BHUVANA: Journal of Global Studies
Vol. 4, No. 2 (2026)
E-ISSN: 2986-1705
DOI: https://doi.org/10.59134/bjgs.v4i2.332

THE NON-INTERVENTION PRINCIPLE AND ASEAN'S FAILURE IN ADDRESSING THE ROHINGYA ETHNIC GROUP'S HUMANITARIAN CRISIS IN MYANMAR

[1*]Daffa Rabbani Widy Hayat, [2]Noeryfqa Okta Harizal, [3]Takdir Ali Mukti

[1,2,3] Master's Program in International Relations, Universitas Muhammadiyah Yogyakarta

*Corresponding Email: daffa.rabbani.psc25@mail.umy.ac.id

Submission: July 10, 2026| Revised: November 9, 2026 | Accepted: November 21, 2026

ABSTRAK

Penelitian ini bertujuan menjelaskan kegagalan ASEAN dalam menangani krisis kemanusiaan Rohingya pada periode 2017-2025 dan bagaimana prinsip non-intervensi membatasi kapasitas kolektifnya. Penelitian ini menggunakan analisis dokumen dan analisis norma dalam kerangka teori berlapis ganda yang menggabungkan konstruktivisme dan institusionalisme liberal. Hasil penelitian menunjukkan bahwa ASEAN menghindari tanggung jawab politik dengan menyebut krisis ini sebagai masalah bantuan kemanusiaan, bukan pelanggaran hak asasi manusia. Lembaga seperti ASEAN Intergovernmental Commission on Human Rights (AICHR) dan the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) hanya bertindak setelah krisis terjadi dan tidak berwenang menekan Myanmar, sedangkan respons negara-negara anggota berbeda-beda karena kepentingan nasional masing-masing. Kebaruan penelitian ini terletak pada penelusuran cara kedua teori bekerja secara berurutan: norma membentuk bagaimana cara memahami krisis, dan rancangan kelembagaan kemudian mengunci pemahaman tersebut. Penelitian ini berkontribusi pada kajian regionalisme ASEAN dengan menunjukkan bahwa keterbatasan ASEAN merupakan hasil yang dapat diprediksi dari norma dan rancangan kelembagaannya.

Kata Kunci: ASEAN, Krisis Kemanusiaan, Konstruktivisme, Prinsip Non-Intervensi, Rohingya

ABSTRACT

This study aims to explain why ASEAN failed to address the Rohingya humanitarian crisis from 2017 to 2025 and how the principle of non-intervention constrained its collective capacity. It employs document and norm analysis within a dual-layered framework that combines constructivism and liberal institutionalism. The results show that ASEAN avoids political accountability by describing the crisis as a humanitarian assistance problem rather than a human rights violation. Institutions such as the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) act only after a crisis occurs and lack the authority to pressure Myanmar, while member states' responses differ because of their national interests. The novelty of this study lies in tracing how the two theories operate sequentially: norms shape how the crisis is understood, and institutional design then locks in that understanding. This study contributes to research on ASEAN regionalism by showing that ASEAN's limitations are a predictable outcome of its norms and institutional design.

Keywords: ASEAN, Humanitarian Crisis, Constructivism, Non-Intervention Principle, Rohingya

BACKGROUND

The Rohingya are a Muslim ethnic group who have lived for centuries in Rakhine State (formerly Arakan) in western Myanmar. Even so, the Myanmar government has never fully recognized them (Ali, 2022). Their discrimination is built into law. The 1982 Citizenship Law left the Rohingya off the list of 135 recognized "national races," which effectively took away their citizenship and made them the largest stateless group in the world (Syarwina et al., 2026). Decades of restrictions on travel, marriage registration, healthcare, and education followed, and these were written into local administrative rules rather than left as informal practice. Without citizenship, the Rohingya lost access to health services, education, human rights protection, and freedom of movement. These conditions make them one of the most vulnerable and marginalized minority groups in Southeast Asia (Siba & Qomari'ah, 2018).

The situation reached its lowest point in August 2017, when the Myanmar military launched a large-scale operation in Rakhine State in response to the armed group Arakan Rohingya Salvation Army (ARSA) (Zulfikar & Widiastutie, 2025). The operation was presented as a "cleansing operation" against ARSA, but more than 700,000 Rohingya fled to Bangladesh in a short period (The Guardian, 2017). The United Nations (UN) and other international agencies documented mass killings, rape, and the systematic burning of villages (Sriliza et al., 2025). An investigation by the UN Human Rights Council concluded that there were strong indications of genocide by the Myanmar military (Zebua et al., 2025).

What began as a domestic problem in Myanmar quickly became a regional humanitarian crisis (Zebua et al., 2025). Bangladesh now hosts more than one million refugees, many of them in the Kutupalong camp, one of the largest refugee camps in the world (Midhol, 2022). Refugees also arrived by sea in other countries. Indonesia, Malaysia, and Thailand faced economic, social, and security pressures from these

arrivals (Koesrianti, 2011). This raises a basic question about the region's shared responsibility for cross-border humanitarian crises.

Because the crisis spread across the region, attention turned to the Association of Southeast Asian Nations (ASEAN), which has a mandate to maintain peace, stability, and prosperity in the region. This mandate rests on the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC) and the ASEAN Charter (2008), both of which treat non-intervention as a binding norm (Riyanto, 2024). ASEAN has also adopted human rights instruments, including the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 and the ASEAN Human Rights Declaration (AHRD) in 2012 (Saputra, 2024). The international community therefore expected ASEAN to play an active role, especially because Myanmar has been a full member since 1997 (Alexandra, 2022). Yet ASEAN's response is widely seen as inadequate. Riyanto (2024) and Saputra (2024) both find that its institutional response stayed at symbolic statements without binding follow-up mechanisms.

