

CHAPTER 3

SOUTHEAST ASIAN CONFLICT AREAS AND THE UNITED NATIONS' INVOLVEMENT*

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INTRODUCTION

Third parties within conflict areas may have different positions, roles, and interests. They may have a role which involves more than just helping the conflicting parties to achieve a solution through negotiation. Apart from involvement in the mediation process, a third party can play a significant role in creating an environment that supports peaceful negotiation, i.e. institution building or capacity building programs. Some argue that the third-party role should include activities such as communication and relationship building, which aim to change the perceptions and attitudes of conflicting parties.¹ In this regard, the third party may be influential in the framework of conflict resolution, conflict management or even peacebuilding. The United Nations' (UN) involvement in conflict areas is precisely as one of the key actors to play the third-party roles.

One of the UN's explicit duties in the process of conflict settlement and conflict management in conflict zones has been managing a peacekeeping force, especially during and after the Cold War. Over the last several decades, however, the forms of conflict have

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1 Esra Çuhadar Gürkaynak, "Turkey as a Third Party in Israeli-Palestinian Conflict", *Perceptions*, 2007, 89-108.

changed. Nowadays, conflicts between or among states are generally seen less compared to conflicts within states. Most conflicts have transformed into intra-state conflicts.² Based on this change, the United Nations, as a function at the international level, is likely to underline its roles in peacebuilding rather than to use force to stop the conflicts which appear to be taking place mostly in domestic situations. In order to follow the basic principles of the UN in terms of 'non-intervention' in domestic affairs, the UN may have a limited role in its ability to settle conflicts in certain areas. The report on the Prevention of Armed Conflict to the General Assembly mentioned, in a statement by Kofi Annan that, if the government refuses to ask for or accept an offer of assistance in preventing and settling the conflict, a third party such as the UN may have very little opportunity to help.³ Furthermore, the UN's tasks on peacekeeping missions have changed in the last few decades. It remains apparent that some peacekeeping missions aim to prevent future conflict while at the same time rebuilding society.⁴ Since the Cold War, peacekeeping missions have included peace-building missions as a sub-function and have not only focused on using peacekeeping forces to prevent and end conflicts between sovereign states.⁵ In 2018, peacekeeping operations remained ongoing in 15 separate global regions, which is a relatively new situation compared to during the Cold War.⁶ Additionally, the UN has taken part in the negotiation process as a mediator in some cases. The Secretary General's Special Representative (SRSG) has been responsible for mediating and using shuttle diplomacy to settle particular conflicts.⁷

In the case of Southeast Asia, the region has experienced ongoing conflicts between certain states, often involving border issues. However, the three primary conflicts in the region are recognized as ongoing. The first is between the Moro and the Philippines, which is currently in the process of implementing an agreement between the state and an armed group called the Moro Islamic Liberation Front. Meanwhile, some more active armed groups in the area still carry out violence. The second conflict is between the Rohingya people and Myanmar, which is a severe situation that has caused millions of casualties and refugees. The

2 Kendra Dupuy and Siri Aas Rustad, *Trends in Armed Conflict, 1946–2017*, Policy Brief, Oslo: PRIO, 2018.

3 United Nations, *Prevention of Armed Conflict: Report of the Secretary-General*, New York: United Nations, 2001.

4 Max Roser and Mohamed Nagdy, "Peacekeeping," *Our World in Data*. 2018. <https://ourworldindata.org/peacekeeping> (January 6, 2019).

5 Sukehiro Hasegawa, "The role of the United Nations in conflict resolution and peace-building in Timor-Leste," In *The Challenge of Conflict: International Law Responds*, by Ustinia Dolgopol and Judith Gardam, 163-192. Brill, 2006.

6 United Nations Peacekeeping, *United Nations Peacekeeping*, n.d. <https://peacekeeping.un.org/en/current-peacekeeping-operations> (January 5, 2019).

7 International Alert, Conflict Prevention, Resolution and Reconstruction, *INCLUSIVE SECURITY, SUSTAINABLE PEACE: A Toolkit for Advocacy and Actions*, London: Hunt Alternatives Fund, 2004.

third conflict is between an armed group in Patani and the Thai government, which still sees violence from both sides. Though some peace initiatives have been pushed, there has yet to be any significant progression in the peace process. In these cases, we see quite a limited role played by the UN. The important aspect of the UN's involvement in these cases seems to be on humanitarian assistance. However, the UN's involvement in peacekeeping missions in this region was seen quite clearly in the case of Timor-Leste. The United Nations created a working group called the United Nations Mission of Support in East Timor (UNMISSET), the aim of which was to support conflict resolution and peace-building in Timor-Leste.⁸

This article aims to identify the roles of third parties in conflict resolution, focusing on the United Nations, in Southeast Asian conflict areas including Mindanao, Patani and Arakan. This article focuses on the impact and challenges of the UN as the third party in the region.

