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Why Indonesia Adopted 'Quiet Diplomacy' over R2P in the Rohingya Crisis: The Roles of Islamic Humanitarianism, Civil–Military Relations, and ASEAN

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Abstract

Following atrocities against the minority Muslim Rohingya population by the Myanmar military, several states have imposed sanctions and deployed international justice strategies against the Myanmar government. In contrast, Indonesia has used an alternative 'quiet diplomacy' approach, focused on aid delivery to affected communities and cooperation with Myanmar. The paper presents one of the first empirical examinations of Indonesia's role, and considers Indonesia's approach from a realpolitik perspective to show why Indonesia has avoided R2P measures. The paper identifies three factors that shaped Indonesia's approach: Islamic humanitarianism, Indonesia's own experience of managing civil–military relations during a contested democratic transition, and its continued commitment to core ASEAN principles. The paper also contributes to wider debates by identifying some of the limitations of R2P, especially in terms of how R2P can be sidelined by national and regional diplomatic priorities, in this case manifested in the quiet diplomacy approach.

Keywords

Successive waves of military-led atrocities against the ethnic Rohingya population, a Muslim minority in Myanmar, have created the gravest political and humanitarian crisis in twenty-first-century Asia.[1] The United Nations (UN) estimates that since the violence escalated in 2017, over 700,000 Rohingya have been forced over the border into Bangladesh,[2] with more than 126,000 displaced internally[3] and thousands more fleeing in boats across the region. The UN Human Rights Council's Fact-Finding Mission on Myanmar (FFMM) established that the incidents in Rakhine State from 25 August 2017 amounted to international atrocity crimes.[4] Despite the ineffectiveness of international responses to the atrocities throughout the 2010s, the majority of research has focused on analysing the actions of the UN and Western states, and the role of the Organisation of Islamic Cooperation (OIC) in bringing a case of genocide against Myanmar to the International Court of Justice (ICJ).

In contrast, limited research has considered the role of neighbouring Southeast Asian states in addressing the crisis,[5] despite their closer allegiance to Myanmar, their international commitment to R2P – the

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1　　The authors wish to thank Ellen Stensrud, Martin Mennecke, Noel Morada, and one anonymous reviewer for their comments on earlier drafts, Amelia Fauzia and Mohamad Rosyidin for helpful discussions, and the anonymous contributors to the research.

2　　The UN Refugee Agency, 'Rohingya Emergency', UNHCR UK, 31 July 2019, https://www.unhcr.org/uk/rohingya-emergency.html, accessed 12 July 2020.

3　　Human Rights Council, *Detailed findings of the Independent International Fact-Finding Mission on Myanmar,* A/HRC/42/CRP.5, 16 September 2019, p. 19.

4　　*ibid.*, p. 72.

5　　Key exceptions include Lina Alexandra, 'Indonesia and the Responsibility to Protect', *The Pacific Review,* 25(1) 51–74 (2012); Alistair D. B. Cook and S. Nathini, *Pathways for ASEAN Contributions to Sustainable Peace and Security in Rakhine State, Myanmar,* IRB-2017-08-018-01, May 2020; Amelia Fauzia, 'Indonesian Aid to Rakhine State, Myanmar: Islamic Humanitarianism, Soft Diplomacy, and the Question of Inclusive Aid', *Oxford Department of International Development,* 31 January 2018, https://www.qeh.ox.ac.uk/blog/indonesian-aid-rakhine-state-myanmar-islamic-humanitarianism-soft-diplomacy-and-question, accessed 23 June 2020; Noel M. Morada, 'Continuing Violence and Atrocities in Rakhine since 2017: Beyond the Outrage, Failures of the International Community', *Global Responsibility to Protect,* 12(1) 64–85 (2020); Noel M. Morada, 'ASEAN and the Rakhine Crisis: Balancing Non-Interference, Accountability, and Strategic Interests in Responding to Atrocities in Myanmar', *Global Responsibility to Protect* [this issue]; and

main international norm shaping atrocity prevention responses – and their critical role in protecting exiled Rohingya. In this paper, we seek to redress that balance by analysing the main factors that have shaped Indonesia's response. Our analysis builds on the emerging body of work by Southeast Asian and regional scholars, but contributes a unique assessment of the factors influencing Indonesia's 'quiet diplomacy' towards Myanmar. To do so, we draw on data from policy reports, UN documents, media outlets, original key informant interviews, and academic literature.

Initially, the international expectations on Indonesia to challenge Myanmar over its treatment of the Rohingya were high. As home to the world's largest Muslim majority, a close ally of Myanmar, a relatively established democracy, a regional power with a global role as part of the G20, and a non-permanent seat on the UN Security Council (2019–2020), Indonesia stood to play a critical role in responding to the atrocities. Indonesia had committed to the R2P principle at the UN,[6] and publicly supported the findings of the FFMM.[7] Furthermore, both national secular human rights organisations and Islamic organisations – from large moderate Islamic social movements to smaller militant groups[8] – lobbied the government to protect the Rohingya from further violence and provide them with humanitarian assistance.[9] While attempting

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Mohamad Rosyidin, 'Reconciling State's Sovereignty with Global Norms: Indonesia's Quiet Diplomacy in Myanmar and the Feasibility of the Implementation of Responsibility to Protect (R2P) in Southeast Asia', *Global Responsibility to Protect*, 12(1) 11–36 (2020).

6   A/72/PV.105, 2 July 2018, pp. 6–7. See also Indonesia's statements at UNGA debates on 8 September 2014 and 2015, https://www.globalr2p.org/resources/, accessed 23 November 2020.

7   Mouayed Saleh, *Report of the Human Rights Council*, A/HRC/S-27/3, 1 February 2018, p. 7; UNGA Res. 72/248, 23 January 2018.

8   Amelia Fauzia, 'Islamic Philanthropy in Indonesia: Modernization, Islamisation, and Social Justice', *American Journal of South-East Asian Studies*, 10(2) 223–236 (2017); Fauzia, 'Indonesian Aid to Rakhine State'; Zezen Zaenal Mutaqin, 'What is Islamic Humanitarianism?', *Korean Journal of Humanitarian Law*, 33 60–80 (2013); Euronews, 'Indonesia's Muslims Urge More Support for Myanmar's Rohingyas', 16 September 2017, https://www.euronews.com/2017/09/16/indonesias-muslims-urge-more-support-for-myanmars-rohingyas, accessed 5 July 2020; Gurjit Singh, 'Islam and Its Role in Indonesia's Foreign Policy', *ORF*, 24 June 2020, https://www.orfonline.org/expert-speak/islam-role-indonesia-foreign-policy-68410/, accessed 5 July 2020.

9   Alexandra, 'Indonesia and the Responsibility to Protect', p. 70; Deasy Silvya Sari, Taufik Hidayat, and Aliyuna Pratisti, 'Indonesian Government Policy on Rohingya Refugees', *Andalas Journal of International Studies*, 7(1) 1–13 (2018), p. 8; Fardah Assegaf, 'A Deep Sense of Humanity for Rohingya Prevails in Aceh', *Antara News*, 1 July 2020, https://en.antaranews.com/news/151598/a-deep-sense-of-humanity-for-rohingya-prevails-in-aceh, accessed 13 July 2020.

to maintain close diplomatic relations with Myanmar, Indonesia responded to these domestic political pressures. Over 1,800 Rohingya refugees were eventually accepted into Aceh Province, and the government facilitated aid via ASEAN and Indonesian humanitarian organisations into Rakhine State.[10] Foreign Minister Retno Marsudi also repeatedly urged Myanmar to minimise the use of force and enable humanitarian access to Rakhine State.[11]

However, despite the pushes for Indonesia to use its advantageous position, particularly from national human rights and Islamic organisations, we identify two key factors that restrained Indonesia's foreign policy over the atrocities. We find that Indonesia's recent political transition from a military regime – including the government's recent experiences of managing civil–military relations, and multiple ethno-nationalist conflict sites – informed a sense of a shared political history with Myanmar. This perspective tempered Indonesia's approach. Further, as a secular multi-ethnic state with a strong adherence to the 'ASEAN Way' – especially the principles of non-interference and consensus-based decision-making[12] – Indonesia sought to avoid an international perception of pro-Muslim bias against Myanmar.[13] Indonesia's cautious approach caused tensions with the OIC,[14] for example, when Indonesia called for restraint towards Myanmar, in contrast with the critical position taken by Malaysia, another ASEAN and OIC member.[15]

Indonesia's middle-way diplomatic path, dubbed 'quiet' or 'soft' diplomacy,[16] evolved through the 2010s. In 2012, Indonesia engaged with multilateral fora, particularly the OIC, which it perceived as having a vital role to play in the crisis. However, during President Jokowi's first term (2014–2019), as the

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10   Sari et al., 'Indonesian Government Policy', p. 4. See also Krithika Varagur, '"They Are Our Brothers": Rohingya Refugees Find Rare Welcome in Aceh', *The Guardian*, 25 May 2018, https://www.theguardian.com/world/2018/may/25/they-are-our-brothers-rohingya-refugees-find-rare-welcome-in-aceh, accessed 1 July 2020.

