

## MYANMAR PEACE PROCESS



Chief Government Negotiator, Minister Aung Min and Deputy Commander-in-Chief of the Tatmadaw, General Soe Win, at peace talks with the Restoration Council of Shan State in Kengtung, 19 May 2012.

The current Myanmar Peace Process is both quite unprecedented and spectacular. Thirteen ceasefire agreements were signed within a period of a year – a remarkable achievement. It is also the first time in fifty years that any Government of Myanmar has seriously attempted to resolve the ethnic problem that has plagued the nation since independence in 1948.

In the 1990s, ceasefire agreements were made with various ethnic armed groups but only the Kachin Independence Organization (KIO) had a written and signed document that promised a political dialogue once an elected government was installed. All others were informal ‘gentlemen’s agreements’ with the intelligence service that were sealed with a handshake.

The other differences with the 1990s are not only the fact that the agreements are committed to paper, but that they are widely reported, to the extent that sometimes the conflict partners seem to be negotiating via the media. The process has also attracted international attention and involvement, and the President himself is officially leading the negotiations as Chair of the National or Union Peacemaking Committee. The 1990s were also known for their shady deals which even condoned illegal activity in exchange for loyalty to the regime. The groups signing ceasefire agreements today are given facilitation to form business enterprises to keep their troops fed and clothed, but their businesses have to conform to the law.

The establishment of a Myanmar Peace Centre within a year, to be a one-stop service centre for the international community wanting to support the peace process, and to help the government carry out its tasks of peacemaking, is also no mean feat.

However, for all its positive achievements, the process is still flawed. The most serious complaint from the ethnic groups is that both the President and his Chief Negotiator seem to believe that the core problem is economic. They seem to think that the economic development of ethnic regions will solve the problem. While economic development and job opportunities are important factors, the core problem is political.

Secondly, the President and various government spokespersons have talked about the ethnic armed groups giving up their arms, forming political parties, contesting the elections, and once in parliament, amending the constitution. This seems to be the government's idea of a political dialogue to amend the constitution. This is practically impossible and unacceptable to the ethnic groups. To disarm in 2-3 years without any political settlement beforehand is out of the question. Even if an ideal settlement were made, the groups have no guarantee that they will be elected, and once elected, how will they make any amendments in a parliament dominated by the military? A political dialogue, if there is going to be one, has to be extra-parliamentary. It would then be the government's responsibility to amend the constitution accordingly. Given its +90% control of the current parliament, this should be easy.

Thirdly, the government's approach is personal and informal. Much is made of the President's goodwill and sincerity. Minister Aung Min goes out of his way to demonstrate his personal commitment and tends to agree to any proposal to demonstrate his flexibility and willingness to engage. The ethnic groups are, however, concerned as to whether they are negotiating with the institution of government or with an individual. The experience of the KIO serves to illustrate the concern. The KIO Ceasefire Agreement in 1994 was signed by General Khin Nyunt, the Intelligence Chief, who later became Prime Minister before he was purged in 2004. In 2009, that agreement was ignored by Senior-General Than Shwe when the KIO was told to transform itself into a Border Guard Force (basically surrender) without any discussion, before the 2010 elections. When the KIO refused, the Tatmadaw launched its offensive in June 2011. Prior to and during the attacks, ex-general and USDP Member of Parliament Aung Thaung tried unsuccessfully to negotiate a new ceasefire with the KIO. In May 2012, Minister Aung Min took over all negotiations as the Vice-Chair of the Union Peacemaking Working Committee. When the KIO referred to proposals they had made to Aung Thaung, Minister Aung Min had no knowledge of them, and the KIO had to begin from scratch. The ethnic groups want a formal process that will be honoured by successive governments. They do not want to have to re-negotiate every time there is a change.

Fourthly, the process to date has been one-sided and top down. The Government has dictated what the process will look like and what can be discussed when. The scheduling of talks is tied to Minister Aung Min's priorities and availability. The ethnic groups feel that as conflict partners, they need to be able to jointly negotiate a process and a timetable.

Fifthly, while the international community has been able to channel its support to the Government for the peace process through the Myanmar Peace Centre, a similar channel does not exist for the ethnic nationalities, putting them at a disadvantage. A mechanism for such support is needed. However, the ethnic nationalities have to shoulder some of the blame for not being able to pull together and articulate their common needs. That said, the Working Group for Ethnic Coordination is now beginning to function more effectively.

Recent statements by both the Government and ethnic representatives about negotiations for a 'Framework Agreement' for a political dialogue are encouraging. An early agreement on a 'Framework' will definitely put the Myanmar Peace Process on a firmer footing.

End.

### Development of the Myanmar Peace Process

30 March 2011 – In his inaugural speech, President U Thein Sein stated that his top priority is to build national unity by addressing the decades of armed conflicts with the ethnic nationalities caused by *dogmatism, sectarian strife and racism*.

18 August 2011 – The Government of Myanmar offered to hold peace talks with the ethnic nationalities armed groups. It was also announced that it would be a three-step process:

- State Level – Ceasefire Talks,
- National Level – Talks, and
- Political Dialogue. Many assume that this will be a 'Panglong-type' Conference.