1. Southeast Asian Conflict Areas: Mindanao, Patani and Arakan

Southeast Asia consists of two main areas—maritime (Indonesia, East Malaysia, Singapore, the Philippines, East Timor, Brunei, and Christmas Island) and mainland (Cambodia, Laos, Myanmar, Thailand, Vietnam and West Malaysia). The region is exposed to various differences - either across cultures, languages, or religions - depending on each country. Though the majority of the population in the region is Muslim, some countries have a Buddhist or Christian majority. Therefore, the differences in ethnicities and cultures between certain areas unavoidably lead to conflict. In this sense, the region consists of some actual protracted conflicts. These areas include the Mindanao or Bangsamoro region⁹ in the Philippines, the Deep South region or Patani¹⁰ in Thailand and Rakhine State or Arakan¹¹ in

8 Sukehiro Hasegawa, 2006, *ibid*

9 The terms used for referring to the conflict are different according to the different sides who are trying to define the conflict areas based on their own terms. In this sense, 'Mindanao' is the second largest and southernmost major island in the Philippines. Some parts in the south-west of Mindanao which are mainly the areas of insurgency were known as the Autonomous Region of Muslim Mindanao (ARMM). However, recently under the Framework Agreement on the Bangsamoro purposed by the Moro people, the terms of the Bangsamoro Autonomous Region have been used instead. However, in this thesis, the term Moro will mainly be used for referring to people, and Mindanao to the area, since in Turkey and other related articles this term has generally been used to define the conflict.

10 In the case of the conflicts in the three southern border provinces of Thailand, the terms used for describing the conflict varies from the Southern Thailand Insurgency, the Conflict in Deep South of Thailand, the conflict in the Three Southern Border Provinces of Thailand, and the Patani Conflict. Normally, the term *the Southern Thailand Insurgency* has been widely used; however, in Turkey, the term which defines this area is 'Patani' which is seen sometimes as the term used widely by the people who need autonomy for the region. Notwithstanding, this term has been recently debated and widely used among people in the region in order to convey their identities, not political aims.

11 This case is another case where there are different words used to define the area - either Rakhine state or Arakan; while some words are used to identify people in this area i.e. Muslim Bengali in Myanmar, Kala, or Rohingya people. These different terms have different meanings for defining the intention of those who use the term as well. In this sense, I prefer to use the word which is widely used in Turkey to define the conflict,

Myanmar. According to the database of the International Institute for Strategic Studies in their armed conflict survey in 2015, the cases of Southeast Asia included in the survey comprise internal conflicts in Myanmar, the Philippines, and MILF/Abu Sayyaf/ the New People's Army, and Southern Thailand. Although there are various other ongoing conflicts such as the Cambodia-Thai border dispute, internal conflicts in Laos or even political crisis within Thailand, Malaysia and Indonesia, these would not be categorized as armed conflict, which refers to "a contested incompatibility concerning a government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths."¹²

1.1. Mindanao

With regard to these armed conflicts in the region, the conflict which seems to have improved most regarding the peace process will be discussed first. The conflict between the Moro people and the Philippines government has been confined mainly to the Mindanao region. Mindanao is the second largest and southernmost major island in the Philippines. Within some parts of the south-western Mindanao island group, especially in the provinces of Maguindanao, Basilan, Lanao del Sur, Sulu, and Tawi-Tawi, there is a Muslim-majority population. In the late 1960s, an independence movement occurred in Mindanao to separate the Muslim majority-Moro areas from the rest of the Philippines. This area is mainly known as a part of the Autonomous Region of Muslim Mindanao (ARMM), though it was recently proposed to use the term Bangsamoro Autonomous Region. Moro armed groups such as the Moro National Liberation Front (MNLF) or the Moro Islamic Liberation Front (MILF) have been found to be in opposition with the Philippines government. The deadly conflicts between these two parties have caused numerous deaths. According to the Uppsala Conflict Database, the conflict between the Moro people and the state during the period from 1989 to 2015 caused 7,206 deaths.¹³ However, the peace process has continued to develop, which is interesting especially given the recent peace attempt between the government and the MILF. On 27 March 2014, a comprehensive peace deal was signed between the two sides after two decades of negotiations started in 1997, during the administration of former President Fidel V. Ramos.¹⁴

which is Arakan for the area and Rohingya as the people in order to make it understandable for the Turkish community. At the same time, the word Rohingya has been increasingly accepted for use in academic works to respect the real existence of Rohingya people though it has been denied by Myanmar's government.