11   Yashinta Difa and Azis Kurmala, 'Indonesia Gives Grant of Rp7.5 Billion to Help Myanmar Refugees', *Antara News*, 20 December 2019, https://en.antaranews.com/news/138508/indonesia-gives-grant-of-rp75-billion-to-help-myanmar-refugees, accessed 15 July 2020. See also Fauzia, 'Indonesian Aid to Rakhine State'.

12   On ASEAN's capacity to respond to human rights protection issues see Noel Morada, 'Southeast Asian Regionalism, Norm Promotion and Capacity Building for Human Protection: An Overview', *Global Responsibility to Protect*, 8(2–3) 111–132 (2016); for a detailed definition of the 'ASEAN Way' see p. 117.

13   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

14   Singh, 'Islam and Its Role in Indonesia's Foreign Policy'.

15   Morada, 'ASEAN and the Rakhine Crisis'; Rosyidin, 'Reconciling State's Sovereignty', p. 32.

16   Rosyidin, 'Reconciling State's Sovereignty', p. 15. See also Fauzia, 'Indonesian Aid to Rakhine State'.

OIC became more critical of Myanmar's treatment of the Rohingya, Indonesia distanced itself, stating that a more 'constructive' diplomatic approach was needed, centred on aid provision.[17] The Indonesian government subsequently focused on bilateral and regional channels to deal with the crisis, maintaining what it described as an 'open door' while 'building trust' with the Myanmar government.[18]

Rather than invoking R2P, Indonesia framed its approach to atrocity prevention as part of a long-term strategic relationship with Myanmar. Foreign Ministry officials argued that to support Myanmar's democratisation process required cooperation with the government *and* the military during the Rohingya crisis, avoiding overt demands for political and military reforms.[19] Such an approach was already embedded in the way Indonesia had managed ethno-nationalist conflict domestically during its own transition, a model dubbed 'illiberal peacebuilding'. This approach, found across democratic and semi-democratic Asian states,[20] focuses on socio-economic recovery, economic development, and technical reforms, rather than addressing political and civil issues, such as the expansion of citizenship and other rights to vulnerable minority groups. For the Rohingya, citizenship lay at the heart of the crisis. However, from Indonesia's perspective, directly addressing the citizenship issue with Myanmar risked further conflict and pushing Myanmar towards an even more hard-line position. An illiberal peacebuilding approach instead offered a way both to balance civilian and military factions within a regime, but without alienating military elites, and to achieve overall order during a contested political transition.[21]

Indonesia's hesitation to invoke R2P over Myanmar's treatment of the Rohingya also derived from the possibility of non-cooperative international

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17   Eko Prasetyo, 'Indonesia Calls on OIC to Improve Situation in Myanmar's Rakhine State', *Jakarta Globe,* 20 January 2017, https://jakartaglobe.id/news/indonesia-calls-on-oic-to-improve-situation-in-myanmars-rakhine-state/, accessed 18 August 2020; Institute for Policy Analysis of Conflict (IPAC), *Indonesia and the Rohingya Crisis*, IPAC Report No. 46, 29 June 2018, p. 4.

18   Interview with senior Ministry of Foreign Affairs official, 15 September 2020. See also, Fauzia, 'Islamic Philanthropy in Indonesia', p. 230; Singh, 'Islam and Its Role in Indonesia's Foreign Policy'.

19   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

20   Claire Q. Smith, Lars Waldorf, Rajesh Venugopal, and Gerard McCarthy, 'Illiberal Peace-Building in Asia: A Comparative Overview', *Conflict, Security & Development*, 20(1): 1–14 (2020).

21   *ibid.*; Claire Q. Smith, 'Illiberal Peace-Building in Hybrid Political Orders: Managing Violence during Indonesia's Contested Political Transition', *Third World Quarterly*, 35(8): 1509–1528 (2014).

intervention via pillar three. The prospect of united international condemnation, an international sanctions regime, or the use of collective force mandated through a UN Security Council resolution, in response to Myanmar's treatment of the Rohingya, remained unlikely throughout the 2010s. But the impact of *precisely* such actions in Indonesia over East Timor 20 years earlier should not be underestimated. Despite rising pressure from influential Islamic groups for a stronger government stance on protecting Rohingya human rights, Jokowi's government maintained the quiet diplomacy approach and avoided R2P.

The following sections explore these pushes towards and pulls away from greater action over the atrocities in Myanmar. First, we consider the extent to which Indonesia's approach was influenced by international and domestic calls to protect the Rohingya according to R2P. We find that despite the government's international commitment to R2P, it did not shape Indonesian foreign policy towards Myanmar. Second, we discuss how, while R2P influenced civil society organisations in Indonesia, the advocacy of Islamic humanitarianism by Islamic organisations held more sway and eventually persuaded the government to take (limited) action. Third, we outline the influences of Indonesia's domestic democratisation experiences, including managing civil–military relations during the transition from a military regime, the legacies of UN intervention in East Timor, and enduring ethno-nationalist conflict in Papua. Fourth, we consider Indonesia's commitment to ASEAN and its core values, which acted as another important brake on public criticism of and intervention in Myanmar. To conclude, we reflect on whether quiet diplomacy and R2P can be reconciled, and propose that R2P debates need to take more account of domestic and regional constraints when assessing the potential of invoking the doctrine.

1   Domestic Calls for Atrocity Prevention

Civil society organisations in Indonesia pressured the government to take action over the Rohingya crisis throughout the 2010s, with some secular human rights groups invoking R2P.[22] Indonesia was part of the ASEAN call for an impartial investigation into atrocities in Rakhine by the Independent Commission of Enquiry (ICoE),[23] voted in support of the United Nations General Assembly (UNGA) resolutions in 2017 and 2019 adopting the reports of

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22   Alexandra, 'Indonesia and the Responsibility to Protect'.
23   ASEAN, Chairman's Statement of the 33rd ASEAN Summit, 13 November 2018, p. 13.

the special rapporteurs on human rights violations in Myanmar,[24] and vocally supported R2P at the General Assembly.[25] As such, national human rights organisations emphasised Indonesia's stated international commitments.

For example, in an open letter to the Ministry of Foreign Affairs, KontraS – one of the most influential human rights organisations in Indonesia – urged the government to actively respond to crimes against humanity in Rakhine State.[26] KontraS drew on R2P to emphasise the importance of existing international mechanisms to protect the Rohingya. One KontraS activist argued that the Myanmar government was bound by international law and should uphold universal values.[27] In an open letter, the spokesperson pressed for the Indonesian government to conduct 'humanitarian interventions' via the 'R2P mechanism', especially actions relating to pillar one,[28] hinting at cooperative measures rather than non-cooperative interventions. The KontraS letter highlighted that Myanmar's membership in ASEAN should be used by other ASEAN states – such as Indonesia – to exert R2P pressures. However, as the third and fourth sections outline, Indonesia was unwilling to challenge the ASEAN norm of non-interference over the Rohingya.

Human rights organisations in Indonesia also worked collectively on the Rohingya issue. From 2009, the Indonesian Human Rights Watch Group (HRWG), together with KontraS, Imparsial, and Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI) – the Indonesian Legal Aid Foundation – formed a human rights collective to urge the government to move away from the ASEAN non-intervention principle.[29] These civil society organisations appealed to the government, imploring them to act in accordance with international human rights and humanitarian law, with reference to R2P.[30] In a 2017 press release, the organisation YLBHI invoked R2P and UNGA Resolution 60/1 in calling on the government to take action.[31]

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24   A/72/PV.76, 23 December 2017, p. 7; A/74/PV.52, 19 December 2019, p. 34.
25   A/72/PV.105, 2 July 2018, pp. 6–7.
26   Yati Andriyani, 'Open Letter: Urge to Resolve Crimes against Humanity in Rakhine, Myanmar', *KontraS*, 6 September 2017, https://kontras.org/2017/09/06/surat-terbuka-desakan-penyelesaian-kejahatan-terhadap-kemanusiaan-di-rakhine-myanmar/, accessed 23 June 2020.
27   *ibid.*
28   *ibid.*
29   Alexandra, 'Indonesia and the Responsibility to Protect', p. 66.
30   Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI), 'Myanmar Needs to Immediately End Persecution Against Rohingya', Press Release No. 119/SK/P-YLBHI/VIII/2017, 2 September 2017.
31   *ibid.*

Regional and international NGOs also supported the R2P advocacy of national Indonesian NGOs. The Southeast Asian Humanitarian Committee (SEAHUM) worked with activists, NGO representatives, and academics across the region, building networks to respond to the Rohingya crisis. In 2019, SEA-HUM supported the UN's FFMM team to investigate human rights crimes in Myanmar.[32] National and regional NGOs, working on R2P, refugee rights, broader human rights, and humanitarian assistance, played a dual role: they lobbied the Indonesian government to take action – rather than following traditional ASEAN values – and they also organised aid to affected communities.[33]

The provision of aid by Indonesian organisations was intended to mitigate the effects of atrocities on Rohingya communities. The government facilitated this aid insofar as it did not threaten diplomatic relations with Myanmar or interfere directly with Myanmar's domestic policies.[34] For example, when the government rejected Rohingya refugees in 2020, in relation to the COVID-19 pandemic,[35] the chairman of SUAKA - the Indonesian Civil Society Network for Refugee Rights Protection - argued that this was not an acceptable reason to reject Rohingya refugees,[36] calling for the government to do more to protect their human rights. The government responded by accepting the refugees into Aceh, as this did not directly threaten relations with Myanmar. The following section outlines how Islamic organisations had greater influence on government action.

