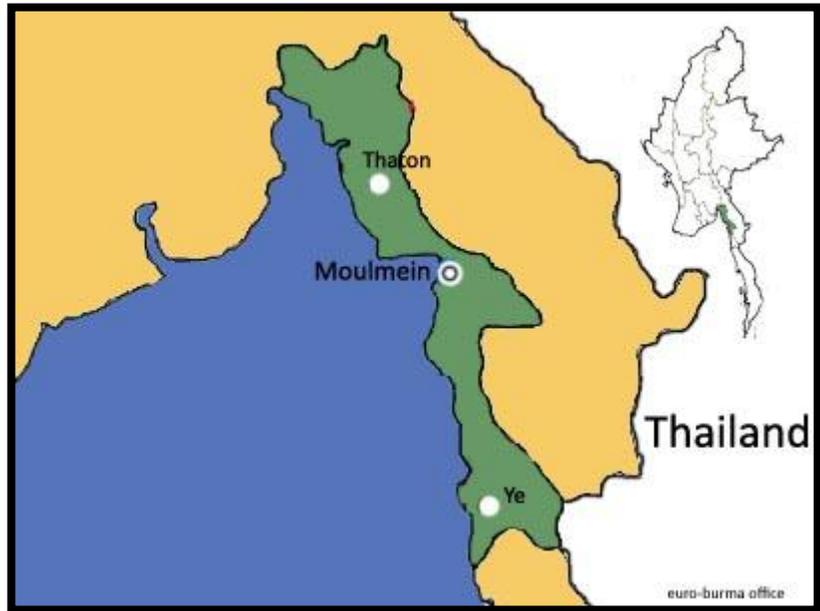


THE SITUATION IN MON STATE

EBO Analysis Paper No.1/2010

As pressure mounts on the ceasefire groups to transform into Border Guard Forces, media attention has focussed on those groups, especially the Wa in Shan State and the possibility of impending conflict. While there is no doubt that the situation there is precarious, with the oncoming rainy season, it is unlikely that there will be any military action until at least November 2010. Instead, the Burma Army has increased its pressure on the New Mon State Party (NMSP), a smaller and easier target, bordering Karen State and Thailand in the South of the country. While no official statements have been made, recent reports suggest that the NMSP is



already considered illegal. At a 7 May meeting with the USDA, Major General Thet Naing Win of the South-east Command reportedly told the audience that the NMSP should be considered an illegal armed group. A source within the NMSP confirmed the group's new status.¹ With the NMSP's uncertain future, a new political party, the All Mon Region Democracy Party (AMRDP), has registered its intention to contest the election. Although, at the time of writing, the new party remains to be officially approved by the election commission, it remains the only glimmer of hope of Mon representation in the near future.

BACKGROUND

Founded by Nai Shwe Kyin on 20 July 1958 after the Mon People's Front, its predecessor, surrendered to the then U Nu government, the NMSP originally claimed five districts namely Pegu, Thaton, Moulmein, Tavoy and Mergui to be incorporated into an independent Mon State. The NMSP fought alongside the KNU and was an active member of a number of ethnic alliance fronts including the National Democratic Front (NDF), the Democratic Alliance of Burma (DAB) and the National Council Union of Burma (NCUB), with the latter two including Burman pro-democracy groups.

Throughout the nineties, Mon State saw an increase in Burma Army activities and the inherent human rights abuses. First, due to the 160 km Ye-Tavoy railway link, and then due to the construction of the Yadana and Yetagun Gas pipelines. Both pipelines would cut through Mon State, Karen State, and then into Thailand's Kanchanaburi district. In an attempt to clear the pipeline area, the Burma Army began, in 1991, the construction of three new permanent bases and started counter-insurgency activities against both the NMSP and the KNU.

Thousands of civilians were forced to work for the Burma Army in the construction and maintenance of the bases, while others were forced to flee to refugee camps on the Thai border.

Faced with the further forced repatriation of Mon refugees from Thailand and large scale human rights abuses due to the Ye-Tavoy railway link and pipeline projects, five representatives of the NMSP, responding to pressure from the National Security Council of Thailand, met with representatives of the Burmese regime at Moulmein, capital of Mon State, from 29 December 1993 to 3 January 1994, but without a satisfactory conclusion. Talks resumed again on 25 March 1994, but also ended in a deadlock. After two days of recess, the meeting again resumed on 28 March 1994, however, a ceasefire was not finally agreed to until June 1995.