- 12 The Department of Peace and Conflict Research Uppsala University, *Definitions*, n.d. <https://www.pcr.uu.se/research/ucdp/definitions/> (January 6, 2019).
- 13 The Uppsala Conflict Data Program, *Philippines*, n.d. <http://ucdp.uu.se/#country/840> (December 23, 2018).
- 14 Murad Ebrahim, "WILL PEACE HOLD IN MINDANAO?", *27th Asia-Pacific Roundtable*. Kuala Lumpur: Institute of Strategic and International Studies (ISIS) Malaysia, 2013: 1-11.

Recently, Bangsamoro Basic Law has been in the process of gaining approval, even though it was denied by the government in 2016, which led to violent events. In May 2016, the new president, Rodrigo Duterte, was elected, which was positively accepted by the Moro people.¹⁵ The process of implementation of the agreements, especially regarding Bangsamoro Basic Laws, seems to have been improved significantly. On January 21 and February 6, 2019, plebiscites to ratify the Bangsamoro Organic Law were held. The results were quite positive; the establishment of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) will be legally implemented.¹⁶ This marks quite a positive scenario for the peace process in the future. However, the violent operations of other armed groups like Abu Sayyaf and the Bangsamoro Islamic Freedom Fighters (BIFF) are still ongoing.

1.2. The Southern Border Provinces of Thailand/Patani

The second armed conflict in this study is the case of Patani, which is a historical region in the northern part of the Malay Peninsula and includes the southern Thai provinces of Pattani, Yala (Jala), and Narathiwat (Menara), as well as parts of Songkhla (Singgora), together with Kelantan in the northern part of contemporary Malaysia. The differences in language and culture of this region from central Thailand have increased the feelings of ‘not belonging’ or ‘otherness’ within the area. Under the military government during the period of nation-building, the process of ‘Thaification’ intensified this perception. Under the assimilation policy, Malay culture has been forced to be replaced by Thai culture as constructed under the nationalist ideals. With some negative outcomes from the policy, various Malay nationalist groups were created, and the violent loops within this region have continued as a result. There are various groups of local armed movements with different ideologies and demands. Some groups have attempted to establish a Malay state under the name Patani Darussalam, which covers the three southern provinces and the four districts in the Songkhla provinces of Thailand. Other groups are demanding self-determination rights or autonomy power, though some only desire proper justice and basic needs for their people. Their struggles to achieve these demands have been reflected by both armed and political means. On the other side of the conflict, the violent reactions from the government have turned the conflict into a violent and never-ending cycle.

15 Carolyn O Arguillas, *MILF's Murad to Duterte: "We will partner with you and your administration"*, May 15, 2016. <http://www.mindanews.com/peace-process/2016/05/milfs-murad-to-duterte-we-will-partner-with-you-and-your-administration/> (December 22, 2018).

16 Carolyn O Arguillas, *Bangsamoro plebiscite set for January 21*, September 5, 2018. <http://www.mindanews.com/peace-process/2018/09/bangsamoro-plebiscite-set-for-january-21/> (December 15, 2018)

Though the conflict has been intermittent for a long time, a new wave of the conflict began in 2004.¹⁷

According to the Deep South Incident Database, there were 19,851 violent incidents from 2004 to 2017 causing 6,653 fatalities and 13,198 injuries, many of which involved soft targets or unarmed civilians as opposed to hard targets or armed combatants. However, the number of affected people has been decreasing in the last few years.¹⁸ In the meantime, peace attempts from various sectors in the region have been ongoing in parallel, either from state actors or the civil society.¹⁹ Still, there have been few positive signs of peace at a formal level since the latest talks between the MARA groups and the Thai government were frozen.

1.3. Rakhine State/Arakan

The last case in Myanmar is another interesting and critical conflict. There have been numerous conflicts between the government and ethnic movements within the nation such as the Karen National Union (KNU), Kachin Independence Organization (KIO), Shan State Army (SSA), Arakan Army (AA), Myanmar National Democratic Alliance Army (MNDAA), Ta'ang National Liberation Army (TNLA), or Zomi Revolutionary Army (ZRA). In 2015, there was a positive outcome from peace talks, which resulted in ceasefire agreements with eight insurgent groups, including the KNU. However, the most severe example of Myanmar's internal conflicts is the situation in Rakhine Province with the Rohingya people, which started before the independence of Burma. Rakhine State, formerly known as Arakan, is currently a state in the west of Myanmar. Arakan became part of the newly independent Union of Burma or Myanmar in 1948. From the 1950s, there was a growing movement for secession and the restoration of Arakan independence. In 1974, the socialist government under General Ne Win constituted Rakhine State from Arakan Division and gave at least nominal acknowledgment of the local majority of the Rakhine people. In 1982, General Ne Win's government enacted the Burmese nationality law, which denied the Rohingya people citizenship. Moreover, the Rohingya people faced cases of infringement of their human rights from security forces, police and even some local Buddhist authorities in Rakhine State. Some even referred to this conflict as another case of the holocaust in the contemporary world.²⁰

17 Duncan McCargo, "Autonomy for southern Thailand: Thinking the unthinkable?", *Pacific Affairs* 83, no. 2, 2010: 261-281.