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32   Yayasan Amal Malaysia, '3rd Annual General Meeting of Southeast Asia Humanitarian Committee (SEAHUM)', February 2019, https://www.amalmalaysia.org.my/2019/03/07/3rd-annual-general-meeting-of-southeast-asia-humanitarian-committee-seahum/, accessed 28 August 2020.

33   For example, the local NGO Aksi Cepat Tanggap (ACT) – Swift Response Action – supported Rohingya refugees in Aceh, alongside national organisations such as SUAKA – the Indonesian Civil Society Association for Refugee Rights Protection. See International Organisation for Migration (IOM), 'IOM Indonesia Assists Rohingya Rescued After Four Months at Sea', 26 June 2020, https://www.iom.int/news/iom-indonesia-assists-rohingya-rescued-after-four-months-sea, accessed 28 August 2020; Assegaf, 'A Deep Sense of Humanity'; Rizka Argadianti Rachmah, 'Press Release: Rohingya Refugees: The Ultimate Humanity', SUAKA Indonesia, 25 June 2020, https://suaka.or.id/2020/06/25/press-release-pengungsi-rohingya-kemanusiaan-yang-utama/, accessed 28 August 2020.

34   Interview with senior Ministry of Foreign Affairs official, 15 September 2020. See also Indonesia's statement at UNGA debate on 8 September 2015, https://www.globalr2p.org/resources/statement-by-indonesia-at-the-2015-un-general-assembly-informal-interactive-dialogue-on-the-responsibility-to-protect/, accessed 10 September 2020.

35   Rebecca Ratcliffe and Febriana Firdhaus, 'Indonesian Villagers Defy Covid-19 Warnings to Rescue Rohingya Refugees', *The Guardian*, 26 June 2020, https://www.theguardian.com/world/2020/jun/26/indonesian-villagers-defy-covid-19-warnings-to-rescue-rohingya-refugees, accessed 28 August 2020.

36   Rizka Argadianti Rachmah, 'Press Release: Rohingya Refugees'.

2   Islamic Humanitarian Pressure to Act

We have shown how secular civil society organisations pressured the Indonesian government to take political and legal actions to protect the Rohingya from atrocities, invoking human rights and R2P principles, but this had little impact on government policy. Islamic civil society organisations had greater success in pressuring the government via appeals to Islamic humanitarianism. Although based on different norms, R2P and Islamic humanitarianism were similar in several ways.[37] Both had the goal of preventing further atrocities in Rakhine State, and some Islamic groups also called for non-cooperative intervention.[38] Although the demands made on the Indonesian government by R2P activists and Islamic organisations sometimes overlapped, Islamic humanitarianism held more sway. While some Islamic organisations called for non-cooperative intervention, the focus of most groups was on demands for humanitarian assistance, via both aid and refugee acceptance. National Islamic organisations also had greater political influence on the government, reflecting a much larger constituency than secular human rights organisations.

As a majority Muslim (although secular) state, with a large and active Islamic civil society, calls for Islamic solidarity and aid provision were particularly persuasive on the Indonesian government. At first, the government was reluctant to treat fleeing Rohingya as refugees but, following Islamic civil society pressure, eventually requested a safe repatriation process,[39] and organised direct Rohingya refugee acceptance into Indonesia.[40] On a national scale, Islamic humanitarian organisations advocated for Rohingya protection, both at home and overseas, gaining increasing traction between 2015 and 2020.[41] Islamic activism, including protests and campaigns, had support from the broader public.[42] Additional pressure derived from rising government concerns over the potential for Islamic militant action over the Rohingya crisis if they failed to respond.[43]

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37   Rosyidin, 'Reconciling State's Sovereignty', p. 35.

38   Euronews, 'Indonesia's Muslims'.

39   Pizaro Gozali Idrus, 'Indonesia Urges ASEAN to Help Ensure Rohingya Safety', *Andalou Agency*, 24 June 2020, https://www.aa.com.tr/en/asia-pacific/indonesia-urges-asean-to-help-ensure-rohingya-safety/1888521#, accessed 13 July 2020. See also Assegaf, 'A Deep Sense of Humanity'.

40   Susan Harris Rimmer, 'Refugees, Internally Displaced Persons and the "Responsibility to Protect"', *UNHCR*, no. 185 1–21 (2010), p. 8.

41   Singh, 'Islam and Its Role in Indonesia's Foreign Policy'.

42   *ibid*. See also Euronews, 'Indonesia's Muslims'.

43   Fauzia, 'Indonesian Aid to Rakhine State'.

At the international level, Islamic and Muslim-majority states also pressured Indonesia via the OIC. Initially, Indonesia looked to solve the situation in Rakhine State through multiple international and regional fora, with the OIC at the forefront.[44] However, when these organisations became more critical, as violence escalated against the Rohingya, Indonesia retreated. Jokowi's presidency instead focused on humanitarian aid and collaboration, with Indonesia playing a 'bridging role', challenging the OIC when it became too interventionist, and balancing domestic and regional pressures.[45] The following analysis covers the local, national and international arenas of Islamic humanitarianism in relation to Indonesian government policy towards Myanmar, assessing where this activism had the most influence.

2.1   *Local Assistance in Aceh Province*

At the grassroots level, fishing communities in Aceh repeatedly assisted Rohingya refugees escaping the violence in Rakhine State.[46] From early 2009, Rohingya refugees arrived in Sabang and eastern parts of Aceh, fleeing from Bangladesh or directly from Myanmar.[47] Locals took in large numbers of refugees following the waves of violence in 2012.[48] Acehnese communities also rescued Rohingya refugees at sea in 2018 and towards the end of June 2020, despite resistance from local authorities on both occasions.[49] The Acehnese community's assistance to Rohingya refugees came from a strong sentiment of Islamic solidarity,[50] with

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44   OIC/ EX-CFM/2017/F.C., 19 January 2017.

45   Associated Press, 'OIC Hopes to Send Team to Myanmar to Study Rohingya's Plight', *The Oklahoman*, 19 January 2017, https://oklahoman.com/article/feed/1151880/oic-hopes-to-send-team-to-myanmar-to-study-rohingyas-plight, accessed 27 August 2020.

46   Assegaf, 'A Deep Sense of Humanity'.

47   The New Humanitarian, 'Indonesia: Aceh Embraces Rohingya Refugees', *Refworld*, 24 February 2009, https://www.refworld.org/docid/49a660d727.html, accessed 26 August 2020. See also Lilian Budianto, 'RI Rescues Another 198 Boatpeople in Aceh', *The Jakarta Post*, 4 February 2009, https://www.thejakartapost.com/news/2009/02/04/ri-rescues-another-198-boatpeople-aceh.html, accessed 16 July 2020.

48   Morada, 'Continuing Violence and Atrocities', p. 66.

49   Max Walden and Balawyn Jones, 'Why Aceh is a Rare Place of Welcome for Rohingya Refugees', *The Conversation*, 25 August 2020, https://theconversation.com/why-aceh-is-a-rare-place-of-welcome-for-rohingya-refugees-143833, accessed 26 August 2020; Sari et al., 'Indonesian Government Policy', p. 4; Assegaf, 'A Deep Sense of Humanity'.

50   Max Walden, 'Indonesian Fishermen Praised for Rescuing Rohingya Travellers as Pressure Grows on ASEAN States to Assist', *ABC News*, 27 June 2020, https://www.abc.net.au/news/2020-06-27/aceh-fishermen-praised-rohingya-refugees-indonesia-australia/12400268, accessed 14 July 2020.

volunteers reporting, 'they are our Muslim brothers'.[51] Following the Acehnese community's response to Rohingya refugees, the Aceh provincial government assisted the refugees alongside national and transnational NGOs.[52] Through public donations, Muslim social and welfare organisations, such as Dompet Duafa and Muhammadiyah, also delivered aid and services to the refugee camps in Aceh.[53]

2.2 *National Islamic Humanitarian Action*

National Islamic organisations pushed the government to take stronger action.[54] In Jakarta, thousands gathered in 2017 to protest the Rohingya situation, calling for support for their 'Muslim brothers and sisters in Myanmar', and for interreligious tolerance.[55] The government faced conflicting interests when their adherence to the ASEAN policy of non-interference clashed with this domestic pressure for Islamic solidarity, with influential national Islamic organisations growing increasingly critical of the government. A number of important local and national organisations in Indonesia focused on the Rohingya issue, including the PKPU Humanitarian Foundation and Dompet Dhuafa – national Zakat organisations.[56] Nahdlatul Ulama (NU) and Muhammadiyah, the two largest moderate Islamic non-governmental organisations, also played a key role.[57] Together, these national Islamic organisations placed significant political pressure on the government, reflecting wider public concerns about the treatment of the Rohingya minority.[58]

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51 Varagur, '"They Are Our Brothers"'.