*Note: It was never clearly defined as to what constitutes state and national-level talks and how such talks differ from a political dialogue. In all cases, the negotiators on both sides at both the state and national-level were the same. The only difference seemed to have been that state-level talks were held in state capitals and State Chief Ministers participated. National-level talks were to be held in Naypyitaw. However, the last CNF national-level talks were held in Yangon and the Chin State Chief Minister also participated. In terms of substance, the topics discussed at national-level talks did not differ from state-level talks. Both levels of talks included political issues which makes it difficult to see how they differ from a political dialogue. There also does not seem to be any consistency as to who gets to meet the President, the Commander-in-Chief, the Parliamentary Speaker U Thura Shwe Mann, or NLD leader Daw Aung San Suu Kyi. These meetings seem to be organized as a favour by Minister U Aung Min.*

23 August 2011 – The Pyithu Hluttaw (Lower House, National Parliament) established the National Races Affairs & Internal Peace Making Committee to be headed by USDP Member of Parliament ex-general U Thein Zaw.

1 September 2011 – The Amyotha Hluttaw (Upper House, National Parliament) established the National Races Affairs & Domestic Peace Committee headed by U San Tun.

*Note: The roles of the Parliamentary Committees were never clearly defined. Two distinct Government negotiating teams that had nothing to do with the parliament emerged. There was no clear formal demarcation as to which team would negotiate with which group. It seemed to depend on who had personal contact with whom. Rather than working together, the two Government teams also seemed to have been in competition. One team was led by ex-generals and USDP MPs, U Aung Thaung and U Thein Zaw, who primary conducted negotiations with the Kachin Independence Organization, and other groups that previously had ceasefire agreement with the SPDC regime (with the exception of ALP). The second team was led by President U Thein Sein's envoy, Minister for Rail Transportation ex-Major General U Aung Min.*

19 November 2011 – Minister for Rail Transportation U Aung Min met informally in Chiang Rai, Thailand, with the:

1. Chin National Front led by General-Secretary Zing Cung.
2. Kachin Independence Organization led by Vice-Chair General N Ban La.

3. Karen National Union led by General Officer Commanding the Karen National Liberation Army, General Mutu Sae Po.
4. Karenni National Progress Party led by Commander-in-Chief General Be Htoo.
5. Restoration Council of Shan State/ Shan State Army South led by Chair and Commander-in-Chief Lieut-General Sao Yawd Serk.

Subsequently, 13 ceasefire agreements were signed with the following organizations:

<b>Date</b>	<b>GoM Negotiator</b>	<b>Organization</b>	<b>Armed men</b>	<b>Leader</b>	<b>Level</b>
11 Dec 2011	Aung Thaung & Thein Zaw	DKBA (Kalo Htoo Baw)	5,000	Saw Lah Pwe	State
11 Dec 2011	Aung Min	RCSS/SSA-S	7,000	Lieut-Gen Sao Yawd Serk	State
4 Jan 2012	Aung Thaung & Thein Zaw	UWSA	30,000	Pao Yu Chang	State
4 Jan 2012	Aung Thaung & Thein Zaw	NDAA	2,000	Sai Lern	State
6 Jan 2012	Aung Min	CNF	100	Dr Zaleithang	State
28 Jan 2012	Aung Min	KNU	5,000	Gen Tamalabaw	State
28 Jan 2012	Aung Thaung & Thein Zaw	SSPP/ SSA-N	1,000	Gen Sao Parnng Fa	State
7 Feb 2012	Aung Thaung & Thein Zaw	KNU/ KNLA Peace Council	500	Maj-Gen Htein Maung	State
1 Mar 2012	Aung Min	NMSP	1,500	Nai Taw Mon	State
7 Mar 2012	Aung Min	KNPP	1,000	Abel Tweed	State
5 Apr 2012	Aung Thaung & Thein Zaw	ALP	100	Khaing Soe Naing Aung	State
9 Apr 2012	Aung Thaung & Thein Zaw	NSCN-K	1,000	Kaplan	State
27 Jun 2012	Aung Min	PNLO	10	Hkun	State
9 Dec 2012	Aung Min	CNF	100	Dr Zaleithang	National

3 May 2012 – The Government of Myanmar consolidated its peace-making efforts by establishing the National or Union Peacemaking Committee headed by President U Thein Sein and a 52-member Union Peacemaking Working Committee headed by Vice-President Dr Sai Mauk Hkam (an ethnic Shan). Minister U Aung Min is a Vice-Chair of the Union Peacemaking Working Committee, as are Deputy Commander-in-Chief Gen Soe Win and the Chair of the Pyithu Hluttaw Peacemaking Committee, U Thein Zaw.

26 October 2012 – The President established the Myanmar Peace Centre.

Note: - Ostensibly the MPC is a neutral centre to promote peace. It has hired independent experts and analysts to assist in the peace process. But the Presidential decree establishing the MPC, put it under the authority of President's Office Minister Aung Min (formerly Rail Transportation). Given this set-up, it is more of a super-Ministry. However, since the MPC is also to be a one-stop service centre for the international community supporting the peace process, a super-Ministry may be the only way it can fulfil this role. It, therefore, behoves everybody including the MPC itself to recognize that it is neither independent nor neutral. End.