18 Srisompob Jitpiromsri, *DSID Database: Analysis of Insurgency Situations within the Deep South of Thailand within the year of 2015*, January 4, 2016. <https://deepsouthwatch.org/th/node/7942> (November 22, 2018).

19 Jurarat Dumrongwithitham, *Needs and Challenges of Peace Infrastructure*, January 10, 2016. <https://deepsouthwatch.org/th/node/7969> (November 23, 2018).

20 Allard K Lowenstein, *Persecution of The Rohingya Muslims: Is Genocide Occurring in Myanmar's Rakhine State*, A Legal Analysis, International Human Rights Clinic, Yale Law School For Fortify Rights, 2015.

Rohingyas have received international attention in the wake of the 2012 Rakhine State riots, and more recently because of their attempts at migration throughout Southeast Asia,²¹ which were linked to the human trafficking network in the 2015 Rohingya refugee crisis. Currently, the situation in Arakan seems to show no signs of peace from any party. The increasing violence and number of refugees tend to make this case an intractable conflict.

2. The United Nations' Involvements in the Southeast Asian Conflict Areas

As we understand the overall picture of the root causes and characteristics of the three conflict cases mentioned above, these cases have involved international actors to help settle the conflicts and assist people within the conflict zones. In this section of the study, all the third-party actors involved in these three cases will be mentioned, focusing in particular on the United Nations' involvement, which is only a small part within the larger picture of third-party involvement on the global stage.

2.1. Mindanao and Third-Party Involvement

When we talk about the case of Mindanao mentioned above, we are referring to the case of the conflict and peace attempts between the Moro, especially the MILF, and the Philippines government. The negotiations between the government of the Philippines (GPH) and the MILF resulted in the Tripoli Agreement in 2001 and adopted the Framework Agreement of Bangsamoro (FAB) in 2012 to create a roadmap for the transition. During this process, Malaysia was invited to facilitate the negotiation and two components were established to support it, including the International Monitoring Team (IMT) and the International Contact Group (ICG). The IMT was formed in 2004 to monitor the ceasefire agreement and the implementation of the signed agreement. The IMT is led by a representative from Malaysia with the cooperation of 4 other countries—Libya, Brunei, Japan and Norway-- which support the security component along with the European Union, which supports knowledge on human rights, international humanitarian law and humanitarian response. The IMT also comprises the Civilian Protection Component, which includes one international and three local NGOs.²² The IMT is working based on 'the authority under the United Nations Charter in the provision of Chapter 8, which opens the space of peace settlement to be managed through regional

21 Nehginpao Kipgen, "Conflict in Rakhine State in Myanmar: Rohingya Muslims' Conundrum", *Journal of Muslim Minority Affairs* 33, no. 2, 2013: 298-310.

22 Kristian Herbolzheimer, "The peace process in Mindanao, the Philippines: evolution and lessons learned", *The International Relations and Security Network* 17, 2015.

arrangement and by the invitation of the host government.²³ After the confrontation in 2008, which occurred after the drafting of the Memorandum of Agreement on Ancestral Domain (MOA-AD) was completed, the negotiation panel agreed to form the International Contact Group (ICG) in 2009 as another mechanism to observe the negotiations and offer advice to all stakeholders for pushing the process forward. The ICG is comprised of four countries – the United Kingdom, Japan, Turkey and Saudi Arabia—together with four INGOs – Conciliation Resources, the Centre for Humanitarian Dialogue (HD), the Community of San'Egidi and Muhammadiyah.²⁴

