation of the one-sided violence following August 25, 2017, and the resulted eruption of a severe humanitarian crisis has attracted the attention of both international and regional observers, such as the UN and ASEAN – making the developments in Rakhine State an intriguing ground for a scientific inquiry.

⁵ The study takes into consideration the prominent role played by various actors from the civil society in Myanmar, such as ‘MaBaTha’, the Association for the Protection of Race and Religion, or a “a broad-based social and religious movement constituted of mostly charismatic monks, nuns, [...] dedicated above all else to inciting violence in the name of protecting race and religion, Buddhism, through extreme bigoted and anti-Muslim views” (ICG 2017). However, due to the practical limitations of this work, and the conflicting relationship of MaBaTha with the government of Myanmar, the term “conflict” will refer primarily to the armed conflict fought between the GoM and its military and security forces, the Tatmadaw, and the two largest militant groups with a stronghold in Rakhine State, the ARSA and AA forces.



Figure 2. A political map of ASEAN Member States (Source: Alamy 2020)

1.3.3 Subject Matter

In terms of the principal subject matter of this research, the study chooses to analyse the approach to conflict resolution taken by the region’s most prominent intergovernmental organisation designed by its founders to maintain security, stability, prosperity and peace in Southeast Asia [SA] – ASEAN. Prior to its establishment in 1967, the region of SA had been defined by poor socio-economic cohesion and human rights records of the region’s nation-states, limited economic interconnectedness, intra-regional territorial disputes, ideological contentions and interventions by external powers (Acharya 2001, p.6). In 1990s, as a result of the body’s ability to manage intra-regional disputes by the “virtues of its leadership”, ASEAN was claimed to represent one of the “most successful experiments in regional cooperation in the developing world” (ibid., p.6-7)⁶.

⁶ Currently, ASEAN is composed of ten member states: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. Unlike the European Union [EU], the mechanisms through which the body pursues its intergovernmental cooperation are limited to a number of high-level meetings, such as bi-annual ASEAN Summits and more frequent ASEAN Foreign Ministers Meetings; and ad hoc committees, while its decision-making is based on consultation and consensus. Moreover, in contrast to EU, the decisions taken by the Association are not enforceable in a court, making the Association regarded as a mere “diplomatic forum” rather than a powerful regional decision-making instrument (for more, see ASEAN 2001).

However, in the light of the severe human rights abuses conducted by the armed forces of one of its Member States, Myanmar, against the ethnic Rohingyas during the army's clearance operations, and the absence of statements of condemnation from the side of ASEAN has questioned the body's commitment and ability to provide security for its own people (Han 2018). Despite of the initiatives of Malaysia and Indonesia to be more "vocal" with regards to condemning the violence and pressuring Myanmar to halt its actions against the Rohingyas (Loh 2018), and in contrast to the discourses of the international community calling on Myanmar to protect the Rohingyas from what it frames as "acts of genocide" (A/HRC/39/64; ICJ 2020), ASEAN as a "diplomatic community with a collective voice" (Leifer 1999, p. 26) appears to be overtly uncritical of Myanmar's actions.

In the light of the above, this study takes the afore-identified empirical phenomenon as a foundation of this research and thus limits its investigation to one single unit of analysis – the discussion of ASEAN's (as a conglomeration of states with one collective voice) framing of the conflict, in contrast to the analysis of the conflict framing by, for instance, its respective Member States or various non-state actors.

1.4 Previous Research

Given the project's pragmatic aspirations, the current study is based on a review of the literature of two main groups of scholars: (1) the *Conflict Resolution scholarship* with a focus on Southeast Asia as an area of investigation; (2) the literature discussing *ASEAN's role in/approach to the resolution of the Rohingya Conflict* and the resulted humanitarian crisis. The following part of the study will be devoted to the review of the previous research providing justification and rationale for the development of research questions of merit and worth for this research project.

1.4.1 Scholarship on Conflict Resolution in Southeast Asia

ASEAN's role in managing regional security order has been an intriguing field of scientific inquiry since the body's establishment in 1967. Since then, the vast body of literature discussing the dynamics and efficacy of security cooperation in SA, and the role of ASEAN in these processes, has been divided along two main lines.

Firstly, the scholarship on conflict resolution in SA can be divided according to the analysts' assessments of ASEAN's role in institutionalising a region-wide mechanism for the management of intra-mural conflicts. This group of scholars can be sub-divided into, what can be categorised as, "optimistic institutionalists" due to their relatively laudatory conception of ASEAN's role in alleviating tensions between its Member States (Alagappa 1993; Broinowski 1983; Jorgensen-Dahl 1982; Sopiee 1986; Wanandi 1981); and "critical institutionalists" who consider the role of ASEAN in mitigating intra-regional conflicts as marginal due to, for instance, the body's corporate culture, national interests of its Member States, or influence of external powers (Acharya 2001; Haacke 1999/2007; Huang 2008; Huxley 1986; Jetschke & Rüländ 2009; Majumdar 2015; Leifer 1980).

Following the line of argumentation of the optimistic scholarship, while acknowledging the shortcomings resulted from the nature of the institutional arrangement of the Association and the resulted limited power vested to ASEAN by its Member States, the role of ASEAN in the resolution of the Rohingya crisis could involve *facilitative measures* such as fostering a dialogue amongst the conflicting parties.

While according to the logic of the critical scholarship (the theoretical reasoning which facilitated interpretation of the findings of the current research), guaranteeing that ASEAN's role in the resolution of the conflict is well-intentioned, non-disruptive and in line with the norms and interests of its Member States (and Myanmar in particular), ASEAN's approach to the resolution of the crisis could constitute of *fact-finding practices* inquiring and raising into attention the issues to be addressed and solved, and *problem-solving advocacy* providing an impetus for the conflicting parties to resolve to a peaceful resolution of the conflict.

The scholarship analysing international relations of SA can be equally classified according to the scholars' epistemological positions. The first camp of analysts is represented by (*neo-*) *realists* who take on a positivist approach to the analysis of international relations as they downplay the role of culture, norms and identity in foreign policy interactions and instead regard the effects of power, national interests and influence of external powers as decisive during multi-lateral deliberations (Emmers 2003; Hill & Tow 2002; Hund 2003; Jones & Smith 2002; Solomon & Drennan 2001). In the views of the realist scholarship, rather than resolving the conflict for the pursuit of "public good", regional organisations take initiatives and implement measures to resolve intra-mural conflicts (such as the Rohingya conflict) provided

that those initiatives/measures are congruent with the interests of their Member States and they do not disrupt mutual efforts in other areas of cooperation.

In contrast, the second camp of analysts constitutes of *social constructivists* due to their emphasis on a detrimental role of culture and identity on state's foreign policy choices (Acharya 2001; Busse 1999; Sharpe 2003; Tan & Cossa 2001). This study has been largely influenced by the ideas and theoretical underpinnings of Amitav Acharya (2001) and his seminal work titled 'Constructing a Security Community in Southeast Asia'. As will be discussed later in the study, Acharya's analysis of the effects of norms on the *modus operandi* of ASEAN in the matters of security cooperation provided powerful conceptual tools for the investigation of the factors affecting ASEAN's framing of the Rohingya crisis.

1.4.2 Scholarship Investigating ASEAN's Role in the Rohingya Conflict

Observing the body of knowledge addressing the role in/approach of ASEAN to the resolution of the Rohingya crisis, this project was inspired by the theoretical argumentation of two main strands of scholars. The first strand of writings addresses the limited role of ASEAN in resolving the conflict due to the constraining effects of its mandate lacking enforceable conflict resolution mechanisms (Jati 2017; Nanthini 2019; Singh & Haziq 2016; Thuzar 2019, Thuzar & Ha 2018; Xiong 2015). This project draws particularly on ideas of Thuzar (2019) and Thuzar & Ha (2018) and their views on ASEAN's avenues of engagement in the resolution of the Rohingya crisis. As affirmed by the scholars, ASEAN's role in the crisis will continue to be limited to that of a mere "auxiliary" assisting the government of Myanmar with the provision of technical/practical measures such as developing regional projects for resilient communities; and a continuation of its policy of "quiet diplomacy" pressuring Myanmar to open up its restrictive political space for more effective solutions behind closed doors – as evident during the post-Cyclone Nargis response⁷ – as opposed to taking a more proactive and "vocal" position towards the resolution of the conflict.

The second strand of scholars addresses the capacity of ASEAN to reconcile the principles of humanitarianism with the body's culture of non-interference (Fan and Krebs 2014; Mutaqin 2018; Oishi 2016; Shivakoti 2017). According to Oishi (2016), on the one hand, ASEAN has

⁷ For the discussion of ASEAN's role in the post-Cyclone Nargis Myanmar, see e.g., Amador III 2009; Creach & Fan 2008; Simm 2018.

managed to develop the capability to address situations of human insecurity as a result of natural disasters (such as the development of the AHA Centre tasked with the provision of HADR in cases of emergencies associated with natural disasters), on the other hand, ASEAN has yet to build sufficient political will to intervene in instances in which human suffering stems from violent actions of humans, such as the ongoing Rohingya refugee crisis. For that to happen, ASEAN needs to formulate a comprehensive and enforceable legal framework compatible with the culture, values and conditions of its Member States (Mutaqin 2018; Shivakoti 2017). Before that happens, the role of ASEAN in management and response to man-induced crises will be limited to the role of “buffering” between the norms of the international community and the norms of its respective Member States (Oishi 2016).

Given the above, despite of the existence of overwhelmingly heterogeneous scholarly discussions on ASEAN’s role in the regional security architecture, insufficient scholarly attention has been dedicated to providing a holistic, comprehensive and concise analysis of the issues central to this study: exploring ASEAN’s approach to the resolution of the Rohingya crisis through a systematic analysis of the body’s frames employed to discuss the conflict and the paths to its resolution.

In addition, through an analysis of ASEAN’s conflict frames the study attempts to fill in the gap in the knowledge of another strand of literature – the research investigating the possible synergy between ASEAN’s mode of framing the conflict and the body’s measures taken to address it. To the best of my knowledge, such an analysis is scarcely found in the available literature, apart from an array of commentaries and opinion pieces written as a reaction to the leaked 2019 PNA report produced by the ASEAN-ERAT – the document which was highly criticised by the observers for its down-playing of the seriousness of the conflict and the resulted severe humanitarian crisis (see e.g., HRW 2019; Leong 2019; The Jakarta Post 2019; Wai Kit 2019).

1.5 Contribution to the Scholarship on Global Studies

An academic work analysing ASEAN's approach to the resolution of the Rohingya conflict and the associated humanitarian crisis largely contributes to the theoretical, methodological and empirical considerations of the research in Global Studies. Theoretically, the work complements the main theoretical underpinnings of the Conflict Resolution scholarship explaining the severity and protraction of political violence by demonstrating the determinant role of conflict framing on conflict resolution (e.g., Aggestam 1999; Canetti *et al.*, 2019; van Leeuwen 2010). Empirically, this study adds a layer of understanding to the body of knowledge addressing the limitations of ASEAN in the area of conflict resolution (e.g., Huang 2008; Huxley 1986; Leifer 1980); and the resolution of the protracted Rohingya conflict (e.g., Nanthini 2019; Sing & Haziq 2016; Thuzar & Ha 2018). Methodologically, the thesis extends the choice of possible avenues taken by the scholarship on Global Studies/International Relations by employing a method of interpretative content analysis on *official documents* issued by regional organisations, such as ASEAN, in contrast to a more frequent application of the method on media/newspaper discourses (e.g., de Vreese, 2005; Entman 1993; Tankard 2001).

1.6 The Background of the Conflict

In order to understand the current dynamics of the crisis and the approach to its resolution by ASEAN, an investigation of the conflict's wider context and some of its major historical trajectories is in order. The following section of the study will be divided into three main parts: (1) *The History of the Community* illustrating a connection of the Rohingyas to the territory of pre-colonial Burma; (2) *The Political and Ethnical Polarisation* discussing the role of demography and key actors in the historical patterns of the ongoing inter-communal strife; (3) one of the most recent trigger events escalating the conflict, the "clearance operations" of the MSF following *August 25, 2017, and the Response by the International and Regional Actors*.