ASEAN's weak response is closely tied to the principle of non-intervention, one of the organization's founding pillars. The principle is part of what is known as the ASEAN Way. It bars each member from interfering in the internal affairs of others under the "sovereignty and non-interference paradigm" (Riyanto, 2024). This creates a dilemma between ASEAN's own norms and urgent humanitarian demands from the international community (Saputra, 2024). This study asks why ASEAN has stayed so passive on the Rohingya crisis even though it adopted human rights instruments such as the AICHR and the AHRD. The research question is: "How does the principle of non-intervention constrain ASEAN's collective response to the Rohingya humanitarian crisis?"

Existing scholarship has documented the humanitarian impact of the 2017 exodus (Sriliza et al., 2025; Zebua et al., 2025) and the historical roots of Rohingya persecution (Siba & Qomari'ah, 2018). Much less attention has gone to how ASEAN's

own norms and institutional design work together to produce a response that is technical but politically unaccountable. This study argues that ASEAN's muted response does not come from a lack of commitment to human rights. It comes from a structural preference for non-intervention over that commitment, which lets the organization stay visibly engaged without facing political accountability.

The novelty of this study lies in how it connects two theories in sequence. Previous studies have examined ASEAN's human rights record through constructivism or liberal institutionalism, but they apply these lenses separately. This study traces how the two work one after the other. Constructivism shows how the non-intervention norm shapes the framing of the crisis as a humanitarian problem rather than a human rights violation. Liberal institutionalism then shows how institutional design, namely the narrow mandates of the AICHR and the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre), locks that framing in place. This sequence explains why ASEAN can offer aid but cannot hold Myanmar accountable. The study therefore contributes to research on ASEAN regionalism by showing that its limited response is a predictable outcome of its norms and institutions, not a simple lack of political will.

LITERATURE REVIEW

State of the Art

Research on the Rohingya crisis focuses mostly on its history and on the structural discrimination the group faces in Myanmar. Sriliza et al. (2025) note that the Rohingya have a long history in Rakhine, shaped by contact with Islamic sultanates since the 15th century. Ali (2022) explains that after independence in 1948, the Rohingya were pushed out of nation-building and faced systematic oppression. Siba and Qomari'ah (2018) point to "Burmanization," a state policy of cultural and political assimilation that denies the Rohingya their distinct identity and labels them illegal

Bengali migrants rather than a native minority. Because this policy recognizes only Buddhism, it triggered severe discrimination against Rohingya Muslims.

Studies also differ in how they explain the persecution. Messner et al. (2019) argue that the exclusion policy meets the definition of genocide under the Rome Statute, because it aims to destroy the group by creating unlivable conditions. Howe (2018) shows that the state portrays the Rohingya as an existential threat to national identity in order to justify violence, a process known as securitization. Nuruzzaman and Wohab (2026) conclude that violence peaked in the 2017 military operation, which caused a massive humanitarian crisis and sent hundreds of thousands of people to neighboring countries. Studies of the historical and cultural roots (Ali, 2022; Sriliza et al., 2025) and of securitization and human rights (Barber & Teitt, 2021; Kingston, 2015) explain the causes of the crisis well, but ASEAN's own institutional non-response remains comparatively understudied. These root causes still matter because they set the stage for analyzing how external actors, such as ASEAN, respond.

Studies of non-intervention in ASEAN show that it is more than a formal rule. It is a habit of behavior that shapes how members deal with regional crises. Jones and Jenne (2016) explain that the "ASEAN Way" requires consensus on every decision, which often blocks action on a member's internal problems. Tobing (2018) observes that raising another country's human rights record is still seen in ASEAN as a breach of equality and sovereignty. Siba and Qomari'ah (2018) argue that non-intervention forces ASEAN to act very carefully to avoid wider diplomatic tension among members.

Comparative and normative work points in the same direction. Hara (2019) shows that human rights bodies in Europe and Africa have stronger investigative powers because their sovereignty rules are more flexible. Kingston (2015) describes a clash of values in which state sovereignty is often placed above human security, meaning the safety of individuals rather than of the state. Limsiritong (2018) reports

that reform-minded AICHR representatives have pushed to revise the ASEAN Charter so that ASEAN can act more decisively in urgent humanitarian crises. Together, these studies show that non-intervention norms make it hard to link institutional compliance with effective human rights protection.

Most of these studies examine the Rohingya crisis through human rights or Myanmar's domestic politics. Few ask how specific non-intervention norms limit ASEAN's ability to build an effective and coordinated humanitarian response. This study fills that gap by linking ASEAN's principle of non-intervention to the effectiveness of its humanitarian cooperation on the Rohingya crisis.

This study uses constructivism and liberal institutionalism together as complementary lenses. Neither is enough alone. Constructivism explains why the non-intervention norm stays strong and how it shapes the framing of the crisis, but it says little about how a norm becomes the mandate of a specific institution. Liberal institutionalism explains why bodies such as the AICHR and the AHA Centre work below their potential because member states give them narrow mandates, but it takes those narrow mandates as given instead of asking why states draw them that way. Combining the two lets this study follow a causal sequence: norms shape how the crisis is understood, and institutional design then locks that understanding in place. The Rohingya case suits this design because ASEAN has both a clearly stated norm and existing institutions, so the link between them can be observed directly. This sequence sets the study apart from earlier work that applies one lens at a time, and it is the basis of the novelty claimed in this article.