52 Sari et al., 'Indonesian Government Policy', p. 2.

53 Missbach, 'Rohingya Refugees in Aceh'; Asep Setiawan and Hamka, 'Role of Indonesian Humanitarian Diplomacy toward Rohingya Crisis in Myanmar', *Conference: Proceedings of the 2nd International Conference on Social Sciences*, ICSS 2019, Jakarta, Indonesia, 5–6 November 2019.

54 Office of Assistant to Deputy Cabinet Secretary for State Documents and Translation, 'Indonesia Provides Sustainable Aid for Rakhine State Refugees', *Cabinet Secretariat of the Republic of Indonesia*, 29 January 2018, https://setkab.go.id/en/indonesia-provides-sustainble-aid-for-rakhine-state-refugees/, accessed 26 August 2020.

55 Euronews, 'Indonesia's Muslims'; Ed Davies, 'Thousands of Indonesians Join Anti-Myanmar Rally in Jakarta', *Reuters*, 6 September 2017, https://www.reuters.com/article/us-myanmar-rohingya-indonesia/thousands-of-indonesians-join-anti-myanmar-rally-in-jakarta-idUSKCN1BH0T6, accessed 28 August 2020.

56 Sari et al., 'Indonesian Government Policy', p. 8. *Zakat* is the main form of Islamic charity and is obligatorily managed by special state agencies – such as BAZNAS in Indonesia, the national Zakat agency. See Mutaqin, 'What is Islamic Humanitarianism?', p. 65.

57 IPAC, *Indonesia and the Rohingya Crisis*, p. 9.

58 Fauzia, 'Islamic Philanthropy in Indonesia', p. 234.

In response, the government began registering Rohingya refugees as such, rather than as migrants, and eventually facilitated aid to reach the communities.[59] Nonetheless, the government remained focused on maintaining diplomatic relations with Myanmar. When engaging with Islamic organisations and networks, such as the Indonesian Humanitarian Alliance for Myanmar (AKIM), the government insisted that aid had to reach all victims of conflict in Rakhine, not only the Muslim Rohingya, as it was acutely aware of the sensitivities in Myanmar over aid going to certain groups and not others.[60] Despite alliance donors initially preferring their aid to solely reach co-religionists,[61] AKIM recognised that an inclusive approach enabled their access to Rakhine State.[62] The alliance eventually worked in partnership with both the Indonesian and Myanmar governments to provide aid.

2.3   *Indonesia's Reaction to the OIC*

During the earlier phases of violence against the Rohingya in 2012, the Indonesian government played a leading role in encouraging the OIC to join a joint Islamic humanitarian response towards Myanmar, in collaboration with ASEAN and the UN. However, as the OIC's position grew more interventionist and critical towards Myanmar, Indonesia pulled back.[63]

From its foundation, the OIC was actively involved in Islamic humanitarianism, establishing the Islamic Committee of the International Crescent (ICIC) to mirror the International Committee of the Red Cross (ICRC).[64] In 2012, Indonesia's President Yudhoyono (2004–2014) called on the OIC, ASEAN, and the UN to jointly provide monitoring and humanitarian assistance to Rakhine State.[65] Indonesia also raised the issue at the OIC Extraordinary Summit in August 2012, resulting in the formation of the OIC Contact Group on the Rohingya Muslim Minority.[66] Meetings between Yudhoyono and Myanmar's President Thein Sein resulted in the Myanmar government agreeing to the delivery of humanitarian aid and facilitating an OIC delegation to visit

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[59]   Sari et al., 'Indonesian Government Policy', pp. 8–10.

[60]   Fauzia, 'Indonesian Aid to Rakhine State'.

[61]   *ibid.*; Mutaqin, 'What is Islamic Humanitarianism?', p. 74.

[62]   Mutaqin, 'What is Islamic Humanitarianism?', p. 74; Fauzia, 'Islamic Philanthropy in Indonesia'.

[63]   Asia News Network, 'Indonesia Mounts Rohingya Pressure, Urges Repatriation', *Phnom Penh Post*, 19 November 2019, https://www.phnompenhpost.com/international/indonesia-mounts-rohingya-pressure-urges-repatriation, accessed 15 July 2020.

[64]   Mutaqin, 'What is Islamic Humanitarianism?', p. 69.

[65]   IPAC, *Indonesia and the Rohingya Crisis*, p. 2.

[66]   *ibid.*

Rohingya refugee camps in Rakhine in August 2012.[67] However, Indonesia's leadership role within the OIC over the Rohingya crisis then retracted under Jokowi's first term as president (2014–2019).

In 2017, at an Extraordinary Meeting of the OIC's Council of Foreign Ministers, Retno Marsudi called on the OIC to 'develop' its approach to the Rohingya crisis and to take 'constructive and inclusive measures'.[68] This statement reflects Indonesia's eventual divergence from the OIC's stance.[69] Indonesia proposed that the OIC should focus on humanitarian assistance for Rakhine State, 'constructive engagement' with the Myanmar government, collaboration with ASEAN, and a partnership with the Islamic Development Bank (IDB).[70] This approach was partially successful, with significant IDB funds going towards Rohingya groups,[71] and underscored Indonesia's aim of playing a 'bridging role' with the OIC and Myanmar.[72]

However, shortly after this humanitarian-focused partnership, Jokowi's government distanced itself further from the OIC, unwilling to engage in the organisation's increasingly vocal approach. As the ASEAN state with the largest and majority Muslim population, but a secular government and a multi-ethnic population, Indonesia sought to avoid any perception of pro-Muslim bias against Myanmar. As such, Indonesia moved towards prioritising aid provision via bilateral and ASEAN channels, over the OIC's multilateral and multipronged approach.[73] Cooperation between the OIC and Indonesia grew increasingly difficult, with some observers questioning Indonesia's commitment to the OIC.[74]

In early 2019, divergence between the OIC's more vocal approach and Indonesia's quiet diplomacy reached a head, following the OIC's legal action against Myanmar through the ICJ, accusing Myanmar of international atrocity crimes. Indonesia was the only OIC member that 'took a different approach', according to the Ministry of Foreign Affairs.[75] The Ministry stated that Indonesia, '[has] to build trust and confidence in Myanmar so that they want to open up to us',[76] urging the international community to stop 'pointing

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67   *ibid.,* p. 3.
68   OIC/EX-CFM/2017/F.C., 19 January 2017; Natalia Santi, 'Indonesia Criticizes OIC on Rohingya', 9 October 2018, https://en.tempo.co/read/516760/indonesia-criticizes-oic-on-rohingya, accessed 18 July 2020; Prasetyo, 'Indonesia Calls on OIC'.
69   *ibid.*
70   *ibid.*
71   Islamic Development Bank (IDB), *Annual Report 2014*, 1435H, 2014.
72   Associated Press, 'OIC Hopes to Send Team to Myanmar to Study Rohingya's Plight'.
73   IPAC, *Indonesia and the Rohingya Crisis*, p. 4.
74   Singh, 'Islam and Its Role in Indonesia's Foreign Policy'.
75   Asia News Network, 'Indonesia Mounts Rohingya Pressure, Urges Repatriation'.
76   *ibid.*

fingers' and engage instead in dialogue.[77] Indonesia then criticised the OIC for 'constantly making harsh statements without taking any concrete actions in handling [the] Rohingya minority in Myanmar'.[78]

By 2019, the OIC's approach had become too confrontational and interventionist towards Myanmar for Jowoki's administration, as illustrated by statements made at the 2019 UNGA.[79] Here, Indonesia revised the draft UN resolution sponsored by the OIC and the EU, in order to retain 'balance' and to recognise Myanmar's 'own efforts to address the issue', as well as emphasising the role of ASEAN, via what Indonesia perceived as the need to search for a long-term solution with Myanmar.[80] This sort of intervention at the UN highlights Indonesia's preference for quiet diplomacy to preserve overall relations with Myanmar, and maintain access to humanitarian aid for remaining Rohingya communities in Rakhine State.