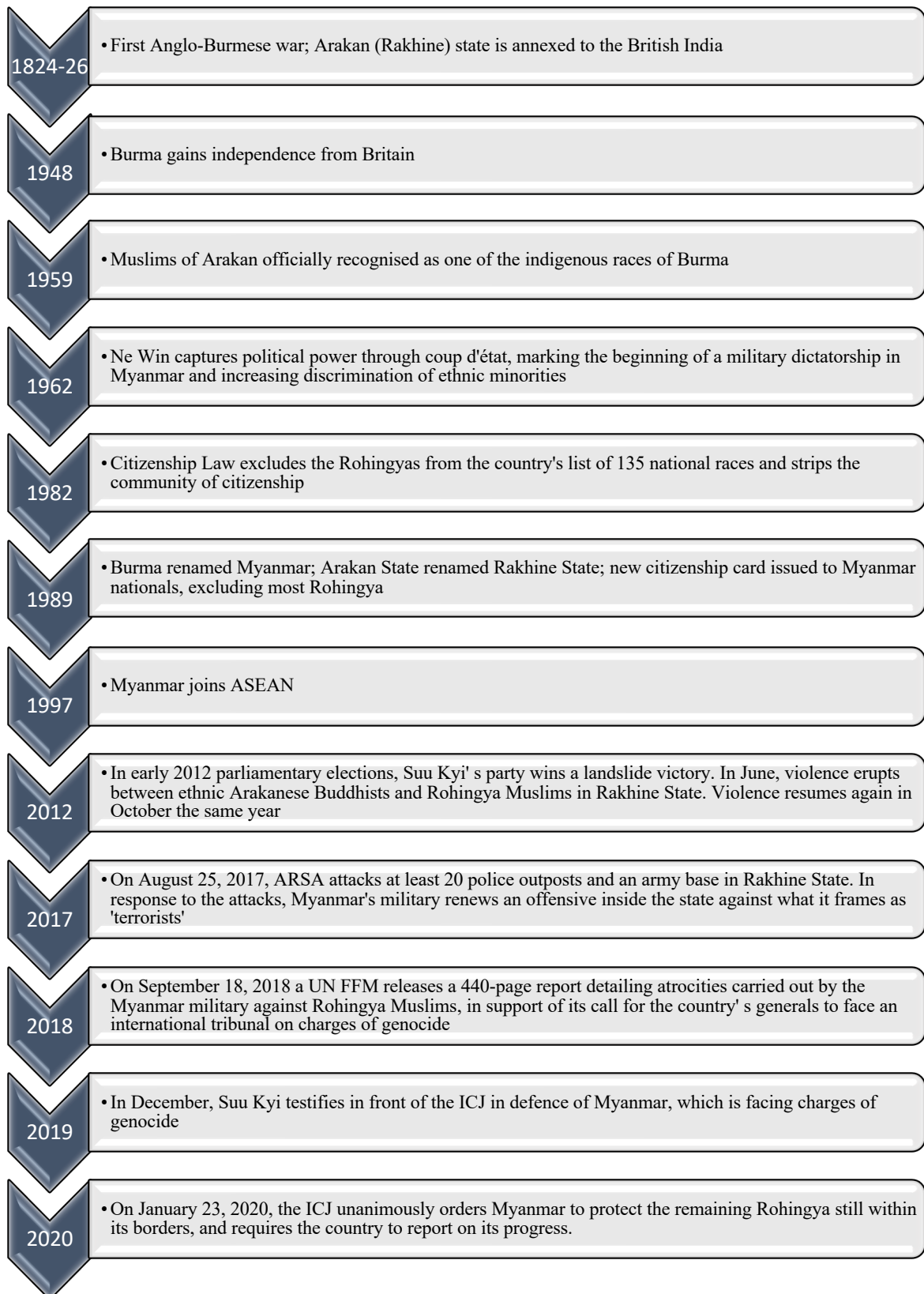


Figure 3. The Rohingya Conflict: Chronology of Events (Source: CNN 2019; HRW 2013; ICJ 2020)

1.6.1 The History of the Rohingya Community

The Rohingyas are an ethnic Muslim minority traditionally residing in northern Rakhine, Myanmar (known as Burma prior 1989). Before the events in August 2017, as many as 1 million of the Rohingyas resided in the state, where they constituted a third of the population (CFR 2020). The Rohingya minority represents an ethnically, linguistically and religiously distinct group in contrast to the majoritarian Bamar Buddhists. Despite their long-standing connection to Rakhine State, the government of Myanmar does not recognise the community as one of state's official ethnic groups.

The controversy surrounding the origins of the Rohingyas has been at the forefront of the international, regional and national agenda amidst the ongoing humanitarian crisis (Mahmood *et al.*, 2017). The two major camps which emerged from the debate about the community's origins are represented by those – including the GoM – who regard the Rohingyas as “illegal Bengali immigrants” originating from neighbouring Bangladesh (Ahmed & Sil 2012; Myo 2013; Saw 2011), and a more extensive group of scholars and human rights advocates who ascertain that the community is native to the region of Arakan, Rakhine State, since the 15th, possibly the 7th century (Azad & Jasmine, 2013; Bahar 2010; CFR 2020; Foster 2011; Green 2015; Ibrahim 2016; Leitich, 2014; Luce 1986).

In views of Luce (1986), the presence of the Rohingyas on the contemporary territory of Myanmar can be traced back as far as 1400 AD (*ibid.*, p.95). The history of the community's connection to the land has also been confirmed by an ethnolinguistic survey conducted by an employee of the British East India Company in 1795 (Ibrahim 2016, p. 24-25). After the British occupation of Burma, the successive post-independence governments led by the Prime Minister U Nu and General Ne Win granted the Rohingya an official recognition of the ethnic community of the Union of Burma (Destination Justice 2016, p.7).

Notwithstanding the Rohingyas' rightful claim to their native land – western Burma, or as known today, Rakhine State – the current government of Myanmar led by Aung San Suu Kyi,

the *de facto* leader of Myanmar, and the majority of radical Buddhist nationalists reject to use the term “Rohingya”⁸ and continue to deny the evidence-based narratives of their identity.

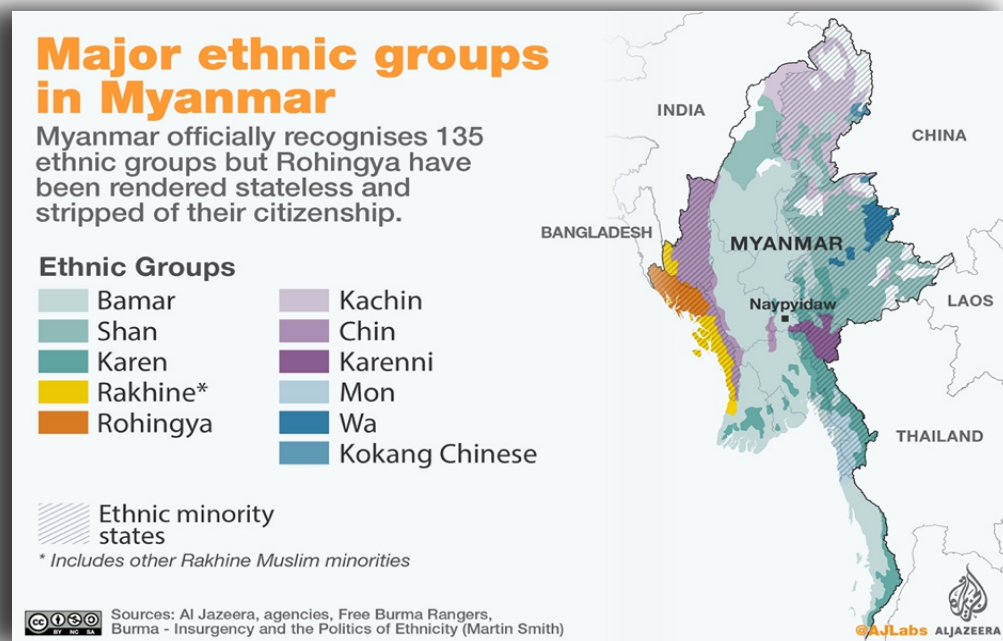


Figure 4. A map illustrating Myanmar’s major ethnic groups (Source: Al Jazeera 2018)

1.6.2 The Political and Ethnic Polarisation

The population of Myanmar is constitutive of three main religions: 87.9 per cent of the population is Buddhist, 6.2 per cent is Christian, while 4.3. per cent is Muslim. The main ethnic community, the Bamar who make up 68 per cent of the population are predominantly Buddhist, while the Rohingyas, constituting 1.7 per cent of Myanmar’s total population, are primarily Muslim. Regarding the demographics of Rakhine State, 52.2 per cent of Rakhine State population is represented by the ethnic Rakhine people who are mainly Buddhist, while 42.7 per cent is Rohingya Muslims (Destination Justice 2017).

According to a number of observes, the origins of the tensions between Myanmar’s ethnic, linguistic and religious groups can be traced back to the colonial era, when the common colonial practice of “divide and rule” rendered local elites politically and economically disadvantaged (ICG 2017; Pillalamarri 2017; Sandhu & Mani 2006). According to a report by the International Crisis Group [ICG] (2017), during the British occupation of Burma, the top governmental

⁸ As observed by Mahmood *et al.*, (2017), nowadays all renowned international actors such as the UN, U.S. Congress, European Parliament, and humanitarian agencies including the Human Rights Watch and Médecins Sans Frontières address the community as “Rohingya” (A/HRC/39/64; European Parliament Resolution 2013/2669; HRW 2018; Sollomon & Pamar 2010).

positions were assigned to imported Indian bureaucrats. The resulting socio-political and economic asymmetries between the local/native Barmars and the newly assimilated religious and ethnic groups generated inter-communal tensions (ibid.). Moreover, Britain's decision to allow local chieftains to administer the country's border areas, and thus let the ethnic communities distance themselves politically from central Burma antagonised the Buddhist Barmars who perceived such policies as an attempt to undermine the "national [read as Bamar/Buddhist]" identity of the state (ibid.).

As a result, the independence movement aspiring to end the British occupation and establish a sovereign state sought to unite the nation through a shared Burmese Buddhist identity (ICG 2017). Upon its independence in 1948, Burma became a quasi-federal union dominated by the ethnic Barmars (A/HRC/32/18, par. 5). The Bamar domination of independent Myanmar has resulted in even greater tensions between the state's ethnic groups, including the Muslims living in Rakhine State, which have been struggling for greater autonomy and a fair distribution of natural resources through a series of armed conflicts (A/HRC/39/64, par.12; ICG 2017; Sanderson & Markusen 2017).

The Tatmadaw, the armed forces of Myanmar, has traditionally used Buddhist deep-rooted grievances for its own advantage by depicting itself as a guarantor of national unity (A/HRC/39/64, par.12). After the seizure of the power by the army in 1962, the military restricted ethnic minorities' religious freedoms, the use of minority languages, access to education and positions of authority (A/HRC/32/18, par.5), and attempted to institutionalise Buddhism as a state religion – efforts which failed due to the resistance of Christian and Muslim leaders (ICG 2017).

In the light of the above, the major policies attempting to institutionalise the "illegal status" of the Rohingyas and thus reinforce the Bamar Buddhist domination were embedded in the Constitution of 1974, and in the Citizenship Act of 1982 when the citizenship was limited to 135 "national races" and to those ethnic groups that settled in the country before 1823, to which, according to the official rhetoric of the state, the Rohingyas do not belong (Destination Justice 2016, p.7; Warzone Initiatives 2015, p.3; Yusuf 2017, p. 118).

Since 2011 reforms opening up democratic space and paving the way for the transfer of power to a civilian government in March 2016, the country has been plagued by an increase in the Buddhist nationalism represented primarily by the MaBaTha Association promoting and protecting the Buddhist religion through violent anti-Muslim rhetoric, hate speech and direct violence against the Muslims (C4ADS 2016). The major inter-communal violence erupted in October 2012 when the local Arakanese political party members, the Buddhist monkhood, and local Arakanese, at times “directly supported by state security forces” (HRW 2013, p.4) conducted coordinated attacks on homes, mosques and villages, driving out over 140,000 Rohingyas to refugee camps inside Myanmar (Yusuf 2017, p.108-111). According to the UN observers, the Tatmadaw, which is of Buddhist majority, claimed to “protect the nation and the Buddhist religion against the Muslim threat” (A/HRC/39/64, par. 14).

1.6.3 August 25, 2017, and the International and Regional Response

As described by the Human Rights Watch (2018), the incidents following August 25, 2017, represent the “darkest chapter in Myanmar’s recent history”. On October 9, 2016, a then-called Harakah al-Yaqin rebel group attacked three police outposts in Maungdaw and Rathedaung Townships in Myanmar’s norther Rakhine, killing nine state security officials. A year later, after renaming itself the Arakan Rohingya Salvation Army in March 2017, aimed at fighting against the progressive marginalisation of the Rohingya Muslims, ARSA conducted the second attack on August 25, 2017, on around 30 police outposts, killing 12 state officials. What followed after was a launch of a series of clearance operations by the MSF, a term used to define multiagency attempts to eliminate Rohingya militants (US HMM 2017).

In practice, the MSF responded to the attacks disproportionately by burning entire villages, killing and raping civilians, and arresting Rohingyas *en masse* (US HMM 2017). In September 2017, the UN HCHR described the operations of the Tatmadaw as a “textbook example of ethnic cleansing” (Gowen 2017), resulting in an estimated 745,000 Rohingyas to flee into over-crowded camps in neighbouring Bangladesh (UN OCHA 2017).

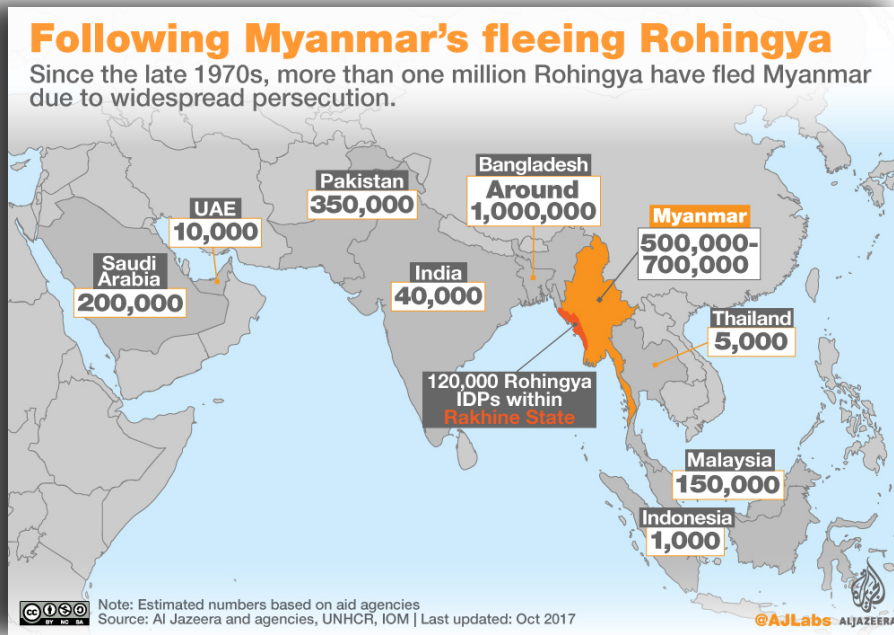


Figure 5. A map illustrating estimated accounts of Rohingya refugees (Source: Al Jazeera 2018)

1.6.3.1 Response by the International Community

After the 2012 Incident, the International State Crime Initiative concluded that the situation has already culminated into the 4th stage of genocide, the stages including stigmatisation, dehumanisation, harassment, violence and terror, isolation and segregation and was proceeding to the stage of the systematic weakening of the targeted group (Green 2015, p.16).

In 2013, the UN Special Rapporteur on the human rights situation in Myanmar, Tomás Ojea Quintana, affirmed that state actors were whether directly involved in the violence conducted against the Rohingya, or at least supported it (UNIC 2013). In July 2016, UN HCHR, Al-Hussein, released a report illustrating the plight of the community suffering from arbitrary deprivation of nationality, threats to life and security, denial of rights to social services, forced labour, sexual violence, imposed restriction on political rights, among others (A/HRC/32/18).