Constructivism

Constructivism holds that world politics is shaped by shared ideas, norms, and identities that actors build through social interaction, not by material power alone. Its basic assumptions are that social structures consist of shared ideas and not only

material capabilities, that the identities and interests of states are formed through interaction rather than given in advance, and that actors and structures constitute each other (Wendt, 1992). Constructivism is not one fixed theory, and its main debates are about how stable norms really are. Wendt (1992) argues that the behavior of actors is shaped by ideas, norms, and identities built through social interaction, not only by material interests. Finnemore and Sikkink (1998) add that norms follow a life cycle. Once a norm is widely practiced, it becomes taken for granted and is rarely questioned. This view put norm stability at the center of constructivist research.

Later work challenges that picture from several sides. Collins (2019) traces the split between conventional and critical constructivists and argues that ambiguity can make norms more resilient. Deitelhoff and Zimmermann (2020) show that contestation does not always weaken a norm. Arguments about how a norm should be applied can strengthen it, while challenges to its validity can wear it down. Percy and Sandholtz (2022) go further and argue that norms rarely die. They become obsolete, are replaced, or are modified, because they sit inside wider structures of rules and ideas. Moore (2024) names a further form of contestation, norm weaving, which works across clusters of norms rather than single ones.

The field also debates its own direction. Lantis and Wunderlich (2022) say constructivism still lacks a general way to connect single norms, norm clusters, and wider principles, and they offer a three-dimensional model to do so. Peez (2022) reviewed 7,795 journal articles from 1980 to 2018 and found that norms research is mostly qualitative and conceptual, uses few multi-method designs, and is not yet closer to "Global International Relations."

This article takes a position within this debate. It follows the contestation strand: a norm can be durable and still be open to argument, and the type of contestation matters more than the fact of contestation. It therefore treats norms as stable but negotiated, not as fixed structures.

Liberal Institutionalism

Liberal institutionalism holds that states, although they act in their own interest, can cooperate through institutions that lower the costs of cooperation. Its basic assumptions are that states are the main actors and act rationally, that cooperation is possible without a world government because states share interests, and that institutions support cooperation by providing information and making commitments more credible (Keohane, 2005; Keohane & Martin, 1995). Liberal institutionalism also contains several live debates. Its starting claim is that institutions help states cooperate. Keohane (2005) argues that they lower transaction costs, provide information, and create stability. Realists doubt that institutions have effects of their own, and Keohane and Martin (1995) reply that institutions matter because they supply information and reduce the cost of cooperation. This exchange framed an early debate in the field: do institutions change state behavior, or do they only reflect state power?

A second debate concerns design and delegation. Abbott and Snidal (1998) explain that states create formal organizations because they can centralize information and lower the cost of joint action. Nielson and Tierney (2003) treat organizations as agents of their member states, so an organization can act only within the authority its principals delegate. Vabulas and Snidal (2013) add that states often choose informal arrangements when they want flexibility and want to protect their sovereignty, because such arrangements involve no delegation. Roger et al. (2023) defend this rational institutionalist approach against critics who call it too thin and too centered on the United States and the Global North. They argue that the approaches complement each other and that rational institutionalism is compatible with constructivism.

A third debate asks how institutions fare under challenge. Lake et al. (2021) note that the liberal international order is now under strain and that earlier scholarship overlooked dynamics that now look central. Börzel and Zürn (2021) argue that

institutions with more intrusive authority attract more contestation, and that the strategy states choose depends on their preferences and their power inside the institution. This article takes a position within this debate. It follows the rational design and delegation strand, in which institutions are agents whose mandates are set by their member states. It also accepts from the contestation literature that these mandates are not permanent and can be renegotiated.

METHODOLOGY

This study uses a qualitative approach with a single case study design. The case is ASEAN's response to the Rohingya humanitarian crisis from 2017 to 2025. This design follows Yin (1981), who argues that case studies suit research on complex contemporary phenomena in their real context, especially when the boundary between the phenomenon and its context is unclear. ASEAN's behavior cannot be understood without its normative context, institutional history, and diplomatic dynamics, so a qualitative-interpretive approach is the most appropriate choice.

Data were collected from secondary sources only, through a digital literature review of Scopus and Google Scholar. These two sources were chosen for their broad coverage of peer-reviewed international relations and Southeast Asian studies, and because their records can be verified. The 2017-2025 window covers the acute phase of the Rohingya crisis and its immediate aftermath. UNHCR records 2025 as the deadliest year on record for Rohingya refugees attempting maritime crossings, which suggests that the structural limits identified here persist (Zulfikar & Widiastutie, 2025).

All secondary sources were cross-checked to verify information on ASEAN's institutional dynamics and on how the crisis developed on the ground. In the analysis stage, two methods were used. *First*, document analysis was applied to legal documents and official ASEAN statements, which were reduced, clustered, and interpreted to reconstruct the formal positions of the organization and its members

(Bowen, 2009). *Second*, norm analysis, grounded in constructivist epistemology, traces how actors reproduce or reinterpret the principle of non-intervention. Coding the secondary data and reasoning inductively produced findings on how normative and structural constraints shape ASEAN's regional response.

The two theories are used as complementary and sequential levels of analysis. *First*, constructivism is used to analyze how the non-intervention norm shapes the way the Rohingya situation is understood. The norm pushes ASEAN to present the crisis as a humanitarian problem rather than a question of political responsibility and human rights abuse. *Second*, liberal institutionalism is used to examine how this framing affects ASEAN's institutional missions, authority, and decision-making. In short, non-intervention first changes how the problem is seen, and institutional arrangements then carry that view into practice. This explains why ASEAN can offer humanitarian aid yet still cannot hold Myanmar accountable.