Overall, then, while Indonesia acted as a bridge between the OIC and Myanmar, especially over providing humanitarian aid to the Rohingya,[81] it diverged from the OIC's eventual position over pursuing international justice against Myanmar. Our analysis has shown that the government was willing to accommodate some of the demands of Islamic humanitarianism from national Islamic organisations, as long as they focused on humanitarian aid, which pacified these organisations to some extent.[82] However, the government stopped short of meeting more confrontational demands linked to political reform and political rights. Indonesia therefore deviated from the line taken by the OIC – which came to reflect core dimensions of R2P. Towards Myanmar, this quiet diplomacy mirrors the Indonesian government's domestic approach to managing conflicts between ethno-nationalist minorities and the military, as discussed in the following section.[83]

77   Dian Septiari, 'Indonesia Defends Approach to Rohingya Problem as International Pressure Mounts', *The Jakarta Post*, 18 November 2019, https://www.thejakartapost.com/news/2019/11/18/indonesia-defends-approach-to-rohingya-problem-as-international-pressure-mounts.html#_=_, accessed 20 July 2020.
78   Santi, 'Indonesia Criticizes OIC'.
79   Fauzia, 'Indonesian Aid to Rakhine State'; GA/SHC/4282, 14 November 2019; Morada, 'Continuing Violence and Atrocities', p. 81.
80   Septiari, 'Indonesia Defends Approach'; Interview with senior Ministry of Foreign Affairs official, 15 September 2020.
81   OIC/ACM-2019/CG-ROHINGYA/REPORT/FINAL, 25 September 2019; Associated Press, 'OIC Hopes to Send Team to Myanmar to Study Rohingya's Plight'.
82   IPAC, *Indonesia and the Rohingya Crisis*, p. 6.
83   Claire Q. Smith, 'Liberal and Illiberal Peace-Building in East Timor and Papua: Establishing Order in a Democratising State', *Conflict, Security & Development*, 20(1) 39–70 (2020).

3   Domestic Constraints: The Legacies of Indonesia's Political Transition

Despite domestic and international pressures from Islamic organisations to take greater action to protect the Rohingya minority, Indonesia's position towards Myanmar was influenced by deep-rooted domestic and regional constraints. Some of these were legacies of Indonesia's own 20-year transition from a military regime. When the Indonesian democratisation process started in 1998, following widespread civil protests after the economic crisis of 1997, the new regime initially had widespread international support. However, this turned sour over escalating military violence in East Timor, with the international community eventually reaching agreement with Indonesia to accept a UN peacekeeping operation in the territory.[84] The UN's response to the East Timor crisis left a lasting political impact on the Indonesian political elite.[85] This was to underpin the Indonesian government's position that fellow Southeast Asian states' political processes, national sovereignty, and territorial integrity should be respected over the next two decades.[86]

Indonesia's domestic approach to managing post-authoritarian civil–military relations during democratisation, following the East Timor debacle, took the form of what scholars (but not the government) dubbed 'illiberal peace-building'. The approach focused on economic and social improvements, along with technical governance reforms, while avoiding substantive civil and legal reforms, which would have directly confronted the interests of political and military elites, thereby threatening political stability.[87] Indonesia perceived that its domestic approach to conflict management during a turbulent transition was directly relevant to Myanmar's transition process, which entailed gradual reform to (rather than confrontation with) the military's role in politics as a means of preserving overall order.[88] Three issues in particular have

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84   Marianne Jago, 'INTERFET: An Account of Intervention with Consent in East Timor', *International Peacekeeping,* 17(3) 377–94 (2010); Grayson J. Lloyd, 'The Diplomacy on East Timor, the United Nations and International Community', in James J. Fox and Dionislo Babo Soares (eds.), *Out of the Ashes: Destruction and Reconstruction of East Timor* (Canberra, ANU E Press, 2003); Geoffrey Robinson, *If You Leave Us Here, We Will Die: How Genocide Was Stopped in East Timor* (Woodstock: Princeton University Press, 2009).

85   Claire Q. Smith and Tom Jarvis, 'Ending Mass Atrocities: An Empirical Reinterpretation of "Successful" International Military Intervention in East Timor', *International Peacekeeping*, 25(1) 1–27 (2018).

86   Smith, 'Illiberal Peace-Building in Hybrid Political Orders'.

87   *ibid.*; Smith, 'Liberal and Illiberal Peace-Building in East Timor and Papua'.

88   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

defined Indonesia's experience of democratic transition, and frame their policy towards Myanmar: managing civil–military relations without alienating the military; dealing with the legacies of international intervention in East Timor; and managing enduring ethno-nationalist conflicts.[89]

3.1   *Managing Civil–Military Relations*

When Indonesia moved into a formal transition to democracy in 1998, significant nationwide reforms took place, including removing the military from parliament, where it had held a central role for nearly thirty years, and expanding the freedoms of civil society, the media, and the judiciary.[90] The transition to democracy was also accompanied by widespread conflict, including the escalation of violence between the military and ethno-religious minorities in borderland regions and disputed territories. The military remained powerful and frequently unaccountable in these regions, with human rights abuses continuing throughout nationwide democratisation processes.[91] The military's role in these areas posed the greatest challenge to overall democratisation and this issue was treated with great caution by successive governments, even through internationally brokered peace processes, such as in Aceh.[92] Indonesia's support for Myanmar's military-driven democratisation process – which has provided only partial reform for the military sector and avoids military accountability – aligns with Indonesia's own longer-term and non-confrontational democratisation approach.[93]

Maintaining national stability during democratic transition was a major challenge for Indonesia, but the government eventually successfully ended

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[89]   On the parallels between the two countries' transition processes, see also, Rosyidin, 'Reconciling State's Sovereignty', p. 32. On whether Myanmar's military intended substantive democratic reform, see Kristian Stokke and Soe Myint Aung, 'Transition to Democracy or Hybrid Regime? The Dynamics and Outcomes of Democratisation in Myanmar', *The European Journal of Development Research*, 32(2) 274–293 (2019). See also Kristian Stokke, 'Political Representation by Ethnic Parties? Electoral Performance and Party-Building Processes among Ethnic Parties in Myanmar', *Journal of Current Southeast Asian Affairs*, 38(3) 307–336 (2020). On regional peacebuilding dynamics during political transition, see Smith et al., 'Illiberal Peace-Building in Asia'.

[90]   Louay Abdulbaki, 'Democratisation in Indonesia: From Transition to Consolidation', *Asian Journal of Political Science*, 16(2) 151–172 (2008).

[91]   Jacques Bertrand, 'Ethnic Conflicts in Indonesia: National Models, Critical Junctures, and the Timing of Violence', *Journal of East Asian Studies,* 8(3) 425–449 (2008).

[92]   Terence Lee, 'Political Orders and Peace-building: Ending the Aceh Conflict', *Conflict, Security & Development*, 20(1) 115–139 (2020).

[93]   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

multiple conflicts, including the long-running separatist conflict in Aceh.[94] Even after the majority of ethnic and separatist violence had waned, the scale of Indonesia's military and its influence in domestic politics remained large for a democratic state. The military also maintained a large role in the economy, a dominant role in the security of several borderland locations, and ongoing influence over broader domestic security.[95] The military also blocked the investigation of military crimes committed during Suharto's regime (1967–1998).[96] These trends threatened military and political reforms, and during 20 years of transition, successive civilian governments have failed to confront military impunity over past and ongoing human rights and war crimes.[97] While human rights and democratic conditions improved for many, the rights of several minority groups remained at risk.[98]

The enduring nature of military impunity in Indonesia, through 20 years of democratisation, underpins the government's unwillingness to confront Myanmar directly over military atrocities against Rohingya, and its preference for working cooperatively with the Myanmar military and wider government. As such, Indonesia's military has held training exercises with Myanmar's military, the Tatmadaw, since the reform process began in 2011.[99] This military training is intended to create 'sustainable reform' in Myanmar's military, 'sharing practices and lessons' from Indonesia's own experience of gradual reform.[100]

The experience of two conflicts in particular has meant Indonesia is resistant to international criticism of human rights abuses in what it perceives as domestic affairs: East Timor, where the UN intervened in 1999; and the Papua region, where conflict continued in 2020. It is worth outlining both of these cases in some detail, as it helps explain Indonesia's reluctance to confront Myanmar's atrocity crimes more publicly and via international fora.

3.2   *Legacies of International Intervention in East Timor*
Indonesia's wariness of international interventions against atrocities stems from its experience in East Timor, one year after formal democratisation

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94   Lee, 'Political Orders and Peace-building'.

95   Angel Rabasa and John Haseman, *The Military and Democracy in Indonesia: Challenges, Politics, and Power* (Santa Monica: RAND Corporation, 2002).

96   Katharine McGregor, 'Exposing Impunity: Memory and Human Rights Activism in Indonesia and Argentina', *Journal of Genocide Research*, 19(4) 551–573 (2017).

97   Katherine McGregor, Jess Melvin, and Annie Pohlman, *The Indonesian Genocide of 1965* (Palgrave Macmillan, 2018).

98   Amnesty International, *Indonesia: "Don't Bother Just Let Him Die": Killing with Impunity in Papua*, ASA/21/8198/2018, 2 July 2018.