The report submitted to the UN HRC in September 2018 by the Independent International FFM also stated that it was principally the personnel from the Tatmadaw who committed a range of “serious human rights violations and abuses in Kachin, Shan and Rakhine States such as crimes against humanity including murder; imprisonment; enforced disappearance; torture; rape, sexual slavery; persecution and enslavement” (A/HRC/39/64). The crimes related to Rakhine

State amounted to “extermination and deportation” and constituted a “genocidal intent” under the IHL (*ibid.*, par. 85-88). According to the 2019 report documenting economic interests of the Tatmadaw, the motivations behind the atrocities might be related to the military’s intentions to “restructure northern Rakhine in a manner that would erase all the traces of the Rohingya living in the region” (A/HRC/42/CRP.3, par. 6c).

The 2018 Mission’s affirmation that there is a sufficient evidence for the prosecution of the perpetrators of the committed crimes (A/HRC/39/64, par. 87) has not only led to the decision to economically isolate MSF by cutting off all their trading and investment ties with business enterprises (A/HRC/39/CRP.2, par. 1708), but the findings also provided a solid ground for the public hearings carried out in December 2019 in a lawsuit filed by Gambia accusing Myanmar of genocide in front of the ICJ.

During the hearings, Myanmar was represented by Aung San Suu Kyi who was determined to defend the interests of her country. Reacting to the allegations of “intended genocide”, Suu Kyi claimed that the response of the MSF was “proportionate” to the attacks conducted in the border areas by the Rohingya insurgents. It must be noted that prior the hearings, Myanmar blocked all the UN personnel from investigating the crimes of MSF, while rejecting the International Criminal Court’s jurisdiction prosecuting war crimes – leaving the ICJ the only viable option towards the resolution of the conflict (Stoakes 2019).

On January 23, 2020, the court unanimously ordered Myanmar to protect the Rohingyas remaining within the state and required the country to report on its progress. Despite Myanmar has denied all the allegations brought against it, the state admitted that some members of its security forces may have used “disproportionate force” and committed crimes against humanity in its “counter-terrorism” campaigns against the so-called “terrorists” (Kirby 2020).

1.6.3.2 Response by the Regional Actors

The first initiatives of Myanmar to call for the actors in the region to address the security developments in Rakhine State came in November 2016. In response to the attacks on one military post by the ARSA militants in October 2016, and the subsequent clearance operations carried out by the Tatmadaw in Rakhine State, ASEAN foreign ministers urged Myanmar to meet and address the situation (The Bangkok Post 2016). Prior to the meeting, Myanmar had rejected any initiatives of ASEAN to get involved in the internal matters of the state (Kassim 2012 in Oishi 2016, p.90).

As a result of the events occurring on August 25, 2017, and the outbreak of the humanitarian crisis, ASEAN's Chairman issued a short statement addressing the situation in northern Rakhine on September 24, 2017 (ASEAN Chairman 2017a). Upon the request of Myanmar, since October 2017 ASEAN Member States have been delivering relief items within Myanmar through ASEAN's AHA Centre tasked with the provision of humanitarian assistance to emergencies associated – almost exclusively – with natural disasters (AHA Centre 2017), in contrast to man-induced crises such as the ongoing Rohingya refugee crisis.

Given the fact that Myanmar has denied access to most international humanitarian actors to deliver assistance in non-government-controlled areas in Kachin and northern Shan (Debbare 2019, p.1), and the reluctance of Myanmar to cooperate with UN actors on the question of the repatriation process of the refugees currently living in over-crowded camps in neighbouring Bangladesh, ASEAN was asked to take on a role of a mediator facilitating the currently deadlocked repatriation processes (Thuzar 2019, p. 3).

Between January 15-31, 2018, the AHA Centre deployed the ASEAN-ERAT team to Myanmar aimed at supporting the government efforts with the preparations for the repatriation; monitoring the distribution of ASEAN's relief aid previously provided to support the displaced communities in 2017; as well as supporting Myanmar on information management and reporting on the provision of humanitarian assistance in Rakhine State (AHA Centre 2018, p. 8-22).

Chapter 2

2.1 Theoretical Framework

Having presented a brief contextual overview of the Rohingya conflict and the resulted humanitarian crisis, the following chapter will proceed to the discussion of the main conceptual premises of this work. First, the theoretical basis of the process of, and the role of regional organisations in conflict resolution will be provided. Then, the study will present the main theoretical foundations of the framing scholarship and the nexus between framing and conflict resolution.

2.1.1 Conflict Resolution

In basic terms, conflict resolution entails a provision of efforts aimed at bringing armed conflicts to an end (Ramsbotham *et al.*, 2016 p.199). If defined more broadly, in contrast to conflict management (cessation of violence), comprehensive conflict resolution, conceived of by Ramsbotham *et al.*, (2016) as *conflict transformation*, involves a wider spectrum of measures to be taken. On top of the resolution of root causes, or as conceptualised by Burton (1997,1990) – “the generic nature of the problem” – a successful conflict transformation necessitates the establishment of new political arrangements and relationships indispensable for their implementation (Bloomfield *et al.*, 2003; Ramsbotham *et al.*, 2016; Zartman 2005).

As affirmed by Burton (1990), one approach to achieve new political arrangements and inter-party reconciliation is through a change in conflict discourse. In the author’s views, the resolution of deep-seated conflicts (such as the Rohingya conflict) necessitates an escalation in the dialogue between the parties in order to uncover and articulate the seemingly incompatible issues, rather than using a discourse that “smooths over differences” in an attempt to alter perceptions and promote unstable inter-party harmony and a temporary agreement (*ibid.*, p.10). According to Burton, when a conflict between individuals emerges “accommodating language [...] can be dysfunctional. Conflict avoidance is not what is meant by conflict resolution” (*ibid.*). As will be illustrated in the empirical part of the study, this can be evident in the statements of ASEAN framing the developments in Rakhine State since August 2017 as an “inter-communal strife” instead of an armed conflict between an ethnic insurgency (ARSA) and the Government of Myanmar, and thus disregarding the violence committed by MSF (see ASEAN Chairman 2017a).

The role of language and discourse is especially important when using third-party mediation as a method of conflict resolution. Regarding this work's focus on the framing effects on ASEAN's approach to the resolution of the Rohingya conflict and the body's relatively successful attempts to contribute to a peaceful settlement of disputes affecting Southeast Asia, such as in the case of the post-Cyclone Nargis Myanmar⁹, exploring the avenues for the involvement of a regional actor in a role of mediator in the resolution of one of its intra-mural conflicts is in order.

In Blake and Mouton (1985) views, mediation can be defined as “the intervention of a third party who first investigates and defines the problem and then provides recommendations to a mutually acceptable solution” (ibid., p.15). In contrast to negotiation (a dyadic structure), or arbitration (which has a strong binding character), mediation is a form of non-coercive, non-violent and non-binding method of conflict resolution which requires an assistance from an interested outsider, be it individual, group, state or association of states, such as regional organisations (Bercovitch 2009, p. 343).

According to d'Estrée (2009), such measures as “changing communication, stereotypes, enemy images, options available and developing new ideas for solutions; changing one's perceptions of change, both in the other and in the relationship and transforming the inter-societal relationship” (ibid., p.151) – may present a fresh political space for effective conflict resolution. Drawing from the ideas of d'Estrée (2009), Kelman (1992) and Lewicki *et al.*, (1997), guaranteeing that ASEAN's mediation is non-disruptive, well-intentioned and in line with the norms of its Member states, ASEAN's informal approach to the resolution of the Rohingya crisis could involve such measures as problem-solving advocacy providing an impetus for the conflicting parties to a peaceful resolution of the conflict and shifting the discussions from assigning blame to exploring underlying causes of the conflict.

⁹ The scholarship on conflict resolution in SA frequently cites the decisive role of ASEAN in handling the provision of humanitarian assistance in the post-Cyclone Nargis response (e.g., Amador III 2009; Belanger & Horsey 2008; Fan & Krebs 2014; Simm 2018). As observed by Simm (2018), after the crisis when the initial refusal of Myanmar to accept foreign assistance had cost hundreds of lives, then Secretary-General of ASEAN gave Myanmar an ultimatum to choose between three options: (1) a UN-led mechanism; (2) an ASEAN-led mechanism; or (3) the responsibility to protect, potentially leading to the delivery of aid without authorisation by the Myanmar government (ibid., p.136). As a result of the diplomatic pressure imposed by ASEAN, Myanmar chose the second option. Moe Thuzar (2009) describes ASEAN's solution to the deadlock between the government of Myanmar and IHC as “ASEAN's defining moment” (ibid., p. 74).

Given the above, regional organisations, such as ASEAN, when in a role of mediator not only have the potential to change the structure of the given conflict by, for instance, presenting a fresh political space for effective conflict resolution, but as a result of their intervention, they also become the conflict's *integral actors* (Ramsbotham *et al.*, 2016, p. 218; Bercovitch 2009, p. 346). Following this line of thought, it can be argued that the way actors involved in a given conflict frame and perceive the dispute plays an instrumental role in the conflict outcomes (Aggestam 1999). In the light of the foregoing, conflict resolution in the context of this work will be understood as a process of reconciling conflicting positions, i.e., reframing the issues and changing disputants' perceptions and understandings of the conflict in order to meet the parties' underlying interests (Fisher, Ury & Patton 1981; Pruitt and Rubin 1986; Burton 1987).

Arguably, the attempts of third-party mediators, such as ASEAN, to reconcile conflicting positions and interests of the conflict's parties and thus address the generic nature of the problem leads to the establishment of what Galtung (1984) conceives of as "positive peace"¹⁰, in contrast to unstable negative peace and perpetuation of structural violence¹¹.

2.1.2 Framing

Why hasn't ASEAN been more vigorous in its attempts to resolve the Rohingya conflict? To parties in the region, ASEAN and Myanmar in particular, the venues for its resolution lie primarily in the "repatriation of the returnees" and "restoration of normal socio-economic conditions" in Rakhine (ASEAN Chairman 2017a,b; PNA 2019). To parties outside the region, such as IHC, the conflict in Rakhine State seems far more complex and thus, rather than addressing the symptoms of the conflict, such as the repatriation of the refugees, its resolution is confined to the inter-party reconciliation and achievement of social justice (IOM *et al.*, 2019; UN OCHA 2017b, 2019). Why are the perceptions of the international and regional actors inconsonant? What can explain the approach of ASEAN to the resolution of the Rohingya

¹⁰ The author of this thesis is well aware of the *problématique* of the concept of positive peace and the limitations of its operationalisation in real-life settings. Despite this, the study opts to refer to the concept for the purpose of highlighting the importance of addressing and condemning structural inequalities persistent in societies that jeopardise achievement of social justice and sustainable peace.

¹¹ The concept of structural violence was introduced by Johan Galtung in his article "Violence, Peace and Peace Research" in 1969. It refers to social circumstances in which social structures or institutions perpetuate various forms of social inequality, preventing individuals, groups and societies from meeting their basic economic, political, social or cultural needs. Unequal access to natural resources, work opportunities, health services, political power, education, and legal standing are just a few examples of structural violence. The concept of structural violence is closely linked to social injustice.

conflict? The answers to the above-posed questions can be found in the main theoretical underpinnings of the framing scholarship.

An analysis of the way actors involved in the conflict frame and perceive the conflicting issues allows one to identify their approach to conflict resolution and thus provides for an investigation of possible conflict outcomes (Aggestam 1999; Burton 1987; Canetti *et al.*, 2019; Fisher *et al.*, 1991; Ramsbotham *et al.*, 2016). However, considering that the framing processes do not occur in isolation but are rather dependent on actors' subjective perspectives and on processes of social bargaining, the theoretical foundations of the framing paradigm will be positioned within the constructivist line of reasoning.

The next section of the thesis will be dedicated to the discussion of the theoretical framework selected for the sensemaking of the chosen empirical phenomenon – the framing theory conceptualised within the constructivist paradigm.

2.1.2.1 The Concept of Framing

Observing the way actors frame or conceptualise different topics, events, issues or complex situations has been a focus of the scientific inquiry for decades. Despite the genesis of the concept of framing can be traced to the scholarship of cognitive psychology (Bartlett 1995) and anthropology (Bateson 1955), framing as a theoretical instrument has been widely explored by sociologists (e.g., Goffman 1974); linguistics (e.g., Tannen 1979); social-movement research (e.g., Snow & Benford 1988); policy research (e.g., Rein & Schön 1996); communicative research (e.g., Tuchman 1978) and many more. However, according to some observers, such wide applicability and use of the concept by multiple actors and mechanisms (such as media), and its investigation by a plethora of scholarly fields has resulted in the limitations of the concept's pragmatic value (Drake & Donohues 1996; van Gorp 2017).

To remedy the concept's vagueness, and to demonstrate its value and functionality for the purpose of this work, this study will be inspired by Entman's (1993) conception of "framing" understood as:

“selection of aspects of a perceived reality and making them more salient in a communicating text in order to promote a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation for the item described” (ibid., p.52).

Given the definition above, it can be argued that framing, or the constructs of the process – “the frames”– *diagnose* a given problem, *evaluate* its cause and implications, and *prescribe* a “recipe” for its solution (Gamson 1992 in Entman 1993, p. 52)¹². As an emblematic example of a frame scholars oftentimes use the “cold war frame” dominating the U.S. foreign policy between 1945-1989 (e.g., Entman 1993; Somerville 2017). According to Entman (1993), at the time of its functionality, the frame attempted to portray the principal sources of tensions – communism; promote moral judgements – Soviet aggression; identify the main perpetrators – the U.S. and the USSR; and prescribe solutions – the U.S. supporting anti-communist initiatives (ibid., p.52).

Observing the functionality of the cold war paradigm, Entman identifies “four main locations of frame” in communication process, namely the communicator, the text, the receiver, and the culture (1993, p. 52) – the text playing a unique role in this work due to its role of a foundation for the analysis of ASEAN’s framing of the Rohingya conflict. The text, in Entman’s views, contains a range of frames which appear in a form of key-words, phrases, stereotyped images, sources of information, arguments that “provide thematically reinforcing clusters of facts and judgements” and oftentimes “guide the receiver’s thinking and conclusions” (ibid.). In other words, frames attempt to delineate the communicator’s version of reality by highlighting some information while concealing other. Accordingly, it can be argued that an analysis of two divergent ways of framing of a single phenomenon may expose actors’ perceptions on the phenomenon’s character, causes and possible paths to its solution – the research method employed in this work.