DISCUSSION

Based on document and norm analysis of ASEAN's policies on the Rohingya crisis, this study identifies four findings on how non-intervention shapes ASEAN's structural limits. They follow the two theoretical layers. The first layer, constructivism, covers how the crisis is framed and how the "ASEAN Way" is contested. The second layer, liberal institutionalism, covers how norms become constrained institutional mechanisms and why member states respond inconsistently. Together, they show a multi-layered dilemma in which each layer reinforces the others.

Humanitarian Framing of the Rohingya Crisis

The first finding is that ASEAN has consistently treated the Rohingya crisis as a humanitarian issue or disaster, not as a human rights violation. Non-intervention is placed first in order to preserve regional stability and unity, and decisions rest on

deliberation and consensus (Jati & Sunderland, 2017). This creates a dilemma. ASEAN wants to uphold humanitarian values, but it avoids interfering in members' domestic affairs so that no member is accused of human rights violations at home (Melinda & Prayuda, 2026). Because the system requires absolute consensus, ASEAN's collective responses are defensive, normative, and legally non-binding (Koesrianti, 2011; Melinda & Prayuda, 2026). As a result, member states such as Indonesia can only practice a humanitarian diplomacy that is persuasive and limited in scope, without infringing Myanmar's sovereignty (Melinda & Prayuda, 2026).

This framing is actively produced and repeated by specific actors. Official statements by the ASEAN Chair, communiqués from the ASEAN Secretariat, and statements by member states' foreign ministries consistently use "humanitarian aid" and "humanitarian crisis" instead of "human rights violations," "genocide," or "ethnic cleansing." ASEAN also avoids the term "refugee" in its regional political vocabulary (Jati & Sunderland, 2017). For the Rohingya, it prefers "irregular migrants," which accommodates the hardline position of the Myanmar government, which rejects the Rohingya identity (Jati & Sunderland, 2017). This wording shifts the crisis from a human rights issue to a cross-border security threat and a case of human smuggling (Jati & Sunderland, 2017). It also gives host countries the legal basis to turn away refugee boats under domestic immigration law.

From a constructivist view, this is not only socialization, in which members passively absorb existing norms. It is also active norm production, in which key actors shape the vocabulary and the limits of acceptable language on this crisis. This strategy lets ASEAN look engaged without addressing the political substance of the crisis. The AICHR, which should be ASEAN's main body on human rights, has stayed passive on the Rohingya (Alexandra, 2022; Barber & Teitt, 2021; Limsiritong, 2018). The task then shifted to the AHA Centre, which was designed for natural disasters, not for human rights problems.

ASEAN's own documents support this reading. Statements by the ASEAN Chair since 2017 consistently refer to the "humanitarian situation in Rakhine State" rather than to human rights, and the AHA Centre's communications frame its role as humanitarian aid and disaster coordination. Oktavian et al. (2023) argue that this framing weakens ASEAN's accountability under international human rights law, because the organization can hide behind technical assistance without holding Myanmar politically or legally accountable.

Zahed (2021) adds that the same failure occurs at the international level. The UN Security Council faces similar structural obstacles, so the Responsibility to Protect (R2P), the principle that the international community must act when a state fails to protect its people from mass atrocities, has never been effectively applied to the Rohingya. The framing problem is therefore not only regional. It reflects a wider pattern in global human rights governance, where state sovereignty is still often placed above the protection of individual victims.

This kind of framing has a long history in ASEAN. Since its founding, the organization has been more used to handling traditional economic and security issues than human rights violations inside member states (Hara, 2019; Jones & Jenne, 2016). That makes it hard for the AICHR, despite its formal mandate to promote human rights, to move beyond a ceremonial role. So, when a major crisis like the Rohingya crisis arises, ASEAN falls back on a familiar pattern: it hands the issue to a politically neutral technical body that was never designed to address its political roots.

This pattern fits the constructivist approach used here. Wendt (1992) stresses that shared ideas and intersubjective meaning, meaning understandings built between actors, drive the behavior of states more than material interests alone. When member states call the problem a "humanitarian disaster" instead of a "human rights violation," they are not just choosing politer words. They are repeating an identity that

has long put state sovereignty and consensus above outside scrutiny. This holds even though ASEAN adopted the AHRD in 2012, which creates a contradiction.

The AHRD itself is also open to negotiation. It contains clauses that subordinate rights to "regional and national characteristics" and to the principles of the ASEAN Charter, including non-intervention (Davies, 2014). In practice, member states can treat human rights as aspirations rather than binding obligations. When rights conflict with sovereign interests, non-intervention wins, and the AHRD ends up accommodating the norm instead of setting it aside. Finnemore and Sikkink (1998) note that norms become durable when they are repeated and taken for granted. The frequent use of humanitarian language since 2017 reflects this process, and it is hard to undo through outside pressure to respect human rights obligations.

Contestation over the ASEAN Way

The second finding challenges the common assumption that the ASEAN Way is a single, rigid norm that automatically blocks collective action. In the Rohingya case, the ASEAN Way became an arena of normative contestation among members. Collins (2019) explains that ASEAN's constitutive norms, the norms that define what ASEAN is and how it acts, set the boundaries of a shared understanding, but their meaning and application remain open to debate in daily practice. Some member states pushed for a looser reading of non-intervention, closer to constructive engagement, while others, including Myanmar, insisted on full sovereignty (Mennecke & Stensrud, 2021).