In 2014, the Comprehensive Agreement (CAB) was signed. The CAB is mainly related to the issue of a new self-governing entity called Bangsamoro, which will replace the ARMM after a transition led by the MILF.²⁵ Under these agreements, there is some key international involvement in the process of implementation apart from the support of Malaysia as a facilitator and the International Contact Group, which have played vital roles since the peace negotiations began to support the process. First is the Bangsamoro Transition Commission, whose main mission is to draft the Bangsamoro Basic Law (BBL). Second is the Transitional Authority, which will be led by the MILF and includes representatives from various sectors in the area. However, the BBL needs to be enacted before the Transitional Authority is set up to pilot the institutions for transforming the area until the election is held. A third key institution is the Third Party Monitoring Team (TPMT), which is mandated to “review, assess, evaluate and monitor the implementation of the Framework Agreement on the Bangsamoro (FAB) and its Annexes.”²⁶ The TPMT will issue reports for both parties and communicate the reports to the public. The committee is comprised of five members including former EU Ambassador Alistair MacDonald, Huseyin Oruc from IHH, Steven Rood from Asia Foundation, Karen Tanyada from Gaston Z Ortigas and Priest Kuthdo from UNYPAD, who will meet every two months or anytime it is necessary.²⁷

The normalization process is also planned to have four elements, the first of which includes developing programs that will be run by the Bangsamoro Development Agency in

23 Ayesah Abubakar, *Keeping The Peace: The International Monitoring Team (IMT) In Mindanao*, 2005. <http://www.rep.usm.my/index.php/en/19-bulletin/content-january-june-2005/147-keeping-the-peace-the-internationalmonitoring-team-imt-in-mindanao> (January 13, 2019).

24 UN Peacemaker, *Framework Agreement on the Formation of the International Contact Group for the GRP-MILF Peace Process*, September 15, 2009. <https://peacemaker.un.org/philippines-agreement-ICG2009> (January 15, 2019).

25 Kristian Herbolzheimer, 2015, *ibid*

26 UN Peacemaker, *Third Party Monitoring Team (TPMT) and its Terms of Reference*, January 25, 2013. <https://peacemaker.un.org/philippines-third-party-monitoring2013> (December 23, 2018).

27 Kristian Herbolzheimer, 2015, *ibid*

cooperation with the Sajahatra presidential program of immediate relief on the cases of socioeconomic, health, education and development. The second element includes confidence-building measures which will include development programs and the use of a possible mechanism to resolve cases related to the conflict. The third element is the mechanisms for transitional justice and reconciliation, which will mandate a three-person team to address cases of injustice or human rights violations while also supporting the reconciliation. Finally, various joint programs on identifying and dismantling paramilitaries will also be carried out. Another point is on arms decommissioning, which will be operated by the Independent Decommissioning Body (IDB).²⁸

In the process of building peace, the UN has been supported and recognized for pushing this process onwards.²⁹ For the United Nations' function in this area, there is the joint World Bank-UN working group, called the Facility for Advisory Support for Transition Capacities (or FASTRAC), which was established in 2013 and aimed to enhance the MILF's knowledge of the peace process as well as to support technical knowledge for both parties. After the negotiations, FASTRAC will emphasize the capacity development programs and technical support to all bodies under the CAB. Both the MILF and the government have worked together to lead the FASTRAC. However, it mainly assisted the MILF and Bangsamoro Transition Commission (BTC) in the initial phase. Mostly, the FASTRAC will support with training, policy advice, research and international exchanges. If the issues of work are related to getting knowledge on fiscal autonomy, power-sharing, transitional security mechanism or territorial water management, the government representatives can engage in the program. The United Nations Development Program (UNDP) supports the operational base and FASTRAC gets funds from external development partners, not by the government.³⁰

Additionally, there have been development programs supported by the UNDP. One of the example projects is called 'Friends of Peace', which supports a group of stakeholders in Bangsamoro from various sectors led by the Cardinal to advocate for peace. With the leadership of Christian people, this group could communicate to the Philippines society and key people in the Philippines concerning the necessity of enhancing the rights of the Moro

28 Ibid.

29 Relief Web, *United Nations Country Team statement: Signing of the Comprehensive Agreement on Bangsamoro*. April 1, 2014. <https://reliefweb.int/report/philippines/united-nations-country-team-statement-signing-comprehensive-agreement-bangsamoro> (December 10, 2018).

30 The World Bank, *Moro Islamic Liberation Front, United Nations and World Bank Launch Advisory Facility to Support Peace Process in Southern Philippines*, April 23, 2013. <http://www.worldbank.org/en/news/press-release/2013/04/29/moro-islamic-liberation-front-united-nations-and-world-bank-launch-advisory-facility-to-support-peace-process-in-southern-philippines> (January 13, 2019).