Having established a conceptual utility of “frames”, in order to situate the study within the constructivist paradigm, the following lines will be devoted to the discussion of the interlink between culture and framing, after which, the study will first elucidate on the pragmatic value of the framing theory by outlining its main theoretical tools facilitating the analysis of the framing process; and then, on the nexus between framing and conflict resolution.

¹² The functionality of frames largely resembles the conduct of a “conflict analysis” as conceptualised by SIDA Manual (the framework used in this study to facilitate the development of coding schemes, as will be elaborated on in the following section on ‘Methodology’), and which provides for a thorough investigation of *structural causes, main actors, factors* and *dynamics* influencing/perpetuating conflict (ibid., 2006, p. 10-15).

2.1.2.2 Culture and Framing

“The social world is [...] a kaleidoscope of potential realities, any of which can be readily evoked by altering the ways in which observations are framed and categorised” (Edelman 1993, p. 232)

According to the constructivist scholarship, the process of framing is largely dependent on a set of conceptual tools, or a “repertoire” (van Gorp 2017) which actors rely on to interpret a situation (Neuman *et al.*, 1992) while controlling a number of alternative conceptions that are available to the audience for the interpretation of the given situation (McCullagh & Campling 2002). Following such a line of thought, an array of tools one possess are dependent on one’s *culture* while their application is preconditioned upon inter-actor negotiation and social interaction (van Gorp 2017, p.62-64). Culture, in this context, is regarded as a foundation of knowledge, meaning and comprehension of social reality (Hall 1997); an “organised set of beliefs, codes, myths, stereotypes, values, norms, frames that are shared in the collective memory of a group or society” (Zald 1996 in van Gorp 2017, p. 62), or a “cultural stock of frames” (Entman 1993).

In the context of regional organisations, their “corporate culture” (Acharya 1998) is regarded by the constructivist scholarship as an evolving “group of learned responses...” derived from “[...] political, strategic and cultural make-up of the member states and their practical experience in dealing with issues and challenges affecting regional stability” (*ibid.*, p. 57). In this sense, the culture of ASEAN can be conceived of as an amalgamation of *a priori* acquired traits of each Member State, which are, however, constantly altered during the processes of inter-state interaction. The resulting product is the ongoing persistence but also the transformation of the body’s conceptual tools inherent in the “ASEAN Way” of cooperation affecting the framing and policy-making processes of ASEAN¹³.

¹³ For more on the “ASEAN Way” paradigm, see the following sections of this work.

2.1.2.3 The Frame Package as the Main Theoretical “Toolbox”

As above-discussed, each mechanism, individual or a group possess a cultural stock of frames or in words of van Gorp (2017), a “frame package” – a cluster of logically arranged devices that operate as an identity kit for a frame (ibid., p. 64). Therefore, the main task of a frame analyst is to reconstruct the frame package. In order to be able to identify the main constituent parts of the package, one needs to look for three principal devices embedded in the analysed text:

- (1) *Explicit framing devices* manifest in words, phrases, metaphors, descriptions, arguments and visual images.

According to Narine (1997), whenever ASEAN frames politically-sensitive issues (such as the Rohingya conflict), it applies a set of explicit highly diplomatic and unfrontational “code words” to express its position on the issues (ibid., p. 964). As will be demonstrated in the empirical part of this work, whenever the Association frames the victims of the conflict, it refers to them as “affected communities” instead of “Rohingyas” in order to, presumably, converge its terminology with the official nomenclature of Myanmar and thus abide by the principle of non-interference in domestic affairs of Member States.

- (2) *Reasoning devices* exhibited in arguments or statements that outline justifications, causes and consequences of an issue; or – recalling Entman’s (1993) words – latent or manifest frames employed by an actor to promote a particular problem definition, outline the root causes and moral evaluation of the problem, and recommend treatment/resolution.

According to the framing scholarship, when the problem definition, root causes and moral evaluations and consequences of a given problem are not expressed *explicitly*, identification of the reasoning devices is dependent on the researcher’s cognition of the causal relationship between the explicit framing devices and the context they provide (van Gorp 2017, p.65). In this sense, framing becomes a form of “metacommunication”, i.e., the meaning the researcher assigns to a text is not determined solely by the concrete information that it contains but also by “implicit information between the lines” (Gurevitch & Levy 1986).

Given the aim of this study – an exploration of ASEAN’s approach to the resolution of the Rohingya conflict, an identification of ASEAN’s reasoning devices expressing the body’s views on the causal relations between the constituent parts of the conflict (its causes, actors and dynamics) provides for the foundation of the analysis. For instance, and as will be illustrated in the empirical part of this work, by implicitly framing the link between “the attacks on MSF”, “all acts of violence”, and “loss of civilian lives, [...]”, it can be argued that ASEAN attempts to outline the conflict’s causes (attacks) its main perpetrators (those who carried the attacks; ARSA) and humanitarian consequences (loss of life).

- (3) *Central frame* manifested in all kind of devices, linking them into one cluster, and guiding the overall interpretation of a given issue (Gamson & Lasch 1983; Gamson & Modigliani 1989; Pan & Kosicki 1993). As observed by van Gorp (2017), the central frame is most frequently guided by the “cultural phenomenon” or an archetype, a mythical figure, a value, a narrative, which, the same as the reasoning devices – does not even have to be explicitly present in the text (ibid., p.64-67).

Considering the imperative function of the “ASEAN Way” paradigm in the framing processes of ASEAN, and the role of some of the “ground rules of conduct” of the Association embedded in the notion, such as the principle of non-interference in domestic affairs of the Member States (Acharya 2009, p. 72), the concept can be conceived of as a central organising frame guiding the overall framing process of the Association (as will be elaborated on in the empirical part of this work).

2.1.2.4 Framing and Conflict Resolution

To this day, neither the framing scholarship nor the researchers in the field of conflict resolution possess clear theoretical or methodological tools to conceptualize the interlink between diverging conflict frames and conflict resolution (Canetti *et al.*, 2019). As affirmed by Drake & Donohues (1996), framing is an “intriguing” paradigm for investigation, but more scholarly attention concentrates on the concept’s “explicating and operationalising” in contrast to its pragmatic value and application to conflict resolution (ibid., p. 298). Against this backdrop, a significant array of scholars have attempted to investigate the effects of framing on, for instance, type and quality of negotiated agreements (Drake & Donohue 1996; Schön & Rein

1994); resolution or protraction of conflicts (Lewicki *et al.*, 2003; Stevenson & Greenberg 1998); or the process of institutional transformation (George *et al.*, 2006).

Exploring the implications of land dispute frames on local peacebuilding initiatives by different non-governmental organisations operating in Burundi, van Leeuwen (2010) identifies the nexus between framing and avenues of conflict resolution. In the scholar's views, framing poses a substantial impact on policy-making processes "by providing a vision on a problem and pointing into the direction of particular response" (*ibid.* p. 754). By implication, taking into account ASEAN's potential role of a third-party mediator and thus an integral party affecting the resolution of the Rohingya crisis, it can be assumed that the way ASEAN frames the crisis and provides solutions to the problem affects (read as limits) the avenues for its resolution.

Given the above, conceiving of frames as social constructions used by actors to promote and validate their understanding of a given conflict while concealing other conflict dimensions completing the portrayal of actual events (Mol and Law 2002; Potter 1996; Reese 2001), it can be argued that the concept of frame package provides for a valuable instrument in an identification of a variety of conflict perceptions and paths for conflict resolution.

As argued by James (1890/1950), in order to identify different modes of framing, "one needs to transcend the currently applied frames and distinguish them from other, alternative frames" (*ibid.*, p. 283-324). In van Grop's views (2017), an identification of divergence in the framing of a given conflict necessitates an observation of frames in other social or political contexts (*ibid.*, p. 63). Following James and van Grop's line of reasoning, this study will attempt to uncover the variations in the framing of the Rohingya crisis by juxtaposing the framing processes of two divergent types of actors – the agencies/representatives advocating for the Human Rights [HRs], human security and humanitarianism, IHC; an actor unable to reconcile state sovereignty and humanitarianism, ASEAN – in order to identify the limitations of the body's approach to the resolution of the crisis.

2.2 Methodology

To reach the aim of this study and thus identify the effects of framing on the approach of ASEAN to the resolution of the Rohingya conflict, this study employed a *single case study* as a framework for collection and analysis of data (Bryman 2012, p. 67) with a focus on one unit, the Rohingya conflict waged between ethnic militant organisations (ARSA and AA) and the GoM, and the resulted humanitarian crisis, over the period 2017-2020. As previously discussed in the study, in order to examine the limitations inherent in ASEAN's approach to the resolution of the conflict, the study juxtaposed ASEAN way of framing of the conflict with the framing of the crisis by IHC.

In more detail, in order to achieve the aim of the study and situate the analysis within the constructivist line of reasoning (the meta-theory guiding the analysis of the framing process of ASEAN), the study employed a method of *Interpretative Content Analysis* [ICA]. The use of Basic Content Analysis, and thus a quantitative research method, would unlikely yield the desired results, i.e., the purpose of this research project was not to simply *quantify*, as Ahuvia (2001) affirms: “the most straightforward denotative elements in the text” (ibid., p.139), but instead, explore the *implicit* meanings, observe the context, normative positions, attitudes, views, and interests of actors driving human behaviour (Drisko & Maschi 2016, p.1-5).

2.2.1 Data Collection and Sources

Regarding the collection of the empirical material chosen for the purpose of the study, the method of *purposive sampling* was employed in order to identify the discrepancies in the framing of the Rohingya conflict between ASEAN and IHC. The sampling process adhered to the following selection criteria: the data providing for the investigation of frames applied by IHC was gathered from the sources which:

- ⇒ are in public domain;
- ⇒ were released between 2017- early 2020;
- ⇒ were produced by an array of actors directly involved in the conflict, whether by providing humanitarian assistance or attempting to contribute to the resolution of the crisis, such as:
 - resolutions and statements of the UN HRC;

- documents of the UN HCR (the UN Refugee Agency);
- decision of the ICJ;
- Statements by the OHCHR;
- UN News and Press Releases;
- Reports by the UN OCHA.

While the data providing for the main part of the analysis investigating ASEAN’s approach to the resolution of the Rohingya crisis was gathered from the sources which:

- ⇒ address explicitly the situation in Rakhine State;
- ⇒ are primary sources, official documents or statements issued by agencies, bodies, individuals representing the views of the Association as *a whole*, such as:
 - reports and press releases issued by the AHA Centre;
 - statements of ASEAN Chairman of ASEAN Summits;
 - statements/Joint Communiqués of ASEAN Foreign Ministers’ Meetings;
 - ASEAN Secretariat News;
- ⇒ have policy- and decision-making authority¹⁴;
- ⇒ were issued between 2017-early 2020.

The process of the collection of the material adhered to the principle of *data saturation*¹⁵, i.e., the collection of the material was finalised once there was “enough information to replicate the study, when the ability to obtain additional new information was attained, and when further coding was no longer feasible” (Guest et al., 2006; O’Reilly & Parker, 2012). According to this logic, the data saturation in this study was achieved when around twenty sources illustrating the framing of the crisis by IHC; and twenty sources illustrating the framing of the conflict by ASEAN – had been analysed.

¹⁴ The statements/documents issued by bodies/representatives *consulting* the agencies or *commenting* on the developments without a decision-making authority, such the ASEAN Intergovernmental Commission on Human Rights, did not provide for the sources for the analysis in order to maintain the rigour of the research project.

¹⁵ Despite the author of this project takes into account the criticism of some scholars – such as Dey (1999) – who question the utility of data saturation due to their presumption that the practice leads researchers to close the collection of data “too early”, resulting in a partial coding of the material and thus in a decrease in an overall quality, validity and reliability of the research process, due to the limitations imposed by a limited number of ASEAN sources addressing the Rohingya crisis in the public domain, and the practical limitations of this project, the study opts to adhere to the principle of saturation to maintain the work’s rigour.

2.2.2 Analysis

The analytical part of the study constituted of a process of *document analysis*, a systemic procedure of reviewing selected documents (Bowen 2009, p. 27) by uncovering actors' meanings, perceptions and their understanding of the research problem (Merriam 1988, p. 118). Employment of other type of data analysis methods such as undertaking field missions or conducting expert interviews would undoubtedly yield a more nuanced understanding of the body's approach to the resolution of the Rohingya conflict. However, due to the practical constraints of this project, and the political sensitivity of the conflict, the current study chose to explore the chosen research problem through a thorough examination of the official documents and statements issued by the Association. After all, it is the official documents and statements of the Association that reflect ASEAN's overall position and operation.

Regarding the process of coding development and application, the study employed a combination of inductive and deductive processes (Drisko & Maschi 2016, p. 104). The first stage of the analysis comprised the process of "first cycle" coding development. This was conducted inductively and applied initially on the sources of IHC in order to identify actors' explicit framing devices and develop a list of in Vivo codes (the exact way the words or phrases appear in the text); and their explicit and implicit reasoning devices.

The first stage was followed by the "second cycle" of coding and development of abstract analytical themes (Saldaña, 2009) or in Chong & Druckman's words (2007) "a coding scheme". The development of abstract analytical categories was conducted deductively in order to increase accuracy, reliability and replicability of the chosen method; and provide for a more systematized presentation of the findings. The categories were derived from the scholarship on conflict resolution and divided into two main sections: (1) Conflict analysis; (2); Conflict resolution – the former guided by the SIDA Manual for Conflict Analysis (2006) while the latter inspired by 'Five Transformers of Conflict' developed by Ramsbotham *et al.*, (2016).

Once the coding scheme was identified, the next step involved an analysis of the sources selected for the interpretative content analysis. The analysis involved the reconstruction of ASEAN's frame package – an identification of ASEAN's framing and reasoning devices – and observation of their resemblance/variation to the pre-defined coding schemes. The analysis was then completed by an interpretation of the findings. This was allowed by the discussion of the central frame guiding the overall framing of ASEAN, the "ASEAN Way" paradigm.