Indonesia and Malaysia, both Muslim-majority states, faced popular pressure to take a more active stance. They repeatedly raised the Rohingya issue at ASEAN Foreign Ministers' Meetings and urged ASEAN leaders to do more than issue humanitarian statements. Myanmar countered by citing Article 2(2)(e) of the ASEAN Charter to defend a strict reading of non-intervention over a humanitarian one (Arifin,

2022). This split shows that strict non-intervention is contingent rather than a fixed institutional norm.

Gepp (2021) adds that the international community, including ASEAN, already has a normative framework in the R2P, but it has never been fully put into practice because there is no political consensus to go beyond diplomatic appeals. ASEAN's failure is therefore not only the result of fixed norms. It is also the outcome of political negotiations that have not yet produced a new consensus. This leaves room for optimism that normative reform is possible if political will is strong enough.

This contestation matches the constructivist claim that norms are never settled once and for all. Wendt (1992) treats structures as the product of ongoing practice, not fixed rules, so a norm can hold members together while leaving room for competing interpretations. Finnemore and Sikkink (1998) describe this tension as part of a normal life cycle, in which new practices can gradually shift meaning even before formal rules change. The pull between states favoring constructive engagement and Myanmar's insistence on strict sovereignty therefore does not show that the ASEAN Way has failed. It shows that the norm is still being negotiated, which is what constructivism expects at moments of crisis.

Reactive and Technical Institutional Mechanisms

The third finding is that ASEAN's involvement has been technical and reactive rather than preventive or structural. This is seen in the roles of the AHA Centre and the ASEAN Emergency Response and Assessment Team (ASEAN-ERAT). Morada (2021) notes that the AHA Centre has distributed humanitarian aid since the military operations began in 2017, but its role stays limited to logistics, without authority to press Myanmar politically. Kingston (2015) adds that these limits come not only from weak political will but also from ASEAN's institutional design, which was never mandated to resolve conflicts inside member states.

The reactive pattern is clear in the timeline. Communal violence against the Rohingya was reported as early as 2012, but ASEAN's first substantive institutional response, the activation of the AHA Centre and ASEAN-ERAT, came only after the 2017 crackdown caused mass displacement (Barber & Teitt, 2021). Kapucu (2022) adds that international accountability efforts, including attempts to bring Myanmar before international courts, need regional support to work, but ASEAN's limited mandate means such support rarely comes. ASEAN's role is thus better described as that of an emergency technical facilitator than of a political actor able to drive policy change in Myanmar. Table 1 summarizes ASEAN's institutional mechanisms and their limits.

Table 1.
ASEAN Institutional Mechanism in the Rohingya Crisis

No	Mechanism	Main Functions	Key Limitations
1	AICHR	Promotion and monitoring of human rights in the region	Not having investigative or sanctioning authority, tend to be passive on political issues (Barber & Teitt, 2021)
2	AHA Centre	Coordination of humanitarian assistance and disaster management	Designed for natural disasters, not humanitarian crises due to political conflict (Kingston, 2015)
3	ASEAN-ERAT	Refugee repatriation needs assessment and facilitation	Fully dependent on approval and invitation from Myanmar (Morada, 2021)

Source: Compiled by authors

Liberal institutionalism helps explain why the AHA Centre and ASEAN-ERAT stay technically restrained. Nielson and Tierney (2003) describe international organizations as agents whose room to act is set by the mandate that member states, the principals, are willing to give. ASEAN's humanitarian bodies are such agents. They were designed for natural disasters, and no member state has pushed them to go further, so they cannot do more than they were designed to do. Abbott and Snidal (1998) note that formal organizations are valuable because they pool information and lower the cost of cooperation, which is exactly what the AHA Centre does well. For

the same reason, it cannot touch the political core of a crisis it was never authorized to resolve.

Fragmentation of Member States' Responses

The fourth finding is that member states responded very differently, shaped more by national interests than by regional solidarity. Some scholars would not see this fragmentation as a break from ASEAN's original purpose. Jones and Jenne (2016) argue that ASEAN regionalism was never meant to produce binding collective security responses, and that members pursuing their own national interests is the original institutional design. This study does not dismiss fragmentation on those grounds. Whether or not it departs from ASEAN's original design, fragmentation shows the practical ceiling of ASEAN's solidarity rhetoric and exposes the gap between aspirational norms and institutional design that this article examines.

Indonesia has chosen quiet diplomacy, meaning informal lobbying through bilateral channels rather than open criticism (Simanjuntak, 2023). It has combined this with bilateral humanitarian aid, aiming to keep good relations with Myanmar and avoid the appearance of interfering in its internal affairs (Gepp, 2021). Malaysia, by contrast, has criticized Myanmar openly, but this was not followed by concrete collective action by ASEAN (Zahed, 2021).

Putra (2025) shows that fragmentation also appears elsewhere in the region. In Cambodia's case, the "ASEAN Way" often serves as a justification for members to put bilateral interests first, including strategic interests tied to major-power influence. In the Rohingya case, concern over Myanmar's growing closeness to China has also been a hidden reason for ASEAN states to avoid stronger pressure (Morada, 2021). Regional solidarity on the Rohingya issue therefore works more as rhetoric than as concrete action that binds all members. Table 2 compares the approaches of the three key actors.