people. This group conducted public advocacy on the BBL and peace in Mindanao. It also tried to keep the issues concerning the rights of Bangsamoro alive in the public eye and the Congress through media and conversations with the congressmen. Furthermore, this group worked on promoting inter-faith dialogue within the area. In addition, the UNDP also supported the project called 'Insider mediator Group', which was a capacity building program aimed at enhancing capacities on the mediation and negotiation of the MILF. This group also formed task forces to work on various issues, i.e. the strategy to engage in the Congress, the countering of violent extremism, and working with the Moro National Liberation Front (MNLF). Some members of this group applied their skills in the case of Marawi City in 2017 to take out civilians from the city.³¹

Moreover, the Project Advisory Board Meeting of the United Nations Peacebuilding Fund (UN PBF) was formed recently to make the involvement of the UN's assistance in the region more effective. This project was manned by representatives from various institutions under the UN, including the UNDP, UNICEF and UN Women, along with representatives from the Office of the Presidential Adviser on the Peace Process (OPAPP).³²

Overall, UN-related programs in the Moro region have covered all three tracks. FASTRAC has worked as a function of the 1.5 track to build the capacity of the main conflict parties, while the UNDP-supported program on the Insider mediator group was done under track two who can reach out and connect to the people. Meanwhile, the program on Friends of Peace was done at track three to create a space for inter-faith dialogue between people on the ground.

2.2. Patani

For the Patani case, attempts for a peace process at track one have occurred many times with facilitation from various actors—Malaysia, Yusuf Kala or the HD Center. The OIC has also been involved in this case several times. However, the process for settling situations by the Thai-military government has still been influenced militarily rather than by political means. Hence, the situation has been protracted, meaning it seems hard to find a way out if the context remains frozen as it is. Yet, the people are quite active in terms of capacities building and creating a better as well as a safer context for expressing the situation. There are

31 Chetan Kumar, *Track-Two Initiatives of Nationally-Led Peace Processes: The Case of the Philippines*, Practices from Peace and Development Advisors: PDA Fellowship Series co-hosted by UNDP Oslo Governance Centre and NUPI in partnership with the Joint UNDP-DPA Programme, Oslo: UNDP, 2017.

32 The Office of the Presidential Adviser on the Peace Process, *The Office of the Presidential Adviser on the Peace Process*, October 6, 2018. <http://peace.gov.ph/2018/10/un-peacebuilding-fund-sustaining-the-gains-of-peace-and-development/> (December 13, 2018).

plenty of civil society organizations within the region which aim to mobilize peace through different channels. In this sense, the freedom of expression is getting better in terms of identity and religion.³³

In a situation like this, international actors also have to play supportive roles such as donors, trainers, advocators and humanitarian aiders. However, there are some difficulties in international organizations to work within the area because of various legal and contextual limitations. In terms of the peace process, Malaysia still plays a main role as a facilitator in the current talks between the government and MARA. However, there have been attempts from other international actors to facilitate this process as well. Some signs from the OIC also indicate an interest in helping out, but no practical action has been observed yet. On one side, it was believed that because of the divisions among the movements, this could make the OIC reconsider about becoming involved. On the other side, the attempt to not internationalize the issue of the Thai government has limited any international pressure or intervention. Romadon Panjor's analysis on the Deep South conflict observed that the Thai government has tried to prevent turning this issue into an international matter since it has been the most concerning point for Thai people for many years. Geographically, Patani is in a border area which has been related to many international issues over the years. Siam or Thailand has had to deal with protection from external intervention towards the areas simultaneously. Also, the Thai government is concerned about the involvement of international actors in the peace process, which is one of the demands of the main armed groups in the Deep South called BRN.³⁴ With a context like this, the involvement of a third party in this region is very limited.

The United Nations rarely mentions the case in the Deep South, except during the Universal Periodic Review (UPR) concerning cases of human rights violations and those in which issues of human violations have been raised. However, there are development and capacity building programs supported by the institutions under the UN, including the Southern Thailand Empowerment and Participation Project supported by the UNDP and projects for women supported by UNWomen.

2.3. Arakan

In the case of the Rohingya, the case that captured the attention of the world after the existence of this conflict was seen explicitly in 2012, even though the situation started a long

33 Yasmin Sattar, *Güney Doğu Asya'nın Çatışma Bölgelerinde Türkiye'nin Varlığı ve Etkisi*, Doctoral Dissertation, Istanbul: Istanbul University, 2018.