In addition, in order to “breed the credibility of the analysis” (Eisner 1991, p. 110) and reduce the impact of potential personal biases of the researcher, the discussion of the findings was supported by other sources of evidence such as secondary sources – articles, commentaries and opinion pieces written by various research institutions; and press releases of ASEAN documenting the body’s real operation, practices and its approach to the Rohingya conflict.

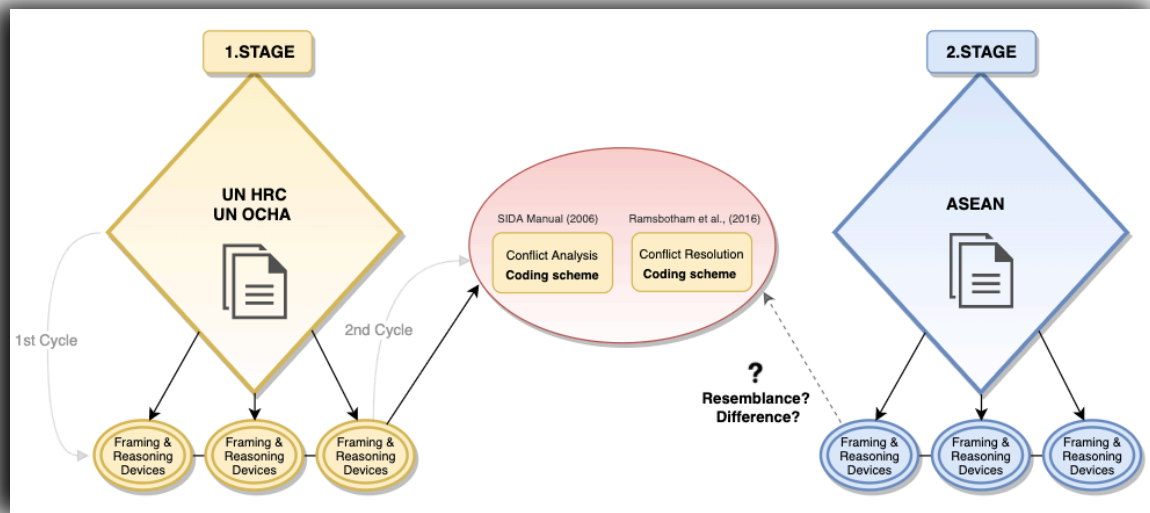


Figure 6. Coding development and application

The next section of the paper will elaborate on the process of the development of the abstract analytical categories derived from the SIDA Manual for Conflict Analysis (2006) and Ramsbotham *et al.*’s (2016) five generic transformers of conflict.

2.2.2.1 Conflict Analysis

Following the procedure laid down by SIDA Manual (2006)¹⁶, a conduct of an in-dept conflict analysis involves a thorough investigation of *structural causes, main actors, factors* and *dynamics* influencing/perpetuating conflict (ibid., p. 10-15). The exploration of these factors resembles the process of the reconstruction of actors’ “frame package” – the way they explain, problematise, evaluate and attempt to solve a problem (van Gorp 2017, p. 65), the theoretical

¹⁶ Cognizant of the availability of a wide spectrum of tools used by the conflict resolution scholars and practitioners, such as ‘conflict wheel’, ‘conflict tree’, ‘conflict mapping’, ‘Glasl’s Escalation Model’ and many more, due to the comprehensive, concise and “easy-to-grasp” character of the framework, this work opts for the use of the SIDA Manual as a theoretical tool enabling a conduct of conflict analysis.

framework build in this study to understand the approach of ASEAN to the resolution of the Rohingya crisis.

With regards to the analysis of the *structural causes* of the conflict, during the coding development, the study attempted to find answers to the questions such as:

- *How does the source frame the root causes of the conflict?*
- *Does it recognise an asymmetry between the parties' socio-economic/socio-political conditions, such as access to work opportunities, health services, natural resources and the right to political participation?*
- *Does the source address the (in)ability of the Government to address the parties' grievances?*

In terms of *actors*, the project attempted to identify:

- *How does the source frame the victims of the conflict and the perpetrators of the violence?*
- *To whom does the source assign the blame for the violence and the crisis?*
- *How does the source frame the actors' actions and the conflict per se?*

Whereas, while identifying the main *dynamics* or “trigger events” changing the course of the conflict, the study attempted to explore:

- *What events or situations that had effect on the conflict does the source frame as crucial/impactful?*

2.2.2.2 Conflict Resolution

According to the ‘The Framework for Conflict Resolution’ developed by Ramsbotham *et al.*, 2016¹⁷, resolution of conflicts requires “five generic transformations” which would otherwise sustain ongoing violence.

¹⁷ This study chooses to draw on the theoretical underpinnings of Ramsbotham *et al.*, (2016) and their ‘Framework for Conflict Resolution’ primarily due to the model’s reliability as it draws on the theoretical assumptions of a number of prominent scholars in the field of conflict resolution, such as Azar *et al.* (1978), Burton (1990), Galtung (1984), and Väyrynen (1991). However, it must be noted the current study was mainly *inspired* by the model and adjusted its theoretical premises in order to fit the main empirical aspirations of this project, an exploration of ASEAN’s approach to the resolution of the Rohingya conflict. Thus, when discussing, for instance, the “international” transformations necessary for the resolution of the conflict, instead of a discussion of the necessity to disrupt the external funding of the ARSA forces or MSF, the study attempts to identify the changes in the international context in regards to the role of IHC in the resolution of the crisis.

Drawing from the framework, regarding the first form of transformation, during the coding development, the study sought to examine:

- *How does the source frame the solution to the conflict in regards to the regional or international context?*
- *What contextual or regional changes does it deem as necessary for the resolution of the crisis?*

Whereas in terms of the second transformation, the project attempted to identify:

- *How does the source frame the solution to the crisis in regards to the structures and policies which have produced it?*

In terms of the third transformer of conflict, the study tried to investigate:

- *How does the source frame the solution to the conflict in regards to the actors' goals and patterns of organisation?*
- *What changes in terms of the parties' positions and their status does it deem as necessary for the resolution of the crisis?*

While with regards to the fourth transformation, the project sought to identify:

- *How does the source frame the solution to the conflict in regards to political elites?*
- *Does it call for their removal or does it call for the continuation of their actions?*

Whereas in concern to the fifth transformer, the study sought to examine:

- *How does the source frame the solution to the conflict in regards to the conceptualisation of the conflicting issues and the conflict per se?*
- *Does it deem re-framing, re-defining the conflict/issues as a prerequisite to its resolution?*

Concurrently to the identification of the conflict resolution frames, the study attempted to categorise the framed solutions in chronological order by asking: *What does the source identify as the immediate, intermediate and structural step in the resolution of the conflict?*

2.2.3 Interpretation

In terms of the interpretation of the gathered data, the study related the findings to the “ASEAN Way” paradigm. The concept, referring to the “most problematic yet superior principle in ASEAN decision- and policy-making” (Tobing 2016) is widely considered by many scholars as the most suitable tool facilitating an understanding of ASEAN’s inability to reconcile state sovereignty and humanitarianism – positioning Human Rights and human security over sovereignty of nation-states (Acharya 1998; Caballero-Anthony 2005; Goh 2020; Narine 1997).

If defined broadly, ASEAN way refers to an approach of Southeast Asian states to security cooperation, defined also as their “regional security culture” (Acharya 1998). In other words, ASEAN Way embeds ASEAN Member States’ “long-term attitudes and habits with respect to the management of issues of conflict and peace” (ibid., p.55). As viewed by Goh (2000), ASEAN Way is a “culturally-based belief system” governing the actions and decisions of the Association. If defined narrowly, the ASEAN way of cooperation is largely guided by some of the Associations’ “grand rules of conduct” (Acharya 1998) regulating operation and discourse of ASEAN, such as: (1) strict non-interference in internal affairs of Member States¹⁸; (2) pacific settlement of disputes; (3) respect for state sovereignty; (4) respect for territorial integrity of the States; (5) renunciation of the threat or use of force; and (6) effective inter-state cooperation (ASEAN Overview).

Despite the afore-stipulated principles can be found in a number of international/regional treaties, what makes ASEAN the most peculiar in regards to such rules is the body’s tenaciousness to abide by them (Acharya 1998, p. 57) – a theoretical premise which will be illustrated in the empirical part of this project.

2.2.4 Critical Reflections and Ethical Considerations

A research project investigating attempts to a resolution of severe social conflicts with the use of Interpretative Content Analysis incurs several inherent shortcomings. Despite this study did not involve people, and all the documents used for the research are in the public domain and

¹⁸ As stipulated in the article 2(c) of the Treaty of Amity and Cooperation [TAC] adopted by ASEAN in 1976, to fulfil the criteria of the principle of non-interference, the Member States should, among others, “refrain from *criticizing* the actions of a member government towards its own people, including *violation of human rights*,[...]” (emphasis added, Acharya 2009, p. 72). The above-stipulated provisions highlight the inviolability and predominance of state sovereignty over individual, human security and the core principles of humanitarianism.

thus “do not appear to contain more than everyday risks” (Drisko & Maschi, 2016, p. 88), while using ICA during an analysis of politically sensitive conflicts, addressing ethical considerations is in order. Due to the fact that the research project takes on an interpretative epistemological position, interpretation and understanding of words in context in this study is subject-dependent.

As affirmed by Sipe & Ghiso: “All coding is a judgment call since we bring our subjectivities, our personalities, our predispositions to the process” (ibid., 2004, p. 482). A variety of factors, such as my cultural and academic background, nationality, language and political standpoints potentially reflect on my existing presumptions, and thus – played a substantial role during the whole process of research, starting from the choice of the research topic, the conceptualization of the codes to the interpretation of the meanings. To illustrate the afore-stipulated, having been: educated in the West (Slovakia, Czechia, France, Sweden); exposed primarily to the influence of the Western media and governments and thus unfamiliar with the political and social dynamics of Southeast Asia “on the ground” – may have affected my choice for the “preferred framing” of the Rohingya conflict, the framing applied by IHC.

Against this backdrop, despite being cognizant of the presumptions of the scholars on post-colonialism who affirm that Human Rights and the IHL have been developed primarily to serve the interests of their main creators (the Western governments) by reinforcing their power positions (Grovoqui 2011; Jabri 2013; Santos 2008), while, at the same time, being apprehensive of my own positionality and convictions that individual security should prevail over power and interests of repressive governments, this study attempted to atone for subjective (and thus instinctive, as opposed to objective) interpretation of the empirical phenomenon and the findings by positioning the framing of the Rohingya conflict by IHC as the main reference point guiding the analysis.

Chapter 3

3.1 Results

The following part of the study will be dedicated to the discussion of the key findings of the qualitative document analysis. In order to maintain the conciseness and rigour of this work, the central conflict frames identified in the sources of the international humanitarian community will be illustrated in parallel with the frames employed by ASEAN. At first, the study will discuss the developed coding scheme for the Conflict Analysis – the main frames of IHC and ASEAN employed to discuss structural causes, actors and main dynamics of the Rohingya conflict. Then, the study will turn its focus on the illustration of the key Conflict Resolution frames – principal international-, regional-, structural-, individual-level and discourse/issue transformers framed by IHC and ASEAN as necessary for the resolution of the Rohingya conflict and the resulted humanitarian crisis. The illustration of the main results of the research will be followed by an interpretation of the findings and concluding remarks.

3.1.1 Conflict Analysis

Conflict Analysis	IHC	ASEAN
<i>Structural causes</i>	Structural violence: statelessness, restrictions, HRs abuses;	Economic deprivation and intercommunal grievances: economic underdevelopment, inter-communal struggle;
<i>Actors</i>	Victims: Rohingya Muslims; ARSA; Perpetrators: the Government of Myanmar and its military; ARSA (extremists); ethnic minorities; Conflict (since Aug. 25, 2017): armed conflict; refugee crisis; humanitarian crisis; campaign of violence; genocide;	Victims: displaced communities; affected communities; local communities; Perpetrators: ARSA (extremist individuals/terrorists); Conflict (since Aug. 25, 2017): inter-communal struggle; humanitarian situation in northern Rakhine; man-induced crisis;
<i>Dynamics</i>	- 1982 Citizenship Law; - 2012 violence; Trigger: the events following August 25, 2017 (clearance operations conducted by MSF);	Trigger: August 25, 2017 (attacks carried by ARSA militants);

Figure 7. Conflict analysis coding scheme

3.1.1.1 Structural Causes

Analysing the framing of the conflict by a large number of international observers, it becomes immediately observable that whenever IHC discusses the conflict, it considers the conflict's wider context and thus identifies its underlying causes as embedded within the conflict's deeper historical trajectories. As was apparent from a number of sources, for IHC the principal cause of the conflict and the ongoing suffering of the ethnic Rohingyas is mainly associated with the persistent perpetuation of what can be conceptualised as *structural violence*, or consistent patterns of political, social and economic discrimination and exclusion of, predominantly, the Muslim Rohingyas by *the Government of Myanmar* [GoM] (A/HRC/39/64; A/HRC/39/CRP.3; IOM *et al.*, 2019; OHCHR 2017; UN News 2019c; UN SG 2018b).

During the analysis, three main frames emerged as prevailing in the discourses of IHC: (1) *statelessness*; (2) *restrictions*; (3) *human rights* [HRs] *abuses*. The most emblematic source documenting the factors leading up to the events which unfolded following August 25, 2017, is the 440-page report issued by the Independent International FFM, known as A/HRC/39/64. As framed in the report, since 1989 “the Rohingya citizens of Myanmar have been subjected to persecution based on their religious beliefs, involving extrajudicial executions, torture, arbitrary detention, [...], population resettlement, [among other measures]” (par. 100). According to the source, the 1982 Citizenship Law entrenched the “statelessness” of the Muslim population of Rakhine State (*ibid.*). As a result of such discriminatory policies, all ethnic Rohingyas wishing to travel within the State are requested to show their “village departure certificate” or a temporary travel permit (par. 503-8).