Table 2.
Comparison of Actors' Approaches to the Rohingya Crisis

No	Actors	Approach	Main Orientation
1	Indonesia	Quiet diplomacy, bilateral and multilateral assistance	Maintaining stability in relations with Myanmar (Gepp, 2021)
2	Malaysia	Open criticism, diplomatic pressure	Islamic solidarity and domestic pressure (Zahed, 2021)
3	Myanmar	Refusal of external intervention, limited access to help	Defending domestic sovereignty and legitimacy (Mennecke & Stensrud, 2021)

Source: Compiled by authors

The split between Indonesia's quiet diplomacy and Malaysia's open criticism is what liberal institutionalism would expect. Abbott and Snidal (1998) note that formal organizations bind states only as far as those states are willing to be bound, and ASEAN was never given the authority to reconcile conflicting national preferences. Nielson and Tierney (2003) add that when principals disagree, the agent they created inherits that disagreement. Neither approach is backed by a binding regional position. ASEAN's inconsistency is therefore less a failure of the organization than a reflection of differences among the states it serves, differences that even the AHA Centre's technical expertise cannot hide or resolve.

Overall, the four findings reinforce one another. ASEAN's non-intervention dilemma is not only an abstract normative issue. It shows up as institutional limits, internal contestation, and fragmented national interests. Framing the crisis as humanitarian lets ASEAN stay visible and active without giving up the sovereignty principle it has upheld for decades. This restriction applies to all of ASEAN, not just its technical bodies. Article 2(2)(e) of the ASEAN Charter prevents any regional mechanism, technical or political, from being mandated to intervene in matters that members consider internal. The AHA Centre and ASEAN-ERAT are therefore not exceptions to ASEAN's non-intervention logic. They are faithful expressions of its institutional design.

However, the contestation described by Collins (2019) and Gepp (2021) shows that the ASEAN Way can be reinterpreted. This opens room for institutional reform if members develop stronger collective political will. The different positions of Indonesia and Malaysia show that the ASEAN Way does not stop members from taking divergent stances, but it is also not strong enough to build a firm and effective collective stance. This fits the constructivist view that norms are not fixed structures but are continually negotiated by their actors. In practice, efforts to make ASEAN more responsive to humanitarian crises should focus on strengthening the AICHR's mandate and creating more independent conflict resolution mechanisms, rather than waiting for a complete reversal of the non-intervention principle that has been rooted since 1967.

The fragmentation finding also offers a lesson for liberal institutionalism. The theory assumes that binding common institutions can produce cooperation among states. The Rohingya case shows the limit of this assumption when the institution, here ASEAN, lacks the coercive power to harmonize divergent national interests. Strengthening ASEAN's institutional capacity must therefore go together with building political trust among members. Without both, institutional reform risks being cosmetic and having no real effect on the protection of vulnerable groups such as the Rohingya.

CONCLUSION

This study shows that ASEAN's weak response to the Rohingya crisis is the predictable result of its non-intervention norm and institutional design. *First*, ASEAN framed the crisis as humanitarian rather than as a human rights violation, which let it stay engaged without infringing Myanmar's sovereignty. *Second*, the ASEAN Way is not a single rigid norm, because members still debate what non-intervention requires. *Third*, the AICHR and the AHA Centre act reactively within narrow mandates. *Fourth*,

member states respond differently because of their national interests, as Indonesia's quiet diplomacy and Malaysia's open criticism show. Constructivism explains why the norm persists, and liberal institutionalism explains why institutions cannot go beyond the mandates their members give them.

This study has limitations that point to further research. It relies only on secondary data, so future studies could add primary data such as interviews with ASEAN officials and records of ASEAN meetings. It is a single case study centered on Indonesia, Malaysia, and Myanmar, so future research could include other members such as Thailand and Singapore or compare ASEAN with other regional organizations facing similar crises. It also does not test whether reform is possible, so future studies could examine whether a stronger AICHR mandate and greater political trust among members can change ASEAN's response without abandoning non-intervention.

BIBLIOGRAPHY

Abbott, K. W., & Snidal, D. (1998). Why States Act through Formal International Organizations. *Journal of Conflict Resolution*, *42*(1), 3–32. https://doi.org/10.1177/0022002798042001001

Alexandra, L. A. (2022). Assessment On The Role of ASEAN Intergovernmental Commission on Human Rights (AICHR) In Atrocities Prevention. *Asia-Pacific Centre for the Responsibility to Protect*, 1–16. https://r2pasiapacific.org/article/2022/04/aichr-and-its-role-atrocities-prevention

Ali, W. O. R. F. (2022). Sejarah Konflik Muslim Rohingya. *Jurnal Pengabdian Masyarakat Indonesia Sejahtera*, *1*(3), 43–62. https://doi.org/10.59059/jpmis.v1i3.6

Arifin, S. (2022). Abuse of Human Rights in Myanmar: An Urgent Appeal to Reinterpret the ASEAN Non-Interference Principle. *Human Rights in the Global South (HRGS)*, *1*(2), 128–144. https://doi.org/10.56784/hrgs.v1i2.12

Barber, R., & Teitt, S. (2021). Legitimacy and centrality under threat: The case for an ASEAN response to human rights violations against the Rohingya. *Asian Politics & Policy*, *13*(4), 471–492. https://doi.org/10.1111/aspp.12602

Börzel, T. A., & Zürn, M. (2021). Contestations of the liberal international order: From liberal multilateralism to postnational liberalism. *International Organization*,

75(2), 282–305. https://doi.org/10.1017/S0020818320000570

Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, *9*(2), 27–40. https://doi.org/10.3316/QRJ0902027

Collins, A. (2019). W(h)ither the Association of South East Asian Nations (ASEAN)? W(h)ither constructivism? Fixity of norms and the ASEAN Way. *International Relations*, *33*(3), 413–432. https://doi.org/10.1177/0047117819830469