99   IPAC, *Indonesia and the Rohingya Crisis*, p. 12. See also Prasetyo, 'Indonesia Calls on OIC'.

100   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

began. At that time, escalating violence between the military, military-sponsored militia, and civilians in East Timor led to the UN and other international bodies agreeing to a UN peacekeeping operation. This took place with eventual Indonesian agreement and Indonesian military withdrawal, and led to East Timor's formal independence in 2002.[101] While celebrated as a human rights and democracy victory in the international community, these events had the reverse effect on Indonesian national politics, and coloured how the government subsequently responded to other minority groups claiming rights and independence. It has also underscored the popular perception that foreign states sought to undermine Indonesia's national territorial integrity during the early days of democratisation.[102]

When newly installed democratic President Habibie (1998-1999) took the decision to allow a referendum on East Timor's status in 1999, he did so without political or military consultation on this decision.[103] East Timor was forcibly occupied by Indonesia in 1975, but their claim to the territory was never recognised by the UN. Throughout the Suharto regime, East Timorese organisations lobbied for independence via military and civilian means.[104] One of Habibie's first major decisions in office was to gain international democratic credibility by enabling a referendum on East Timor's status.[105] The military leadership rejected Habibie's decision, and generated violence across the territory of East Timor in an attempt to force a remain vote. The method failed and, with escalating violence, Indonesia reluctantly allowed UN intervention and ordered military withdrawal in late 1999. The East Timor affair brought Habibie into direct conflict with most of the military leadership and many in the political elite, and his political career did not survive: shortly afterwards, Habibie lost the presidency.[106]

The lasting shame among the political and military elite caused by the East Timor incident, even among many pro-reform leaders, underpinned an enduring scepticism towards international interventions in arenas seen as nationally sovereign.[107] This perspective played a key role in the government's aversion to

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101   Jago, 'INTERFET'; Lloyd, 'The Diplomacy on East Timor'; Robinson, *If You Leave Us Here*.

102   Smith, 'Liberal and Illiberal Peace-Building in East Timor and Papua'.

103   Kirsten E. Schulze, 'The East Timor Referendum Crisis and Its Impact on Indonesian Politics', *Studies in Conflict and Terrorism,* 24(4) 77–82 (2001); Smith and Jarvis, 'Ending Mass Atrocities'.

104   Don Greenlees and Robert Garran, *Deliverance: The Inside Story of East Timor's Fight for Freedom* (Crows Nest: Allen & Unwin, 2002).

105   Smith and Jarvis, 'Ending Mass Atrocities'.

106   *ibid.*

107   Smith and Jarvis, 'Ending Mass Atrocities'.

publicly supporting international condemnation and collective action – both judicial and otherwise – via invoking the R2P norm against Myanmar. Although no major international actors had recommended international military intervention in Rakhine State, the existence of such a possibility under R2P pillar three underpinned the Indonesian government's resistance to such measures.

3.3   Managing Enduring Ethno-nationalist Conflict

The other most politically sensitive conflict in Indonesia since democratisation – and where the government has resisted international investigations since East Timor's independence – has been the enduring problem of ethnonationalism and violence in the Papua region.[108] The civil war in Papua effectively ended in the 1980s, with the wide-scale military defeat of separatist armed groups. The conflict then continued mainly via civilian means, but security sector violence against civilians continued for a further forty years, alongside sporadic attacks by armed organisations against state security outposts. By 2020, Indonesia had been unable to resolve the conflict, but continued to reject international pressure to allow UN and human rights observers into the region, much as Myanmar has done over Rakhine state. Indonesia maintained that its territorial claim over Papua was upheld by the UN, following the 1969 'Act of Free Choice', ratified by the General Assembly.[109] Despite many calls from West Papuans – organised under the global United Liberation Movement for West Papua (ULMWP) – for a new UN referendum on the status of the territory, these had been unsuccessful by 2020 and the government sought to maintain their dominant position.[110]

Despite moves towards a more negotiated approach over the status of the Papuan territory in the early years of democratisation under President Wahid (1991–2001), these were ultimately rejected by both the civilian and military leadership following the East Timor crisis.[111] An alternative conflict resolution approach, within the scope of 'illiberal peacebuilding', was brought into law

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108   The region is collectively known as West Papua by pro-independence organisations, and the Papua region by human rights and other observer groups.

109   For the definitive history of this process, see Pieter Droogleever, *An Act of Free Choice: Decolonisation and the Right to Self-Determination in West Papua* (Oxford: OneWorld Publications, 2009).

110   The ULMWP refers to the 1969 law as the 'Act of No Choice'. See Jason MacLeod, *Merdeka and the Morning Star: Civil Resistance in West Papua* (St Lucia: University of Queensland Press, 2015); Johnny Blades, 'West Papua: The Issue That Won't Go Away for Melanesia', Lowy Institute, 1 May 2020, https://www.lowyinstitute.org/publications/west-papua-issues-wont-go-away-melanesia, accessed on 16 September 2020.

111   Smith, 'Liberal and Illiberal Peace-Building in East Timor and Papua'.

between 2001 and 2004, with the implementation of 'special autonomy' for Papua, the decentralisation of government, and a range of budgetary reforms, increased infrastructure, and development spending.[112] This approach to conflict management in Papua was embedded in Indonesia's broader model of 'illiberal' peacebuilding, focused on socio-economic recovery, economic development, and technical reforms, and avoiding civil and political reforms. Illiberal peacebuilding in Papua is widely seen as having failed to reduce conflict or security sector violence towards the local population, and also failed to reduce systemic racism towards indigenous Papuans, which escalated nationwide in 2019.[113] Nonetheless, Papua remained a part of territorial Indonesia without returning to civil war. For the government, at least, its peacebuilding approach to Papua had achieved its central goals of maintaining overall order and preventing renewed civil war.

Indonesia's diplomatic approach towards Myanmar over the Rohingya crisis was rooted in its support for Myanmar's democratisation process, demonstrating a 'mutual understanding' of its transition.[114] Promoting itself as a role model for Myanmar, Indonesia has encouraged Myanmar's transition with reference to its own recent experiences of managing peace processes and gradual military reform.[115] These domestic experiences have restricted Indonesia's capacity to address mass atrocities in negotiated ways.[116] They also underpin the humanitarian aid and economic development-based approach Indonesia has taken towards the Rohingya crisis, rooted in avoiding political interference in, or public criticism of, Myanmar's atrocities. These domestic experiences have also reinforced the government's support for ASEAN's key principles, as discussed next.

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112   World Bank, *Papua Public Expenditure Analysis: Overview Report, Regional Finance and Service Delivery in Indonesia's Most Remote Region* (Washington, DC: World Bank, 2005), http://hdl.handle.net/10986/8322, accessed 16 September 2020.

113   Blades, 'West Papua'.

114   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

115   Rosyidin, 'Reconciling State's Sovereignty', p. 32; IPAC, *Indonesia and the Rohingya Crisis*, p. 1; Soe Myint, 'Indonesian Ambassador Stresses Strong Ties on 70th Anniversary of Indonesia-Myanmar Relations', *Mizzima*, 26 October 2019, http://mizzima.com/article/ indonesian-ambassador-stresses-strong-ties-70th-anniversary-indonesia-myanmar- relations, accessed 6 June 2020.

116   Ririn Tri Nurhayati, 'Assessing Indonesia's Capacity for Addressing Mass Atrocities', *Global Responsibility to Protect*, 12(4) 415–439 (2020); Claire Q. Smith, 'Indonesia: Two Similar Civil Wars; Two Different Endings' in Bridget Conley-Zilkic (ed.), *How Mass Atrocities End: Studies from Guatemala, Burundi, Indonesia, the Sudans, Bosnia-Herzegovina, and Iraq* (Cambridge: Cambridge University Press, 2016), 83–120.

4   Respecting the 'ASEAN Way'

Regional relations between Indonesia and Myanmar have been governed by the ASEAN framework, which foregrounds the principles of non-interference in member states, the protection of national territorial integrity, sovereignty, and the 'ASEAN Way' of consensus based decision-making.[117] These principles have a strong influence over ASEAN states given the history of colonisation across Southeast Asia, with the exception of Thailand. Throughout the crisis, Indonesia focused on working 'in partnership' with Myanmar, as part of the 'ASEAN family', to respond to the crisis.[118]

The Rohingya minority have not been recognised as citizens of Myanmar, a problem that lies at the root causes of the human rights violations they have suffered.[119] ASEAN has referred to them throughout the crisis as 'Bengalis', in effect agreeing with Myanmar's definition of the Rohingya's ethnic, and therefore (in this case) political identity.[120] The Indonesian government also failed to challenge this position. Instead, it has cooperated with Myanmar via ASEAN through two main arenas: humanitarian assistance and economic development.