34 Romdon Panjor, *Politics of Word in Pat(t)ani: Constructing "PEACE" in Ethnopolitical Conflict*, Master Thesis, Bangkok: Thammasat University, 2016.

time ago, as mentioned in the previous section of this study. After the violent incidents in 2012, there has been aid from 'the outside' towards the situation, such as from the UNHCR, Myanmar Relief Foundation, Human Rights Watch and other INGOs and local NGOs, including the NGOs and government officers of the countries where Rohingya immigrants go. These parties are concerned with humanitarian aid and are not related to the resolution of the conflict. Rakhine Nationalists, political parties, as well as the Burmese government, still show no signs of ending the problems and continue to deny citizenship for these people. They have pushed the problem towards the UNHCR, Bangladesh and other countries who accept them.³⁵

Amnesty International mentioned that the Rohingya people have suffered from human rights violations under the Burmese government since 1978. Many have fled to neighboring Bangladesh and other countries nearby. Due to international pressure, the Myanmar government eventually allowed most of the Rohingya to return. Meanwhile, the United Nations High Commissioner for Refugees (UNHCR) had started to act in refugee camps in Bangladesh, but not in the Rakhine State, by providing emergency life-saving aid to refugees in Bangladesh, helping the government to develop accommodation for the refugees and improve their quality of life.³⁶ According to the UNHCR, almost 145,000 people were displaced in Rakhine State after 2012, though this number decreased to 120,000 in 2016 before the recent crisis because of a project by the government.³⁷ The continuation of violence in Rakhine also caused other alarming problems such as allegations of human rights abuses in the refugee camps and human trafficking networks across the region.

The situation of the Rohingya seems to have no hope of getting better according to local Rohingya. The only hope for them is the international community. Therefore, there have been several attempts for advocating and pressuring the Myanmar government. Kofi Anan's Commission efforts were taken for granted by the government. The OIC also has the Rohingya Contact Group in order to deal with the matter of Rohingya. The UN and UNHCR also attempted to pressure the Myanmar government into stopping its genocide actions. Before October 2016, some organizations could help in terms of humanitarian aid. In 2018, the UN and its partners initiated the Joint Response Plan (JRP) on the humanitarian crisis of the Rohingya, which aimed to raise funds for humanitarian aid to Rohingya.³⁸ The JRP aimed to

35 Yasmin Sattar, 2018, *ibid*

36 The Amnesty International, *Who are the Rohingya and What is Happening in Myanmar?*, September 26, 2017. <https://www.amnesty.org.au/who-are-the-rohingya-refugees/> (November 11, 2018).

37 Kasita Rochanakorn, *Displaced villagers return home in Myanmar's Rakhine state*, May 2, 2016. <https://www.unhcr.org/news/latest/2016/5/572725ba6/displaced-villagers-return-home-myanmars-rakhine-state.html> (November 21, 2018).

38 The UNHCR, *Rohingya emergency*, August 15, 2018. <https://www.unhcr.org/rohingya-emergency.html>

provide “food, water and sanitation, shelter, and medical care” to the Rohingya refugees.³⁹ However, only some organizations could send assistance, and the aid needed to be provided for both Muslims and Buddhists. After the crisis in 2016, no international organizations were allowed to enter the areas. Aid could only be sent through local people to contribute to those parts that could be accessed.

In terms of peace attempts, in this case, there is no signal from the government to end the conflict. However, initiatives such as the Rakhine State Advisory Commission headed by Kofi Annan in 2016, which consisted of nine members, aimed to conduct research and give recommendations to the Myanmar government.⁴⁰ Unfortunately, the reports from this commission were not accepted by the government and operations from the government side in Rohingya areas seemed to worsen. In November 2016, the UN officially accused the government of carrying out “ethnic cleansing” against the Rohingya, which it denied.⁴¹ Also, the flash report by the Office of the UN High Commissioner for Human Rights (OHCHR) published in 2017 mentioned the violations of human rights faced by the Rohingya people. Furthermore, the Rohingya people are usually perceived as the world’s most persecuted minority.⁴² The UN formed the Independent International Fact-Finding Mission on Myanmar to find the facts, which found that “the horrors inflicted on Rohingya men, women and children” were considered as war crimes and crimes against humanity with the “possible intention of genocide”. At the same time, the UN High Commissioner for Human Rights was also concerned with the cycle of human rights violations against the Rohingya people.⁴³

The violent incidents claimed by the Arakan Rohingya Salvation Army (ARSA) have been used by the government to intensify military operations in the region. With the higher degree of violence, more waves of refugees have been fluxed. Data from the International Organization for Migration stated that more than 87,000 Rohingya fled to Bangladesh from October 2016 to July 2017.⁴⁴

(January 9, 2019).