Likewise, the ‘Solidarity Approach for the People of the Rakhine’ [thereafter the ‘Solidarity Approach’] developed by the UN HCR in 2019 in order to bolster a coordinated stake-holder engagement with the humanitarian crisis highlights the protraction of the structural violence against the communities in Rakhine State. According to the source, the statelessness, restrictions on movement, and systematic discrimination have curtailed the basic rights of Rakhine State’s Muslims, who are now “entering their seventh year of confined encampment” (UNHCR 2019, intro.). Such developments have also been discussed in the ‘2019 Joint Response Plan’ of IOM *et al.*, (2019), who frame such developments as “decades-long cycle of displacement” (*ibid.*, sum.).

What is interesting to note is that from the public statements of representatives from IHC, some implicit reasoning devices became highly apparent, such as the direct link between the long-term, systemic and widespread structural violence and the direct violence perpetrated by MSF against the ethnic Rohingyas following the attacks by ARSA on August 25, 2017. As framed by IHC, the systematic oppression and discrimination of the community may have amounted to the “crime of apartheid” (A/HRC/39/64, sum.) or “protracted killings” and other measures “threatening the community’s existence as a group” (ICJ 2020, p. 4). According to the FFM report, the clearance operations carried by the Tatmadaw following the attacks by ARSA were based on “policies and tactics that consistently fail to respect international law, including by deliberately targeting civilians” (A/HRC/39/64, sum.).

Observing the framing of the conflict and the resulted humanitarian crisis by ASEAN, the conflict frames indicating the root causes of the Rohingya conflict differ considerably. While the discourse of IHC is dominated by such frames as statelessness and human rights abuses, the central frames prevailing in the statements/documents of ASEAN are (1) *economic underdevelopment*, (2) *inter-communal violence*. As stated in a number of ASEAN-issued sources, the root causes of the conflict are largely related to the “lack of opportunity and development in the conflict areas” (ASEAN Chairman 2017a,b; 2018d). Despite ASEAN does recognise the effects of the structural problems in Rakhine State prior to the conflict, it can be argued that the Association conceptualises the structural precursor to the conflict in terms of *economic underdevelopment*. Such reasoning devices contradict those of IHC, which explicitly frames the protracted and highly-systematised violence conducted by the GoM against the country’s Muslim Rohingyas – as the root causes of the conflict.

Moreover, as is evident from the discourse of the PNA report issued by the ASEAN-ERAT team in June 2019, the situation in Rakhine State corresponds to an “inter-communal issue” (PNA, par.17) what further indicates the body’s conceptualisation of the structural causes of the conflict as “inter-communal tensions with deep historical roots” (ASEAN Chairman 2017a), in contrast to framing the conflict and the humanitarian crisis as primarily a result of the structural and one-sided violence perpetrated by the GoM and its military (A/HRC/39/64).

In regards to the link between the deep-rooted causes and the events which unfolded on August 25, 2017, in contrast to the perception of the chain of events as framed by IHC, according to ASEAN, the “loss of civilian lives, destruction of homes and displacement of large numbers of people” and the “major clash which broke out in Rakhine State” can be attributed to the direct

violence *conducted by ARSA militants* (ASEAN Chairman 2017a, PNA, p. 20). In none of the documents analysed ASEAN indicates the connection between on the one hand, the eruption of the severe humanitarian crisis and on the other hand, the clearance operations carried by the Tatmadaw. Interestingly, despite ASEAN does not explicitly enunciate the link between the violence perpetrated by MSF and the large population displacements, the body has repeatedly welcomed the establishment of the ‘Independent Commission of Enquiry’ by Myanmar to investigate “alleged human rights abuses” (ASEAN Chairman 2018a, d, c; 2019a).

3.1.1.2 Actors

In terms of IHC’s framing of the conflict’s victims and the perpetrators of the violence, a number of interesting dynamics emerged during the analysis. While most of the sources attribute the suffering of the victims predominantly to the actions of the government of Myanmar and its military (e.g., A/HRC/39/64; IOM *et al.*, 2019; OHCHR 2017; UN 2019a,b), a considerable amount of the sources acknowledge the multifaceted nature of the conflict and its varying dimensions (A/HRC/39/64; ICJ 2020; UN 2019b; UN HCR 2019). According to the FMM, “the consistent patterns of serious human rights violations and abuses in Kachin, Rakhine and Shan States, [...] were principally committed by Myanmar’s military” (A/HRC/39/64, sum.). However, the document also frames and attributes the responsibility for the current situation in Rakhine State to other types of actors, as evident in par. 776, in which – despite it frames the Tatmadaw soldiers as “the main perpetrators of the violence” – the report also identifies other ethnic communities, such as ethnic Rakhine, Mro or Chakma from nearby villages as “equipped with knives and killing”.

In a similar vein, the report explicitly frames the violence perpetrated by the ARSA militants (see A/HRC/39/64, par.750), however, from the framing of IHC it becomes apparent that there is a presence of latent reasoning devices conceptualising ARSA soldiers as both – the perpetrators and the victims of the conflict. As framed by the FFM, the attacks by ARSA on August 25, 2017, were launched: “to increase pressure on Rohingya communities and with the goal of gaining global attention” (*ibid.*). Such conflict frames were also identified in the statement of the UN Secretary-General António Guterres in August 2018. Notwithstanding his condemnation of the attacks against the security forces by the so-called “extremists”, the “disproportionate force and the gross human rights violations committed by MFS and their allies could never be justified” (UN SG 2018b).

In regards to the victims of the conflict, there is a wide consensus in terms of the recognition of the identity of the ethnic Rakhine Muslims. Almost all of the documents and statements analysed in this study explicitly frame the victims as “Rohingya” (e.g., A/HRC/32/18; IOM *et al.*, 2019; UN HCR 2019; UN OCHA 2017b), except for the joint documents/statements issued by the representatives of the UN agencies in collaboration with, for instance, ASEAN, the Government of Bangladesh or Myanmar (ASEAN Chairman 2017c; 2019c; IOM *et al.*, 2019; OH CHR 2017). For instance, throughout the document, the ‘2019 Joint Response Plan’ of IOM *et al.*, (2019) refers to the community as “Rohingya refugees” whenever it addresses the measures implemented by IHC, however, whenever it recalls the measures taken by the Government of Bangladesh the report refers to the community as “Forcibly Displaced Myanmar Nationals” in accordance with the official nomenclature of Bangladesh.

A similar deviation from the framing can be observable in the 2017 HRC’s special session on the situation in Rakhine State, during which the Permanent Representative of Myanmar to the UN Office in Geneva, Htin Lynn, referred to the conflict as “the situation in Rakhine State” while refraining himself from using the term “Rohingya” and attributing the responsibility for the violence against the community to “extremist individuals” while “the Government was doing everything possible to address the issue” (OH CHR 2017). In contrast to the frames employed by, for instance, the UN HCHR, Al-Hussein, who throughout the same session repeatedly addressed the victims as “Rohingya Muslims” and the situation “carrying elements of genocide” induced by “organised planning of a campaign of violence” (*ibid.*).

On another note, ASEAN’s framing of the key actors in the Rohingya conflict differs considerably from the framing of IHC. As indicated earlier in this study, in most instances ASEAN frames the given issue as a conflict between “various ethnic groups” (see section “Us vs Them” in PNA par. 15) or simply as “the situation in Northern Rakhine” (ASEAN Chairman 2017a; b), “humanitarian situation in Rakhine state” (ASEAN Chairman 2018d; APSC 2019, part 1) or “human-induced crisis situation” (ASEAN Chairman 2017c). While the victims are frequently framed as “affected communities” (ASEAN Chairman 2017b,c; 2018d) or “displaced persons” – whenever it addresses the people confined in refugee camps in neighbouring Bangladesh (ASEAN Chairman 2018a,d), or “local community” (PNA par.17) – when it refers to the ethnic Rakhine people. In such instances when the Association dedicates its attention solely to the discussion of the situation in Rakhine State, ASEAN implicitly attributes the responsibility for the violence to the “ARSA militants” (ASEAN Chairman

2017a) or “ARSA terrorists” (PNA, p.23). In none of the sources analysed ASEAN uses the term “Rohingya”.

However, it needs to be pointed out that the framing in the PNA (2019) document slightly differs in terms of its reasoning devices, in contrast to the rest of the sources analysed. Addressing the importance of reconciliation in the resolution of the conflict, the document frames the role of “some sectors of the government, particularly those in-charge of ensuring security” in a process of national reconciliation (ibid., p.15) and thus, arguably, implicitly indicates the involvement of the government in the armed conflict – apart from its initiatives “to end the violence” and “restore the normal socio-economic conditions in the state”, as addressed in a number of statements (e.g., ASEAN Chairman 2017a,b).

3.1.1.3 Dynamics

Due to the wider contextualisation of the conflict by IHC, in terms of the most emblematic events which triggered/intensified the conflict IHC frequently cites three instances: (1) *the 1982 Citizenship Law*; (2) *the 2012 violence* ; (3) *events since August 25, 2017*. For instance, in the Draft Resolution by the UN General Assembly from November 14, 2019, the international community called on the GoM to “review the 1982 Citizenship Law, which led to the deprivation of human rights” (see A/C.3/74/L.29, par.8c). According to IHC, “the denial of human rights cannot be based on an arbitrary deprivation of nationality” (A/HRC/39/64, par. 66-69). As viewed by the UN HCHR, Al-Hussein, following the violence in 2012, “discrimination against the Rohingya had sharply increased: not a single Muslim had been allowed to attend university in Rakhine state, and the Rohingya had been stripped of their identity cards, their right to vote and their right to form political parties” (OH CHR 2017). Despite the Government initiated a new “National Verification Process” in 2015, due to the fact that it required the Rohingya applicants to identify as “Bengali” on the application form, and the rights associated with the card were not stipulated, IHC framed the process as “a symbol of a discriminatory citizenship regime that only serves to further entrench their [Rohingya] status as immigrants” (A/HRC/39/64, par. 484).

However, as viewed by IHC, the situation of the ethnic Rohingyas dramatically deteriorated following the events on August 25, 2017, when the persecutions of the Myanmar military “triggered by far the largest and fastest refugee influx into Bangladesh” (IOM *et al.*, 2019). According to FFM, what happened in Rakhine State since August 25, 2017, was the “realisation

of a disaster long in the making. It resulted from the systemic oppression of the Rohingya, the 2012 violence, and the Government's subsequent actions and omissions" (A/HRC/39/64, par. 749).

In contrast to IHC's wider contextualisation of the conflict, ASEAN's notion of the most detrimental events which altered the course of the conflict is limited to a single event – the day when the ARSA militants conducted attacks on 33 police and military posts, what led to a “nearly 500,000 displaced Rakhine people to Cox's Bazaar” (PNA, p.22). The events were framed along the same lines by the ASEAN Chairman in his statement on the situation in Rakhine State in 2017. According to the Chairman, the Foreign Ministers condemned “the attacks against Myanmar security forces on 25 August 2017 and all acts of violence which resulted in [...] the displacement of large numbers of people” (ASEAN Chairman 2017a). Apart from the above, due to ASEAN's rather narrow portrayal of the conflict dynamics and precursors, whenever the Association issues statements on Rakhine State, it addresses the developments in the cooperation with the GoM in terms of the repatriation of the displaced communities (e.g., AHA Centre 2018; ASEAN Chairman 2018d; 2019a; PNA 2019; ASEAN Secret. News 2020), in contrast to framing the events which altered the dynamics of the conflict *per se*.

3.1.2 Conflict Resolution

Conflict Resolution Transformers	IHC	ASEAN
<i>International & regional</i>	<p>IHC: <i>guaranteeing that the measures implemented by the GoM adhere to the standards of IHL;</i></p> <p>ASEAN:</p> <ul style="list-style-type: none"> - <i>leading the conflict resolution process;</i> - <i>ensuring that the GoM acts in accordance with international standards;</i> - <i>reporting on the repatriation process to both the refugees and IHC;</i> - <i>sharing the burden of the repatriation of the refugees;</i> 	<p>IHC: <i>supporting the GoM in the repatriation of the displaced persons (as agreed in the MoU);</i></p> <p>ASEAN:</p> <ul style="list-style-type: none"> - <i>providing technical assistance & information-sharing;</i>
<i>Structural, individual and elite</i>	<p>(1) <i>positive peace;</i> (2) <i>repatriation;</i></p>	<p>(1) <i>repatriation & negative peace;</i></p>
<i>Discourse/Issue</i>	<p>IHC & ASEAN: <i>catalysation of the conflict discourse and the diplomatic and public pressure imposed on Myanmar;</i></p>	<p>IHC: –</p> <p>ASEAN: <i>continuation of the “ASEAN shaped” discourse;</i></p>

Figure 8. Conflict resolution coding scheme

3.1.2.1 International & Regional Transformers

Observing the Conflict Resolution frames indicating the perceptions of actors from IHC on the international transformations necessary for the resolution of the Rohingya crisis, during the document analysis it became highly discernible that IHC regards its role of a *guarantor*, i.e., an integral element ensuring that the provisions the GoM implements are in line with international standards. This could be observable in the report by IOM *et al.*, (2019), in which the authors of the document affirm that despite the obligations to generate conditions “conductive” to returns of the refugees “rests with the GoM, [...] after the refugees go home, *the international community* must have unhindered access to returnees to monitor their safety and reintegration conditions (ibid., p. 13, emphasis added); and support Myanmar in [...] restoration of [Rohingya] citizenship” (ibid., p.16). Similar sentiments were expressed during the UN HRC’s special session on the situation in Rakhine by the UN HCHR, Al-Hussein, who affirmed the following: “in view of the scale and gravity of the allegations, the HRC should recommend the

General Assembly to establish a new impartial and independent mechanism to assist individual criminal investigations of those responsible” (OH CHR 2017).

In terms of the regional transformations, the ‘Solidarity Approach’ report developed by the UN HCR represents the most emblematic document framing the potential role of regional actors in the resolution of the crisis (UN HCR 2019). In the report, ASEAN is called on both – explicitly and implicitly – to get engaged more proactively with the resolution of the crisis through a number of measures, which can be conceptualised as: (1) *leading*, (2) *ensuring*, (3) *reporting*, (4) *burden-sharing*. As affirmed by the report, arguably, ASEAN leadership has a potential to – be a “key” driver advocating for the approach going forward; ensure that the solutions developed by Myanmar are “in line with international standards”; inform the refugees and report IHC on the repatriation process; share the burden of the repatriation of the refugees – in order to, together with international actors, create conditions for their “voluntary” and “sustainable” return (ibid.,p.3-4).