4.1   *Humanitarian Assistance*

As we have outlined, Indonesia has mainly pursued a humanitarian approach to dealing with the Rohingya crisis, rather than addressing the political nature of the violence via public confrontations with the government.[121] There were some exceptions to this, for example when Retno Marsudi urged Myanmar to minimise the use of force, but overall the government stuck to the humanitarian focused agenda.[122] In November 2019 at the ASEAN summit, Jokowi publicly committed to support those affected by violence in Rakhine State.[123] The Foreign Ministry made a grant to the ASEAN Secretariat to help repatriate

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117   Morada, 'ASEAN and the Rakhine Crisis', p. 3.
118   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.
119   Stokke and Soe Myint Aung, 'Transition to Democracy or Hybrid Regime?', p. 288.
120   John Zaw, 'ASEAN Leaders Pressured over Leaked Rohingya Repatriation Report', *South Asia Journal*, 24 June 2019, http://southasiajournal.net/asean-leaders-pressured-over-leaked-rohingya-repatriation-report/, accessed 5 July 2020. See also Burma Human Rights Network (BHRN), 'A Whitewash', 20 June 2019, http://bhrn.org.uk/en/statement/1085-a-whitewash.html, accessed 5 July 2020.
121   Cook and Nathini, *Pathways for ASEAN Contributions,* pp. 7–11; IPAC, *Indonesia and the Rohingya Crisis*, p. 2.
122   Difa and Kurmala, 'Indonesia Gives Grant'; Fauzia, 'Indonesian Aid to Rakhine State'.
123   ASEAN, 'Indonesia Funds US$500,000 to Support ASEAN Efforts in the Repatriation of Displaced Persons in Myanmar', *ASEAN Secretariat News*, 20 December 2019, https://asean.

refugees from Cox's Bazar refugee camp in Bangladesh to Myanmar.[124] The ASEAN Coordinating Centre for Humanitarian Assistance (AHA), along with the ASEAN-Emergency Rapid Assessment Team (ERAT), focused on 'capacity-building', 'strengthening information circulation', and 'supporting the provision of basic services'.[125] This approach fitted with broader ASEAN principles.[126] It also demonstrated Indonesia's role as Myanmar's 'most trusted partner in the region', giving Indonesia privileged 'access to both diplomatic and humanitarian measures in assisting the Myanmar government to deal with the issue'.[127] Indonesia's access to Myanmar, and the positive reception to its Islamic NGOs providing aid, flowed from this non-confrontational approach.[128]

Indonesia also brokered meetings between different parties seeking to provide aid. In 2017, for example, Indonesia facilitated a meeting with Aung San Suu Kyi, the former UN Secretary-General Kofi Annan, and both the Bangladesh Prime Minister and Foreign Minister.[129] Indonesia also convinced Myanmar to participate in the 'ASEAN Retreat' – a ministerial meeting in Yangon in December 2016, which resulted in an agreement over the provision of humanitarian aid from ASEAN members to all communities in Rakhine.[130] For the Indonesian Foreign Ministry, the combination of aid provision and dialogue facilitation formed part of a longer-term peacebuilding approach that avoided confrontation and conflict escalation.

4.2   *Local Economic Development*

The Indonesian government also provided economic development funding for Rakhine State, such as financing post-conflict infrastructure projects, as part of its peacebuilding support to Myanmar.[131] This strategy helped maintain

org/indonesia-funds-us500000-support-asean-efforts-repatriation-displaced-persons-myanmar/, accessed 15 July 2020.

124   *ibid.*

125   Difa and Kurmala, 'Indonesia Gives Grant'.

126   Morada, 'ASEAN and the Rakhine Crisis', p. 3.

127   Rosyidin, 'Reconciling State's Sovereignty', p. 34.

128   Fauzia, 'Indonesian Aid to Rakhine State'; Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

129   Chandni Vatvani, 'Indonesian Foriegn Minister Retno Marsudi to Meet Aung San Suu Kyi in Myanmar', *Channel News Asia*, 3 September 2017, https://www.channelnewsasia.com/news/asia/indonesian-foreign-minister-retno-marsudi-to-meet-aung-san-suu-9181862, accessed 28 August 2020.

130   Radio Free Asia, 'Myanmar: Aung San Suu Kyi Discusses Rakhine Crisis with ASEAN Foreign Ministers', *Refworld,* 19 December 2016, https://www.refworld.org/docid/58f9ca0710.html, accessed 25 August 2020.

Indonesian access to Rakhine State while not antagonising the Myanmar government, as it avoided reference to more substantive reforms.[132] Further, the Indonesian Ambassador to Myanmar stated in 2019, 'Indonesia would like to increase cooperation in the economic field as part of government policy to strengthen economic diplomacy'.[133] The Indonesian government claimed this strategy formed part of a localised peacebuilding approach.[134] At best, the strategy enabled access to Rakhine State, which may have mitigated some of the effects of the atrocities. At worst, this approach may have exacerbated conflict, as public infrastructure projects have tended to generate conflict in Myanmar, particularly in Rakhine State.[135]

In broader strategic terms, economic investments in Myanmar also provided a way for Indonesia to maintain its relationship with the government, which was moving closer to China. Although economic relations between Myanmar and China had cooled in 2011, they subsequently signed several multi-billion dollar development packages, securing China's role as one of the dominant regional players in Myanmar.[136] China also expanded the Belt and Road Initiative into Myanmar and formed the China–Myanmar Economic Corridor, along with supporting Myanmar's overall peace process.[137] By maintaining a cooperative role with Myanmar throughout the Rohingya crisis, Indonesia preserved a close regional alliance, while Myanmar was being courted by China. Their close regional alliance was of greater strategic importance than confronting Myanmar too directly over their treatment of the

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131   Asep Setiawan and Hamka, 'Role of Indonesian Humanitarian Diplomacy'. See also Smith, 'Illiberal Peace-Building in Hybrid Political Orders'; Smith et al., 'Illiberal Peace-Building in Asia'.

132   Soe Myint, 'Indonesian Ambassador Stresses Strong Ties'.

133   *ibid.*; Jieun Pyun, 'Myanmar Open for Business, But Not Rohingya', *The Diplomat,* 25 February 2019, https://thediplomat.com/2019/02/myanmar-open-for-business-but-not-rohingya/, accessed 25 August 2020.

134   Interview with senior Ministry of Foreign Affairs official, 15 September 2020.

135   Further research would be required to establish the effects of the development funds. On infrastructure in Myanmar, see Adam Burke, Nicola Williams, Patrick Barron, Kim Jolliffe, and Thomas Carr, *The Contested Areas of Myanmar: Subnational Conflict, Aid, and Development* (San Francisco: The Asia Foundation, 2017), p. 4; Emma Palmer, 'The Responsibility to Protect and Infrastructure in Myanmar', *Global Responsibility to Protect*, 12(1) 86–114 (2020), pp. 90, 104.

136   Keith Johnson, 'China Leaps into Breach between Myanmar and West', *Foreign Policy,* 29 January 2020, https://foreignpolicy.com/2020/01/29/china-leaps-between-myanmar-west-india-xi-visit/, accessed 17 August 2020.

137   *ibid.* See also Monish Tourangbam and Pawan Amin, 'China's Dynamic Grip on Myanmar', *The Diplomat*, 7 May 2019, https://thediplomat.com/2019/05/chinas-dynamic-grip-on-myanmar/, accessed 21 July 2020.

Rohingya. With these interests in mind, Indonesia pursued the ASEAN mode of quiet diplomacy, concentrated on humanitarian, technical, and economic assistance, rather than taking the more confrontational route of the OIC.[138]

Although ASEAN states were generally reluctant to directly confront human rights issues, several scholars have argued that ASEAN remained an important regional forum to pursue human rights goals.[139] However, the 'ASEAN Way' has resulted in what Rosyidin terms the 'action-identity gap', where ASEAN states adopt policies to ensure compliance with international human rights commitments, but face few consequences for violating these norms at the regional or national level.[140] For instance, the former ASEAN Intergovernmental Commission on Human Rights (AICHR) representative from Indonesia, Dinna Wisnu, contradicted Indonesia's official position on the Rakhine crisis in 2018, encouraging the AICHR and ASEAN to respond more directly.[141] Yet the ASEAN Political Security Community and the AICHR have, collectively, taken no concrete action to stop violence against the Rohingya following the escalation of violence in 2017, maintaining a soft diplomatic approach.[142]

5   Can 'Quiet Diplomacy' and R2P Be Reconciled? Concluding Remarks

Our paper has contributed to the (so far) limited research on the role of Southeast Asian states in the Rohingya crisis, by analysing Indonesia's quiet diplomacy towards Myanmar. It has thereby also contributed to understanding

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138   Irawan Jati, 'Comparative Study of the Roles of ASEAN and the Organisation of Islamic Cooperation in Responding to the Rohingya Crisis', *IKAT: The Indonesian Journal of Southeast Asian Studies*, 1(1) 17–32 (2017), p. 19.