Davies, M. (2014). An Agreement to Disagree: The ASEAN Human Rights Declaration and the Absence of Regional Identity in Southeast Asia. *Journal of Current Southeast Asian Affairs*, *33*(3), 107–129. https://doi.org/10.1177/186810341403300305

Deitelhoff, N., & Zimmermann, L. (2020). Things we lost in the fire: How different types of contestation affect the robustness of international norms. *International Studies Review*, *22*(1), 51–76. https://doi.org/10.1093/isr/viy080

Finnemore, M., & Sikkink, K. (1998). International Norm Dynamics and Political Change. *International Organization*, *52*(4), 887–917. https://doi.org/10.1162/002081898550789

Gepp, M. G. M. (2021). The Road Not Taken: Failure to Protect from Atrocity Crimes in Myanmar. *Groningen Journal of International Law*, *9*(1), 78–100. https://doi.org/10.21827/GroJIL.9.1.78-100

Hara, A. E. (2019). The struggle to uphold a regional human rights regime: the winding role of ASEAN Intergovernmental Commission on Human Rights (AICHR). *Revista Brasileira de Política Internacional*, *62*(1), e011. https://doi.org/10.1590/0034-7329201900111

Howe, A. E. (2018). Discourses of Exclusion: The Societal Securitization of Burma's Rohingya (2012–2018). *Journal of Asian Security and International Affairs*, *5*(3), 245–266. https://doi.org/10.1177/2347797018799000

Jati, I., & Sunderland, E. (2017). Playing with Words: The Securitization Construction of "Refugee" in ASEAN Politics. *Jurnal Hubungan Internasional*, *6*(2), 233–240. https://doi.org/10.18196/hi.62119

Jones, D. M., & Jenne, N. (2016). Weak states' regionalism: ASEAN and the limits of security cooperation in Pacific Asia. *International Relations of the Asia-Pacific*, *16*(2), 209–240. https://doi.org/10.1093/irap/lcv015

Kapucu, V. T. (2022). The Rohingya of Myanmar: R2P, International Justice and Accountability. In P. Gözen Ercan (Ed.), *The Responsibility to Protect Twenty Years On* (pp. 221–243). Springer International Publishing. https://doi.org/10.1007/978-3-030-90731-0_11

Keohane, R. O. (2005). *After Hegemony: Cooperation and Discord in the World Political*

Economy. Princeton University Press. https://press.princeton.edu/books/paperback/9780691122489/after-hegemony

Keohane, R. O., & Martin, L. L. (1995). The promise of institutionalist theory. *International Security*, *20*(1), 39–51. https://doi.org/10.2307/2539214

Kingston, L. N. (2015). Protecting the world's most persecuted: the responsibility to protect and Burma's Rohingya minority. *The International Journal of Human Rights*, *19*(8), 1163–1175. https://doi.org/10.1080/13642987.2015.1082831

Koesrianti. (2011). Analisa Kekuatan Mengikat Piagam Asean dan Perkembangan Mekanisme Penyelesaian Sengketa di Asean. *Yuridika*, *26*(1 SE-International Law), 52–70. https://doi.org/10.20473/ydk.v26i1.262

Lake, D. A., Martin, L. L., & Risse, T. (2021). Challenges to the liberal order: Reflections on International Organization. *International Organization*, *75*(2), 225–257. https://doi.org/10.1017/S0020818320000636

Lantis, J. S., & Wunderlich, C. (2022). Reevaluating constructivist norm theory: A three-dimensional norms research program. *International Studies Review*, *24*(1), viab059. https://doi.org/10.1093/isr/viab059

Limsiritong, N. (2018). The Power Limitation of ASEAN Inter-Governmental Human Rights Commission Under the Perspective of ASEAN Charter in Case of the Rohingya Issue. *SSRN Electronic Journal*, *5*(2). https://doi.org/10.2139/ssrn.3318102

Melinda, H., & Prayuda, R. (2026). Diplomasi Kemanusiaan Indonesia dalam Forum ASEAN (Association of Southeast Asia Nation): Studi Kasus Penanganan Krisis Rohingya Tahun 2017-2025. *Jurnal Kajian Pemerintah (JKP): Journal of Government, Social and Politics*, *12*(1), 20–37. https://journal.uir.ac.id/index.php/JKP/article/view/27865

Mennecke, M., & Stensrud, E. E. (2021). The Failure of the International Community to Apply R2P and Atrocity Prevention in Myanmar. *Global Responsibility to Protect*, *13*(2–3), 111–130. https://doi.org/10.1163/1875-984X-13020013

Messner, N., Woods, A., Petty, A., Parmar, P. K., Leigh, J., Thomas, E., Curry, D., Venters, H., Gilbert, A., Nelson, T., & Lester, E. (2019). Qualitative evidence of crimes against humanity: the August 2017 attacks on the Rohingya in northern Rakhine State, Myanmar. *Conflict and Health*, *13*(1), 41. https://doi.org/10.1186/s13031-019-0227-8

Midhol, A. B. (2022). Kasus Human Trafficking Di Asia Tenggara. *Jurnal Universitas Sains Al-Qur'an*, 2–3. https://doi.org/https://doi.org/10.31219/osf.io/rvmzn

Moore, L. (2024). Contesting clusters: A study of norm weaving in Pacific climate mobilities policies. *International Theory*, 1–34. https://doi.org/10.1017/S1752971924000071

Morada, N. M. (2021). asean and the Rakhine Crisis: Balancing Non-interference, Accountability, and Strategic Interests in Responding to Atrocities in Myanmar. *Global Responsibility to Protect*, *13*(2–3), 131–157. https://doi.org/10.1163/1875-984X-13020003