In terms of the frames employed by ASEAN to indicate the changes in regards to the international and regional context, whenever the Association addresses the measures necessary for the resolution of the crisis, ASEAN frames the role of IHC as a mere external “support” in the voluntary repatriation of the “displaced persons” through, for instance, the implementation of the Memorandum of Understanding [MOU] between UN HCR, UN Development Programme and Myanmar (PNA 2018, p.23,33). In contrast, over the period 2017-2020, ASEAN has dedicated considerable efforts in framing the body’s own role in the resolution of its regional conflicts, and the Rohingya crisis in particular. In the APSC Outlook of 2019 (No.1) which addresses ASEAN’s approach to the current political and security challenges in the region, including the “humanitarian situation in the Rakhine State” (ibid., p.12), ASEAN explicitly expresses its readiness to build a “people-centred ASEAN Community” while “leaving no-one behind” when addressing “human-induced disasters”; while framing its “raison d’être” in terms of “promotion of peace and reconciliation” (ibid.,p.15-18). Similar frames employed by the Association are observable in the follow-up documents/statements of various high-level meetings, during which ASEAN enunciates its desire to maintain its “centrality” and “primary role” in the regional architecture and in “peaceful resolution of disputes”(ASEAN Chairman 2019a).

In terms of the Rohingya crisis, during the document analysis it became evident that ASEAN regards its role in the conflict as that of an *interlocutor* tasked with supporting the GoM in the

resolution of the conflict through a number of “practical/technical measures” while, at the same time, informing the “returnees”, “local communities” and “the international community” about the GoM’s progress in the repatriation process (ASEAN Sec. News 2019b,e; 2020; PNA 2019). The transformations the body envisages in regards to practical measures, which ASEAN frames as “low-hanging fruits” (ASEAN Sec. News 2019b) are, for instance, the implementation of a number of “capacity-building programmes promoting social cohesion” and an establishment of a “technical working group” in Myanmar to support the repatriation process (PNA 2019, p.11).

3.1.2.2 Structural, Individual and Elite Transformers

Concerning the changes in regards to the state structures, policies and actors which generated the conflict, four overarching frames emerged as dominating the discourse of IHC, namely: (1) *citizenship*, (2) *security*, (3) *reconciliation*, (4) *repatriation*. It became apparent from the discourse of IHC that addressing the issues of citizenship in concurrence with the issues of reconciliation and security is a prerequisite to “voluntary, safe and dignified” return of the Rohingyas (IOM *et al.*, 2019; OH CHR 2017; UN 2019c; UN SG 2018b). In regards to the legal status of the community and the role of ASEAN, the Association can “push [Myanmar] for a citizenship verification process that meets international standards” (Lau 2019); in contrast to forcing the Rohingyas to go through verification processes that “further entrench their status as immigrants” (A/HRC/39/64, par. 484).

Besides, as resonated in the discourse of IHC, for the “climate of fear and persecution” to cease (UN SG 2018b), senior personnel of the Myanmar army should be investigated and prosecuted in an international criminal tribunal for “genocide, crimes against humanity and war crimes” (A/HRC/39/64, sum.). A member of FFM, Radhika Coomaraswamy, frames the necessary measures for the resolution of the crisis along the similar lines, when she affirms that holding people accountable and reforming the Tatmadaw is “the only way forward” to the community’s return (UN 2019c). Moreover, as enunciated by IHC, the whole repatriation process should be “community-based” involving the people of Rakhine State and the refugees themselves (IOM *et al.*, 2019; UN HCR 2019). Only then can, arguably, voluntary repatriation “along with freedom of movement, end to segregation and discrimination, inclusive development, [...]” take place (UN SG, 2018b) – as opposed to, as framed by the head of the Fact-Finding Mission, “forced repatriation” of the returnees to camps or their “re-victimisation” (OH CHR 2017).

As for ASEAN, the most dominant frame indicating the body's vision on changes in the structural and individual policies is that of *repatriation*, followed by its latent emphasis on *security, stability* and *peace* in Rakhine State. As stipulated by ASEAN in a large number of sources, the role of Association in the Rohingya crisis is to primarily: "support the GoM's efforts in facilitating the repatriation process" (AHA Centre 2018; ASEAN Sec. News 2019b,e;2020; PNA 2019). As stated by ASEAN, for the repatriation to succeed, "the security of the displaced persons must be assured" (ASEAN Sec. News 2019c).

However, there is an evident divergency in the reasoning devices of ASEAN and IHC indicating the actors' conception of peace and security. For instance, according to the Association, the verification process through which the returnees must undergo will serve as an "evidence" that the returnees are "residents" of Myanmar, providing them with an opportunity to apply for citizenship in "accordance with the Myanmar Citizenship Law 1982" (PNA 2019, p.29). Moreover, as visualised in the PNA (2019) report, upon their return, after undergoing the "11-step verification process", the returnees whose homes have been destructed will be confined to one month in "transit centres" in which their movement will be "restricted" (ibid., p. 3-5, p.51).

In regards to framing the changes in structural policies which have generated the conflict, the Association repeatedly calls for the restoration of "normal socio-economic conditions" in Rakhine State (ASEAN Chairman 2017a, b; PNA 2019) through such measures as job creation, women empowerment or peace-building "Government-initiated efforts" between various ethnic groups (PNA 2019, p.7-8); and establishment of 'the Independent Commission of Enquiry' by the GoM to seek accountability for the HRs abuses (ASEAN Chairman 2018a,c,d; 2019a).

3.1.2.3 Discourse/Issue Transformers

Identifying the frames employed by IHC to indicate its views on the necessary changes in the framing of the conflict and the conflicting issues, from the observation of its discourse it became highly apparent that IHC calls for the *catalysation* of both – *the discussion about the crisis*, and *the diplomatic and public pressure* on Myanmar to address the problem and resolve the crisis in accordance with the international humanitarian law.

During several occasions the representatives from IHC urged the international community to push Myanmar to ensure the fulfilment of its various commitments as pledged in a number of agreements, such as the MoU signed between various UN agencies and Myanmar (OH CHR

2017; UN HCR 2019, p.13; UN SG 2018b). In one document analysed in this work, a representative from IHC called explicitly on ASEAN to convey the reality on the ground; show compassion for the Rohingyas; and pressure Myanmar to take measures to “end the violence, discrimination, and persecution that forced out the Rohingya” (Lau 2019). According to the representative from the Médecins Sans Frontières, before addressing the repatriation of the refugees,

“ASEAN needs to have a broader conversation with the Myanmar government. Member states should place the exclusion and discrimination of the Rohingya at the centre of their discussions. Rakhine State must stay on the agenda, in ASEAN meetings and at the UN General Assembly. In these gatherings, Southeast Asian leaders should say with one voice that inclusion, not segregation, is the solution” (Lau 2019)

In contrast, the frames used by ASEAN indicating the body’s views on the necessary changes in the framing of the conflict issues and the crisis *per se* differ considerably from the frames employed by IHC. According to the Association, ASEAN’s approach to deal with issues that transcend the borders of the neighbouring states may not inevitably “hog the limelight” (APSC 2019b, p.17). Instead of catalysing the discourse on the issues that affect the region, ASEAN opts to work “quietly [...], as has always been one of the hallmarks of ASEAN” (ibid.). ASEAN’s role in regional issues, as framed by the Association, is to “proactively shape the discourse” (APSC 2019a, p.15).

In the context of the Rohingya crisis and the transformation of the framing of the crisis, the role of the ASEAN-ERAT deployed to Rakhine State was to, among other measures, support Myanmar in “information management” and “reporting on the provision of HADR” (AHA Centre 2018). The team’s final PNA report identifies the role of ASEAN in shaping the conflict framing through measures such as, for instance, “sharing factual information” on the repatriation processes with the potential returnees in Bangladesh through “radio broadcasting, printed materials, social media, [...] and leading dialogues with community leaders” (ibid, p. 10). In January 2020, the ASEAN Secretariat released a report on its process on “information dissemination” in Rakhine State by “supplying radio receivers to “the local community [the ethnic Rakhine]” (ASEAN Sec. News 2020).

3.2 Interpretation of the Findings

The following lines will be devoted to the interpretation of the findings of the current research project. At first, the study will provide a comprehensive interpretation of ASEAN's framing of the conflict through a discussion of the "ASEAN Way" paradigm. As will be illustrated below, the ASEAN way paradigm provides for the discussion of the main determinants affecting the Association's mode of framing the issues of war and peace. Then, the focus will shift to the discussion of the implications resulted from the "ASEAN Way" of framing on the resolution of the Rohingya conflict, and the body's role of a third-party mediator.

3.2.1 The 'ASEAN Way' of Conflict Framing

After having explored: (1) ASEAN's "Rohingya conflict frame package" – a number of explicit and implicit frames employed by the Association to convey the constituent parts of the Rohingya conflict (structural causes, actors, dynamics) and the transformers (international, regional, individual, discourse) necessary for the resolution of the conflict; (2) press releases illustrating real activities and operation of ASEAN – the central latent frame guiding the overall mode of framing of ASEAN became highly apparent.

Recalling the theoretical argumentation of the framing scholarship, a central frame is an abstract archetype linking all the words, phrases, metaphors together into one cluster, providing a discourse with a logically-arranged structure (Gamson & Lasch 1983). Considering the imperative role of the "ASEAN Way" paradigm guiding the *modus operandi* of the body's decision-making, and the role of norms embedded in the notion (Acharya 2001; Busse 1999; Tobing 2018), the results of the current research indicate that the concept functions as a central latent frame determining the overall discourse of the Association. Therefore, observing the main norms constituting the paradigm allows one to understand ASEAN's framing and consequently, the body's approach to the resolution of the Rohingya conflict.

As noted by one of the leading analysts of the security dynamics of Southeast Asian, Amitav Acharya, the policy-making of ASEAN is largely defined by such norms as *discreetness*, *informality*, *consensus*, and most importantly – *non-controversial bargaining methods* which are frequently contrasted with the "adversarial posturing and legalistic decision-making

procedures in the Western multilateral negotiations” (Acharya 1998, p. 58)¹⁹. The qualitative analysis undertaken in this work attempted to highlight such a discrepancy in the “posturing” and framing of issues by ASEAN and the international humanitarian community.

Firstly, according to the analysts of SA politics, the *informal* aspect of ASEAN decision-making is nowhere more evident than when the Association addresses issues related to *security*, which are mostly discussed through dialogues and *ad hoc* mechanisms, in contrast to the comprehensive and highly-institutionalised conflict resolution mechanisms of the West (Acharya 1998; Beeson 2009; Buzan 2011; Leifer 1989). As can be observable from the research’s findings, in cases of emergencies associated with natural/man-induced disasters the agencies of IHC – such as the UN HCR, UN HRC, UN OCHA, IOM – not only develop a series of ‘Joint Response/Solidarity Approach, etc.’ plans for their effective operationalisation, they also have an “institutionalised capacity” or a mandate to voice, address and respond to a variety of HRs abuses while taking into account conflicts’ wider historical trajectories.

In contrast, the mechanisms of ASEAN through which the body addresses regional security challenges are limited to a number of high-level meetings, such as bi-annual ASEAN Summits and more frequent ASEAN Foreign Ministers Meetings; and agencies such as the ASEAN AHA Centre whose mandate is limited to the management of “the symptoms of the crisis” (Nanthini 2019) through measures such as assisting Myanmar with the provision of HADR in Rakhine State (as was evident from the PNA report analysed in this study), in contrast to resolving the crisis comprehensively. Despite ASEAN *does* have a separate body in its organisational structure tasked with the promotion and protection of HRs (the ASEAN Intergovernmental Commission on Human Rights, AICHR), its operation is limited to meetings, consultations and a variety of community-engagement projects (see AICHR Activities) in contrast to having a robust mandate to protect and investigate HRs abuses.

These tendencies can also explain the disproportion in the amount of time and space devoted to the discussion of the Rohingya crisis by ASEAN and IHC. In most of the sources of IHC analysed in this study the ongoing armed conflict in northern Rakhine and the resulted

¹⁹ Such a line of reasoning corresponds with the views of the current Secretary-General of ASEAN, Lim Jock Hoi, who during his briefing on the developments in Rakhine State in front of the UN Security Council in January, 2020, framed the consensual, dialogue-based, ASEAN Way of policy-making as a “way of life in ASEAN” (Septiari 2020).

humanitarian crisis function as the central topic (e.g., A/HRC/39/64; IOM *et al.*, 2019; OHCHR 2017; UN HRC 2019; UN OCHA 2019). In contrast, considerably little space and time is dedicated to the discussion of the conflict and the crisis in the official documents of ASEAN. In the joint communiqués/statements of the body’s formal meetings, “the situation in northern Rakhine” is generally addressed in one, maximum two paragraphs (e.g., ASEAN Chairman 2017b, par. 87; 2018a, par. 56; d, par.37), what makes the body’s portrayal of its comprehensive conflict analysis a hard task. Only the Chairman’s statement of 2017(a) and the 60-page long 2019 PNA report were *entirely* devoted to the discussion of the crisis, what can further explain the slight deviation in the framing of the actors involved in the conflict (as illustrated in the research’s findings). Notwithstanding ASEAN’s special focus on the situation in northern Rakhine in these two instances, whenever the Association addresses the root causes of the conflict it limits its frames to primarily two references – inter-communal struggle and socio-economic conditions.

Secondly, one of the most discernible corporate characteristics of the Association easily observable in its discourses and framing is the body’s *non-confrontational way of decision-making*. According to the culture of non-confrontation, ASEAN Member States refrain from publicly “blaming” and/or “shaming” each other, and whenever there is a bi-lateral dispute or other politically-sensitive issues to be resolved, it is a common practice of ASEAN policy-making to leave them out of the agenda of multilateral deliberations (Acharya 1998, p. 61). As viewed by Narine (1997), ASEAN way of dealing with controversial/problematic issues is about “compartmentalising” and “postponing” them in order to avoid negative effects on progress in other fields of cooperation (*ibid.*, p. 964). By implication, whenever ASEAN engages in diplomatic bargaining such as during its formal summits, the body opts for a use of “code words” to convey an array of meanings in order to maintain a stable intra-mural environment (*ibid.*).