139   Hiro Katsumata, 'ASEAN and Human Rights: Resisting Western Pressure or Emulating the West?', *The Pacific Review*, 22(5) 619–637 (2009); Mathew Davies, 'Important but De-centred: ASEAN's Role in the Southeast Asian Human Rights Space', *TRaNS: Trans-Regional and -National Studies of Southeast Asia*, 5(1) 99–119 (2017), p. 100; Rosyidin, 'Reconciling State's Sovereignty', p. 28.

140   Rosyidin, 'Reconciling State's Sovereignty', p. 14.

141   Dinna Wisnu and Edmund Bon Tai Soon, 'Joint Media Statement', 23 April 2018, https://maruahsg.files.wordpress.com/2018/05/20180423-joint-media-statement-aichr-indonesia-and-aichr-malaysia-on-rakhine-state-refugees-final-for-release-1.pdf, accessed 5 October 2020.

142   *ibid.*

some of the broader limitations of R2P. Despite initial expectations that Indonesia – with its active Islamic civil society and commitment to R2P at international fora – would respond more critically to Myanmar, the government avoided invoking R2P, and only intervened in the crisis with Myanmar's cooperation. Indonesia followed a careful middle path to balance competing domestic and regional factors.

We have shown how, as military atrocities escalated against the Rohingya population, Indonesian civil society organisations directly invoked R2P and called on the government to do more to protect them. Large national Islamic organisations also called for an Islamic humanitarian response, both to accept Rohingya as refugees in Indonesia, and to facilitate access to aid. However, when Islamic organisations and OIC member states labelled the treatment of Rohingya as 'genocide', the government refused to take the same position. A key challenge for Indonesia was responding to national pressure from many powerful Islamic organisations, while avoiding an overtly critical position of Myanmar, which it saw as counterproductive.

The compromise was found via a twofold response to Myanmar. First, the government recognised fleeing Rohingya as refugees – having initially treated them as migrants – facilitated their access to humanitarian aid, and made repeated calls for their safe repatriation. Second, the government enabled access for Indonesian Islamic charity groups into Myanmar. Both steps aligned with a quiet diplomacy approach towards Myanmar, while satisfying domestic moderate Islamic groups, and pacifying, to a degree, the more militant Islamic organisations.

The quiet diplomacy approach derived not only from Indonesia's goal of maintaining relations with Myanmar, but from Indonesia's own recent political transition. The government took the view that Indonesia's democratisation processes, especially around reconfiguring civil–military relations, bore many similarities to Myanmar's transition. The legacy of UN intervention in East Timor in 1999 also remained influential on the Indonesian political elite twenty years later. Further, Indonesia's domestic model of peacebuilding during democratisation prioritised political order over military accountability for past and ongoing crimes. The 'illiberal peacebuilding' model – based on cooperation with the military and providing technical reforms and economic goods to conflict affected areas, rather than substantive political or civil reforms – constrained Indonesia from putting more overt pressure on Myanmar to protect the Rohingya, despite increased advocacy from Islamic groups. Overall, quiet diplomacy drove the focus onto humanitarian assistance to Rohingya across the region, and local reconstruction within Myanmar.

The 'ASEAN Way' of conducting diplomatic affairs, underscoring non-interference, collaboration with regional allies, and consensus-based decision-making, acted as a further brake on Indonesia's position towards Myanmar. While Indonesia remained engaged with the OIC, its commitment to ASEAN was ultimately more important throughout Jokowi's presidency. This meant Indonesia distanced itself from an increasingly critical and active OIC towards the end of the 2010s, avoiding direct reference to R2P principles.

While the Indonesian government paid lip service to R2P at the UN, it resisted publicly invoking the norm over Myanmar's atrocities. In particular, due to its own recent political history in East Timor, Indonesia held a dim view of pillar three interventions. Although international military intervention in Rakhine State was never a real possibility (as no major international actor had suggested it, and it would likely have faced veto in the Security Council),[143] the existence of such a possibility under pillar three underpinned Indonesia's hesitancy to invoke R2P at all. The Foreign Ministry also saw that taking any such position would undermine humanitarian access to Myanmar: this fear was confirmed when the OIC's position hardened, restricting OIC states' humanitarian access to Rakhine State. Instead, Indonesia worked across Islamic and secular civil society groups, and bilateral and regional organisations, to deliver aid while maintaining its role as a 'trusted partner' with Myanmar. This approach fulfilled Indonesia's goal of cooperating with the Myanmar government to support democratisation and (illiberal) peacebuilding in Myanmar, seeing this as the most viable route to improving the situation for Rohingya in the long-term.

While Indonesia's position and actions failed to prevent atrocities – or to challenge the root causes of anti-Rohingya violence, particularly Myanmar's denial of Rohingya citizenship – the government did not remain completely silent. Indonesia supported the ASEAN call for impartial investigation into atrocities in Rakhine by the ICoE, voted for the 2017 and 2018 UNGA resolutions to report on human rights violations in Myanmar, and supported the FFMM. Furthermore, the acceptance of Rohingya as refugees within Indonesia, and calls for the safe repatriation of Rohingya to Myanmar, directly contradicted the Myanmar government's position. Given the constraints Indonesia faced, these statements and actions were important steps towards a more public rebuke of Myanmar's actions in the wider context of quiet diplomacy, but they were as far as Indonesia would go.

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143   Simon Adams, 'The Responsibility to Protect and the Fate of the Rohingya', *Global Responsibility to Protect*, 11(4) 435–450 (2019), p. 444.

Indonesia's quiet diplomatic approach towards Myanmar's treatment of the Rohingya avoided questioning the role of the military – which remained unaccountable to the elected government. This approach risked deepening Myanmar's hybrid regime,[144] rather than supporting substantive democratic reforms. But as this had been Indonesia's own approach to managing democratisation, it is hard to see how it could have supported an alternative approach in Myanmar. For Indonesia, as with many transitional states, managing civilian conflict with a formerly all-powerful military, managing enduring ethno-nationalist conflicts, and seeking to secure overall political order (with its associated costs of violence against minorities) took precedence over more substantive reforms.

Indonesia's approach to the Rohingya crisis points to some important lessons for the R2P doctrine, in the face of deep-rooted political and historical constraints. First, the Indonesian case shows that the specific political and historical context of a state shapes its response to atrocity crimes, despite stated international commitments to R2P. Supporting Myanmar via bilateral and regional cooperation, and providing aid to violence affected communities, rather than invoking R2P, was the logical path for Indonesia's government. It met their domestic and regional interests while mitigating some of the pressures from Islamic organisations to take action to aid the Rohingya. International expectations on Indonesia to do more than this failed to grasp the significance of Indonesia's domestic experience of democratic transition and the importance of its regional alliances. These factors drove the government's non-interventionary and long-term approaches to diplomatic relations with Myanmar, despite concerns over the Rohingya population. R2P debates need to take serious account of such domestic constraints in assessing the potential of invoking the doctrine.

We have argued that the Indonesian response to the Myanmar atrocities was not a failure to act, but instead reflected a type of action that attempted to avoid driving Myanmar towards a more hard-line position over the Rohingya, while maintaining political and humanitarian access. Rather than concluding that Indonesia's approach to mitigating atrocities against the Rohingya failed on all counts, the specific political context of their approach and their unique role in the crisis needs recognising. Indonesia played a distinct bridging role across domestic, regional and international organisations, within the constrained political circumstances it faced. Added to this, Indonesia saw non-cooperative international action as having limited practical effects on the situation of the Rohingya.

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144   Stokke and Soe Myint Aung, 'Transition to Democracy or Hybrid Regime?'

Debates on R2P need to consider the efficacy of attempts at mitigating the effects of atrocities via maintaining long-term relationships with the state in question. With long-term prevention an integral part of the larger R2P framework,[145] the Indonesian case generates interesting avenues for exploring whether and how such prevention can be reconciled with other strategic interests.[146] While quiet diplomacy, as well as other efforts, failed to prevent the atrocities of 2017 and beyond,[147] the approach could form part of a future solution. With international, regional, and local organisations working towards the rehabilitation of surviving Rohingya communities, and the prevention of further atrocities, Indonesia also plays an important role by maintaining an open diplomatic door. As civil-military relations in Myanmar deteriorate further in 2021, the bridging role of states like Indonesia, who maintained close diplomatic ties with Myanmar throughout the Rohingya crisis, only become more relevant for minority protection.

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145   Ban Ki-moon, *The Role of Regional and Subregional Arrangements in Implementing the Responsibility to Protect,* A/65/877–S/2011/393, 28 June 2011, p. 6; António Guterres, *Responsibility to Protect: From Early Warning to Early Action*, A/72/884–S/2018/525, 1 June 2018, p. 4; Organisation for Economic Co-operation and Development (OECD), *Fostering Investment in Infrastructure: Lessons learned from OECD Investment Policy Reviews*, January 2015, p. 11.
146   Asia-Pacific Centre for the Responsibility to Protect, *Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges*, October 2019.
147   Adams, 'The Responsibility to Protect and the Fate of the Rohingya'.