Nielson, D. L., & Tierney, M. J. (2003). Delegation to International Organizations: Agency Theory and World Bank Environmental Reform. *International Organization*, *57*(2), 241–276. https://doi.org/10.1017/S0020818303572010

Nuruzzaman, M., & Wohab, A. (2026). The security impact of the Rohingya refugee crisis on Bangladesh and regional states: a securitization theoretical perspective. *International Journal of Asian Studies*, 1–21. https://doi.org/10.1017/S1479591426100709

Oktavian, A., Jamaludin, M., & Hossain, M. B. (2023). Non-Interference Principle of Asean in The Rohingya Crisis: International Human Rights Law as Alternative Foothold. *Intermestic: Journal of International Studies*, *7*(2), 618. https://doi.org/10.24198/intermestic.v7n2.11

Peez, A. (2022). Contributions and blind spots of constructivist norms research in International Relations, 1980-2018: A systematic evidence and gap analysis. *International Studies Review*, *24*(1), viab055. https://doi.org/10.1093/isr/viab055

Percy, S. V, & Sandholtz, W. (2022). Why norms rarely die. *European Journal of International Relations*, *28*(4), 934–954. https://doi.org/10.1177/13540661221126018

Putra, B. A. (2025). Cambodia's disconnection from ASEAN: a social disorganization theory's interpretation. *Frontiers in Sociology*, *10*. https://doi.org/10.3389/fsoc.2025.1529649

Riyanto, S. (2024). Optimalisasi Fungsi ASEAN Intergovernmental Commission on Human Rights (AICHR) dan Tantangan Perlindungan Hak Asasi Manusia di Asia Tenggara. *Jurnal Hukum IUS QUIA IUSTUM*, *31*(2), 247–269. https://doi.org/10.20885/iustum.vol31.iss2.art1

Roger, C., Snidal, D., & Vabulas, F. (2023). The importance of rational institutionalism in the analysis of informal international institutions. *International Politics*. https://doi.org/10.1057/s41311-023-00483-3

Saputra, O. B. (2024). Peran Asean Intergovernmental Commission on Human Rights Sebagai Institusi Ham Asean: Kasus Rohingya Di Myanmar 2012-2016. *Journal of International Relations*, *2*, 306–312. https://doi.org/https://doi.org/10.14710/jirud.v5i1.22689

Siba, M. A. M., & Qomari'ah, A. N. (2018). Pelanggaran Hak Asasi Manusia Dalam Konflik Rohingya Human Right Violations On Rohingya Conflict. *Journal of Islamic World and Politics*, *2*(2). https://doi.org/10.18196/jiwp.2221

Simanjuntak, T. R. (2023). Diplomasi Maraton Indonesia Terhadap Isu Rakhine State. *BHUVANA: Journal of Global Studies*, *1*(1), 60–81. https://doi.org/10.59408/bjgs.v1i1.56

Sriliza, S., Yusrain, Y., & Karlina, E. M. (2025). Sejarah Muslim Rohingnya. *Juteq: Jurnal Teologi & Tafsir*, *2*(4), 923–943. https://languar.net/index.php/JUTEQ/article/view/74/73

Syarwina, A. P., Fahmi, C., & Matsyah, A. (2026). Analisis Penanganan Pengungsi Di Indonesia Dari Perspektif Hukum Internasional. *Jurnal Politik Dan Hukum Tata Negara*, *06*(01), 144–163. https://journal.ar-raniry.ac.id/index.php/Assiyadah/article/view/8360/3596

The Guardian. (2017). Rohingya fleeing Myanmar recount tales of ethnic cleansing. *The Guardian*. https://www.theguardian.com/world/2017/sep/02/rohingya-fleeing-myanmar-tales-ethnic-cleansing

Tobing, D. H. (2018). The Limits and Possibilities of the ASEAN Way: The Case of Rohingya as Humanitarian Issue in Southeast Asia. *KnE Social Sciences*, *3*(5), 148. https://doi.org/10.18502/kss.v3i5.2331

Vabulas, F., & Snidal, D. (2013). Organization without delegation: Informal intergovernmental organizations (IIGOs) and the spectrum of intergovernmental arrangements. *The Review of International Organizations*, *8*(2), 193–220. https://doi.org/10.1007/s11558-012-9161-x

Wendt, A. (1992). Anarchy is what states make of it: the social construction of power politics. *International Organization*, *46*(2), 391–425. https://doi.org/10.1017/S0020818300027764

Yin, R. K. (1981). The Case Study as a Serious Research Strategy. *Knowledge*, *3*(1), 97–114. https://doi.org/10.1177/107554708100300106

Zahed, I. U. M. (2021). Responsibility to Protect? The International Community's Failure to Protect the Rohingya. *Asian Affairs*, *52*(4), 934–957. https://doi.org/10.1080/03068374.2021.1999689

Zebua, E., Sitepu, K., Na'im, K., & Darma, M. (2025). Penyelesaian Kejahatan Genosida yang Dilakukan oleh Pemerintah Myanmar Terhadap Etnis Muslim Rohingya di Myanmar dalam Perspektif Hukum Pidana Internasional. *Innovative: Journal Of Social Science Research*, *5*(4), 5952-5964. https://doi.org/https://doi.org/10.31004/innovative.v5i4.20208

Zulfikar, M., & Widiastutie, S. (2025). Peran Negara dalam Sekuritisasi Politik Identitas: Studi Komparatif Konflik Rohingya dan Palestina-Israel. *Jurnal Hubungan Internasional Indonesia*, *6*(2). https://jhii.fisip.unila.ac.id/index.php/jhii/article/view/68