- 39 The UNOCHA, *Rohingya Refugee Crisis*, November 19, 2018. <https://www.unocha.org/rohingya-refugee-crisis> (January 9, 2019).
- 40 Reuters, *Myanmar must work to close Rohingya camps, says Kofi Annan panel*, March 16, 2017. <https://www.reuters.com/article/us-myanmar-rohingya-annan/myanmar-must-work-to-close-rohingya-camps-says-kofi-annan-panel-idUSKBN16N1J6> (accessed November 21, 2018).
- 41 Aljazeera, *Who are the Rohingya?*, April 18, 2018. <http://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-> (November 11, 2018).
- 42 OHCHR, *Report of OHCHR mission to Bangladesh*, Report, OHCHR, 2017.
- 43 The United Nations, *‘Terror and panic’ among Rohingya who may be forced to return to Myanmar – UN rights chief*, November 13, 2018. <https://news.un.org/en/story/2018/11/1025651> (January 9, 2019).
- 44 Aljazeera, 2018, *ibid*

There were some attempts from the U.N. Security Council to act on the crisis of the Rohingya people, which was affecting many neighboring countries. One of those attempts was a draft resolution on Rohingya aimed at outlining a timeline for Myanmar to settle its problems, especially the returning of refugees and possible methods to put pressure on Myanmar, including sanctions. However, some of the members in the Council, including Russia and China, had no intention of pushing this resolution. Therefore, the draft resolution could not be implemented.⁴⁵ The General Assembly's human rights committee also attempted to enable a resolution and gain majority support to approve the resolution, which mentioned concern for the violence and called for the Myanmar government to end the violence and provide basic rights and citizenship to minorities. Certainly, this resolution elicited an unpleasant response from Myanmar's U.N. ambassador.⁴⁶

The overall image of this crisis seems to be linked to ethno-religious issues. The perception among the Rohingya and Rakhine peoples of being 'the enemy' has been constructed through various means, which has only intensified the sensitivity of the conflict. At the same time, the conflicts could be expanded in terms of the amount of violence when government policies and power are involved. In fact, international roles are very limited in such a context. Though the mechanism via the core values of human rights is necessary, a practical solution from a third party, even from the United Nations, remains restrained, especially under the non-interference principle.

CONCLUSION:

Challenges for the UN's Third-Party Role in Southeast Asia

In conclusion, the United Nations' system was designed to promote and sustain peace at the international level. When it comes to the Southeast Asian conflict areas, which have consisted of intra-state conflicts often related to state sovereignty, the assumption here could be that the United Nations' role will be limited, which appears to be true. In the Southeast Asian conflict zones, the UN has mostly played the role of supporter of advocacy and humanitarian aid issues. Regarding the capacities of the United Nations in the process of conflict resolution, I would argue that the UN could not have an effective role in terms of solving the conflict, rather its role was one of providing underlining support for peace-building.

45 The Japantimes, *U.N. Security Council considers move to push Myanmar on Rohingya crisis, but Russia and China boycott talks*, December 18, 2018. <https://www.japantimes.co.jp/news/2018/12/18/asia-pacific/u-n-security-council-considers-move-push-myanmar-rohingya-crisis-russia-china-boycott-talks/#.XDV6wVUzbIV> (January 9, 2019).

46 The Asahi Shimbun, *U.N. committee condemns rights violations against Rohingya*, November 17, 2018. <http://www.asahi.com/ajw/articles/AJ201811170027.html> (January 5, 2019).

However, we found that the UN is likely to take serious action in the case of the Rohingya, which has been seen as one of the most severe cases of humanitarian crises in the world. Still, the limitation of the UN's rules on 'non-intervention', make it difficult to find a case in which the UN could take action effectively. Some have argued that by using this discourse, the UN has legitimized its role as merely a supporter or mediator with no real actions in any conflict areas. However, some also mention that the UN has another principle related to waging unjustified war on other countries or violating the human rights of citizens; the UN could step into such a case in order to stop the war and rebuild peace. This process requires approval by the Security Council, which may have shared interests with some conflicted parties.

Another observation from the UN's involvement in Southeast Asia is that the UN's peacekeeping missions mostly involve interventions in conflict areas where more powerful states have little interest. Further, if the scale of the conflict is not large enough to capture the attention of the UN, similar to the argument in the International Alert report (2004), international level policy makers often engage with a large-scale crisis and do not have the capacity to prevent conflict in the long-term.

In closing, the settlement of the conflicts in Southeast Asia's conflict zones seem to have involved regional actors in the process more than international actors. Two out of three conflict areas mentioned herein have had peace talks facilitated by Malaysia, which is a regional actor, while the third could not involve international actors since there is little chance for negotiation or peace. International actors like the UN, in this sense, tend to play the role of the supporter for peace. Thus, the involvement of the UN in Southeast Asian conflict areas may show another aspect towards peace operations/missions in that the UN is not always able to use armed forces to intervene and settle conflicts in the world, especially in situations where states are using 'sovereignty' to claim legitimacy in their actions or policies.

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