According to Tobing (2018), sensitive issues are issues which would threaten the sovereignty of ASEAN members, such as human rights violations (*ibid.*, p. 150). In cases of HRs abuses, rather than publicly pushing Myanmar and its military, the Tatmadaw, to refrain from actions which violate the rights of its people, ASEAN “constructively engages” the state in regional multi-lateral deliberations in order to, arguably, foster the country’s democratization and human rights development (Acharya 2001; Tobing 2018).

As is evident from the research's findings, during the period analysed (2017-2020), despite the Association did not choose to leave the crisis completely out of its political agenda and it addressed the HRs violations such as "destructions of homes", "large displacements of people" and called for the establishment of an 'Independent Commission of Enquiry' to look into HRs abuses (e.g., ASEAN Chairman 2017a), the Association did not address the issue of the HRs abuses in such an extent the IHC did. Besides, in all the sources analysed ASEAN referred to the Rohingyas exclusively in a series of non-confrontational code words, such as "affected communities", "displaced persons", "returnees" (in accordance with the official nomenclature of its Member State, Myanmar), in contrast to referring to them as "Rohingya" as referred by IHC. The body also did not frame the issue of national reconciliation as a precondition for the resolution of the crisis and did not address the illegality of Myanmar's citizenship policy, as IHC did.

Thirdly, according to Faith (1962), the peculiar position of *consensus* in ASEAN's culture makes the body's decision-making and final conclusions resemble a synthesis of the Member States' interests, considerations and feelings (ibid., p. 40). What is important to note, however, is that consensus *does not* equal unanimity (Narine 1997). Undeniably, the States sometimes disagree on some issues, however, while their disagreements are voiced behind closed doors, the final outlook of their bargain is presented as a unified decision (Acharya 1998, p. 63; Narine 1997, p. 965). As observed by Loh (2018), the statement addressing the situation in northern Rakhine issued by the ASEAN Chairman following the events since August 25, 2017, was widely viewed by international observers as "tepid" and "watered-down", resulting in a deviation of Malaysia and Indonesia from the official position of ASEAN. Similarly, the two Member States have repeatedly vehemently and publicly opposed Myanmar's treatment of the Rohingya Muslims (Channel News Asia 2017; Tempo.co 2018; The Guardian 2016).

Despite this backdrop, as the research's findings illustrate, the countries' frustrations and disagreements are nowhere observable in the official documents of the Association. The deviation from the official framing of ASEAN is nowhere apparent, except from a slight change in the framing of the conflict's actors in the PNA report (as already discussed in this study), in which the document implicitly frames "some sectors from the government" as a party to national reconciliation. As analysed by Acharya (1998), choosing to convey a "unified position" on sensitive issues prevents ASEAN Member States to "lose face" in front of the

international audience, making such a peculiar way of dispute-handling a “hallmark of the ASEAN Way” (ibid., p.63).

3.2.2 The ‘ASEAN Way’ of Conflict Resolution

Recalling some of the main theoretical premises of this research, mediation as one form of conflict resolution can be conceived of as an intervention of a third-party whose role is to: (1) *investigate*, (2) *define the problem*, and (3) *provide recommendations* for the problem’s solution (Blake & Murton 1985, p.15). Considering – ASEAN’s past experience with the management of some of its intra-mural crises, such as in post-Cyclone Nargis Myanmar; its current role in facilitating the repatriation process of the Rohingyas and supporting Myanmar in “bringing peace, harmony and reconciliation [...]” (ASEAN Chairman 2017a); and the body’s framing of its “raison d’être” as “promotion of regional peace and reconciliation” (APSC 2019b), it can be argued that the Association possess the capacity, authority and legitimacy to play a role of a third-party mediator in the resolution of the Rohingya crisis.

As the results of this research exhibit, ASEAN’s latent and manifest frames defining the problem, outlining its root causes and moral evaluations, and recommending measures to its solution – considerably differ from those employed by IHC, especially in terms of their quantity and quality. For instance, a considerable paucity of the HRs and citizenship frames can be observable in the official documents and statements issued by ASEAN, in contrast to their preponderance in the sources of IHC. Instead of framing the underlying causes of the conflict in terms of the persistent patterns of socio-political and economic marginalisation of the community, and the direct violence perpetrated by MSF, ASEAN explicitly defines the root causes of the crisis in terms of economic underdevelopment and inter-communal grievances (e.g., ASEAN Chairman 2017a; PNA 2019).

As the theoretical premises of this study suggest, the way actors involved in a given conflict frame and perceive the problem poses considerable implications on their approach to its comprehensive resolution, and thus provides for an investigation of possible conflict outcomes (Aggestam 1999). As the findings of this study indicate, the “ASEAN way” of framing the underlying causes of the Rohingya crisis affects the measures employed by the Association to resolve it. Due to the constraints imposed by the Association’s corporate culture, and the main norms defining the body’s mode of security cooperation (such as the principles of non-interference and respect for national sovereignty), the measures taken by the Association to

resolve the crisis have been limited to the mere support of the frequently cited “repatriation process” and a number of other “technical measures” (ASEAN Secretariat News. 2019e; 2020; PNA 2019).

In addition, according to Lewicki *et al.*, (1997), a role of a mediator in peace process consists of measures such as problem-solving advocacy urging all the constituent parties to the conflict to resolve to a peaceful resolution of the conflict. Arguably, the mediator’s emphasis on the employment of peaceful means paves the ground for an establishment of new political arrangements and inter-party relationships necessary for a comprehensive conflict transformation (Bloomfield *et al.*, 2003; Rambotham *et al.*, 2016; Zartman 2005). Presumably, addressing the structural causes of the problem, and achieving inter-party reconciliation and fresh relationships leads to the institutionalisation of what Galtung (1984) defines as “positive peace” (in contrast to unstable negative peace).

However, for the new relationships to emerge, all the constituent parties to the conflict needs to express their grievances and play a role in the process of conflict resolution. As affirmed by Jones (2012), a third-party intervention in internal issues of states is the most effective when it attempts to support local processes in conflict resolution, in contrast to imposing peace from above. According to the former UN envoy Razali Ismail: “the job cannot be done by external parties” but rather by the “elements within the country” (cited in Jones 2012, p. 228), such as the government, ethnic rebel forces and local communities.

In the context of the Rohingya crisis and the involvement of ASEAN in its resolution, the qualitative document analysis has demonstrated that not *all* constituent parties to the conflict – the Rohingya community, the ethnic armed groups, the local ethnic Rakhine people, and the GoM – are involved in the decision-making of the peace process. In none of the documents or statements analysed in this study, the Association frames the involvement of the Rohingyas in the decision-making of the repatriation process. Similarly, none of the sources recognises ARSA Rohingya militants as a legitimate party to the armed conflict, but instead, the members of the organisation are framed as “extremists” and “terrorists” (in accordance with the official nomenclature of GoM), what further implies that ASEAN disregards the group’s underlying interests.

Presumably, the involvement of the Rohingyas in the policy-making of the conflict resolution would result in frontloading the illegal aspects of the 1982 Citizenship Law (Sakib 2019; TRF

2019) and the “National Verification Process” which is in accordance with it (as evident from the 2019 PNA report), and bringing the personnel from the Tatmadaw responsible for the HRs abuses to justice. It can be argued that only then new institutional arrangements defined by a participation of the Rohingyas in the politics of the state; fresh relationships between the Rohingya Muslims, the ethnic Barmans and the GoM; and positive peace could be established.

Taken together, the results of this study appear to support the assumption that there is an evident nexus between framing and conflict resolution. The above-illustrated manifestations of the ASEAN Way of decision-making – not voicing politically sensitive issues such as the denial of citizenship and the progressive marginalisation of the community, and the HRs abuses committed by MSF; and not involving all the constituent parties to the conflict in the resolution of the conflict – can be regarded as what Burton (1990) termed as “conflict avoidance” instead of comprehensive conflict transformation.

In contrast to framing all generic problems of the conflict, and advocating for a comprehensive and all-inclusive people-oriented approach to the conflict resolution and thus paving the ground for an establishment of durable positive peace (as implicitly resonating in the discourses of IHC), ASEAN’s framing of the conflict and the approach taken to address it through a set of mere “technical measures” (such as supporting the GoM with the repatriation of the “returnees”) can be deemed as elitist/state-centric, leading towards an achievement of short-lived and unstable negative peace.

3.3 Conclusion

The central aim of this research project was to explore ASEAN's approach to the resolution of the Rohingya conflict between 2017-2020. Drawing from the main theoretical underpinnings of the framing scholarship, the approach of the Association to the resolution of the conflict was explored through a thorough investigation of the body's main "frame package" – a cluster of implicit and explicit frames applied by the Association to convey its perception on the conflict and the paths to its resolution. In essence, the study attempted to identify the nexus between ASEAN's conflict framing and its approach to the resolution of the Rohingya conflict.

In order to identify ASEAN's mode of conflict framing and thus explore the body's avenues of engagement in the resolution of the crisis, the project chose to transcend the frames applied by the Association and distinguish them from the frames employed by the international humanitarian community [IHC]. The conflict framing by IHC thus provided the study with the key reference point guiding the main part of the analysis – ASEAN's framing of the Rohingya conflict. In order to do so, a systematic Interpretative Content Analysis was conducted on a considerable number of purposively selected documents – 20 publicly-accessible official documents and statements issued by various agencies/formats of IHC; and 20 publicly-accessible official documents and statements of ASEAN – all addressing the Rohingya crisis within the delineated time frame (2017-2020).

The main findings of the research support the thesis' central assumption that the approach of ASEAN to the resolution of the conflict can be explained through an observation of the body's corporate culture commonly defined as the "ASEAN Way" of decision-making, and the norms embedded in the notion. As a result of the detrimental effects of the norms guiding the body's multi-lateral deliberations – such as the norm of non-interference in domestic affairs of the Member States and the resulted tradition of refraining from publicly criticising the actions of the member governments towards their own people (Acharya 2009, p. 72), ASEAN's role in the Rohingya conflict has been confined to the provision of "technical assistance" to the Government of Myanmar, whether in the area of the repatriation process of the so-framed "returnees" or in the delivery of humanitarian assistance in the conflict-affected areas.

As the key theoretical premises of this study indicate, ASEAN's framing and the measures taken to address the crisis resemble a process of "conflict avoidance" rather than a

comprehensive conflict resolution constituted of a more proactive and “vocal” approach pressuring Myanmar to address the root causes of the conflict such as the decades-long systematic discrimination and statelessness of the community, redressing the human rights abuses and bringing the perpetrators of war crimes to justice – as framed and vindicated by IHC. To conclude, the results of this study suggest that an observation of the effects of ASEAN’s main “rules of conduct” on the body’s approach to addressing the Rohingya conflict and the resulted humanitarian crisis allows for an understanding of the still prominent position of *national sovereignty* in the politics of Southeast Asia, compared to the relevance of individual, human security and the core principles of humanitarianism.

In overall, while this study provided an important opportunity to advance the understanding of the implications/limitations incurred by ASEAN’s inherent corporate culture on the body’s approach to the resolution of the Rohingya crisis, due to the study’s practical constrains, the project did not pursue to dive deeper into exploring the forces generating the ASEAN Way paradigm. Therefore, the results of this study speak to the theoretical consideration of the scholarship providing a more comprehensive review of the emergence and strategic function of the ASEAN Way paradigm and the main “mantras” of ASEAN’s security cooperation – the principle of non-interference and respect for national sovereignty (Caballero-Anthony 2004, 2012; Jones 2012; Sukma 2012; Tan 2011; Weatherbee & Emmers 2005).

To further explore the dynamics surrounding the ASEAN Way as conditions for ASEAN’s approach to conflict resolution, an engagement with the work of Jones can be instructive. As theorised by Jones (2012), ASEAN is a *de facto* sovereign regime in which the notions of non-interference and national sovereignty are deployed *selectively* depending on preferences of ASEAN’s main stakeholders. National sovereignty is viewed in the region simply as a strategic tool or “a technology of power used by dominant social forces within ASEAN states to control the scope of political conflicts and to uphold particular forms of social, economic and political order” (ibid., p.227). The “particular versions” of regional order are, however, dependent on the political elites of ASEAN Member States and their own narratives of security due to their countries’ divergent historical paths, cultural contexts and visions on economic development (Sukma 2012). But what the elites have traditionally had in common have been their desire for sustainable economic development and regime stability (Caballero-Anthony 2004). In this light, ASEAN’s “mantra of non-interference” (Weatherbee & Emmers 2005) – which oftentimes dominates the scholarly debates on ASEAN’s approach to conflict resolution – is

conceptualised as something dynamic/flexible rather than a stagnant and entrenched aspect of ASEAN's corporate culture (Jones 2012).

Following this line of argumentation, ASEAN's preference to abide by the principle of non-interference in the case of the Rohingya conflict – as the results of this study indicate – can be attributed to the interests of ASEAN state elites and their vision to maintain the current *status quo* of the regional order, in contrast to eroding the body's political and economic relations with Myanmar through a more proactive and assertive approach to the resolution of the Rohingya crisis. However, such a premise will only remain a hypothesis unless closely scrutinised in further research. Future studies on the current topic are therefore recommended.

Given the above, there is abundant room for further progress in determining the effects of social forces on ASEAN's approach to the resolution of the Rohingya conflict. To demonstrate the effects of social forces, there is a need to conduct a thorough investigation of the conflict frames applied by other “units of analysis” than ASEAN – be them respective Member States and/or their main political elites, and other non-state actors, such as the civil society. Further studies, which take these variables into account, will indisputably contribute to a more nuanced understanding of ASEAN's approach to – the resolution of the Rohingya conflict in particular; and conflict resolution in general.

Concurrently, while the data gathered for this research project comprised exclusively official documents and statements issued by ASEAN which are publicly- and thus easily-accessible, additional research analysing the framing of the conflict by the Association from such sources as minutes from the ASEAN “behind-the-closed-doors” meetings would undeniably strengthen our understanding of the body's capacity and real operation addressing the issues of war and peace.

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