According to NMSP chairman Nai Shwe Kyin in an interview with the Democratic Voice of Burma, the reasons for the NMSP engaging with the regime were many:

*'...because we need internal peace. The other reasons included the urging of the Thai National Security Council, and officers of the No. 9 Thai local Regional Command; and the recent incident at the Halockkhani Mon refugee camp [where Mon refugees were forcibly repatriated to Burma by Thai officials]. We went because there was an opportunity to hold a meeting with the SLORC based on a real need for internal peace. The other reason we had was that we do not want the people to see us as a weapons-wielding bloodthirsty group, which engages itself in illegal activities and does not want internal peace. We are always willing to hold talks if there is an opportunity for internal peace.'*²

After agreeing to the ceasefire, Burma's ruling junta originally granted the group nominal control of an area of Mon state spread out over 12 cantonments, largely along the Ye River and two areas to the north in Thaton and Moulmein Districts.³ In addition, they were also given 17 industrial concessions in such areas as logging, fishing, inland transportation and gold mining, and were also allowed to make trade agreements with companies in Malaysia and Singapore.⁴ The SPDC also recognized the creation of three refugee camps along the Thai-Burma border. These camps, based at Halochee, Bee Ree, and Tavoy in Mon State, were supported by the Mon Relief and Development Committee (MRDC) with cross-border assistance from the Thai-Burma Border Consortium (TBBC).

The SPDC had originally agreed to supply the NMSP with four million kyat (nearly US \$3,500) in economic aid each month for the political body to function, however, this ended in 2005 after they boycotted the National Convention. A number of other concessions were also later withdrawn, most notably lucrative logging rights that were revoked in 1997, purportedly over the group's signing of the Mae Tha Raw Hta agreement which had a provision supporting the NLD.⁵

Seen as one of the more politically adept and democratic of all the ceasefire organisations, the NMSP's unwavering political stance immediately caused an increase in tensions between the group and the military regime. Although the NMSP had attended resumed sessions of the National Convention in 2004, it only sent observers after December 2005 due to the SPDC's refusal to address ethnic issues put forward in a joint proposal with 12 other ceasefire groups.

The federal proposal, which was presented at the National Convention session held between the 17 May and 9 July 2004, contained a number of requests including:

1. Concurrent legislative powers for the states
2. Residuary powers to the states
3. The states to draft their own constitutions
4. Separate school curricula for states
5. Separate defence force for states
6. The states to conduct their own foreign affairs on specific issues
7. Independent finance and taxation.⁶

Due to the NMSP stance, the SPDC cancelled its aid agreement with the group.⁷ Also, in 2005, it was reported that the SPDC's military Intelligence apparatus began scrutinizing the group's activities in and around Moulmein where the organization is based. In addition to closely monitoring the NMSP itself, Mon NGOs and women's organization also found their activities curtailed.⁸

Causing further problems for the group was the fact that, despite the ceasefire, there were still displaced people in the NMSP's area, many of whom were unable to receive assistance due to the SPDC's restrictions. The TBBC's 2005 programme report notes the existence of 48,700 internally displaced people in 2004, an increase from the reported 31,100 the year earlier. The report also noted that:

*'The Mon ceasefire agreement became more tenuous due to the New Mon State Party deciding to only send observers to the National Convention. Village leaders were ordered to increase surveillance of NMSP members' activities and the Burmese Army deployed 5 more battalions into NMSP areas during 2005. In ceasefire areas, the tension has primarily manifested itself through restrictions on travel to markets and fields.'*⁹

The group was also placed under intense pressure to surrender its weapons and, in refusing to do so, found its freedom of movement and authority further reduced. Its refusal to openly condemn the move to bring the SPDC before the United Nation's Security Council in 2006, its support for the Havel/Tutu report, and its close ties to anti-Rangoon opposition movements in Thailand also placed the organisation under acute scrutiny.¹⁰ The group issued a number of statements in opposition to regime policy and ignored demands from the SPDC to condemn Aung San Suu Kyi's call for tripartite dialogue. In stressing its position on the latter, the group's statement noted:

'We believe that Burma's political problems can only be solved through political dialogue. Therefore, we established a ceasefire-agreement with the Burmese military government.

We have submitted our proposals on ethnic nationalities' rights in past sessions of National Convention, but our proposals have been rejected and ignored by the Convention. Thus, we reduced our participating in the National Convention from sending full representatives to observers.

*We support Daw Aung San Suu Kyi's statement called for political dialogue in Burma. We will closely observe what would happen in reality. We strongly also believed that political dialogue could only be meaningful if all ethnic nationalities are included. [sic]*¹¹

The NMSP also issued two statements denouncing the regime's 2008 referendum and calling on voters to say 'No'. Despite its obvious relationship problems with regime, the NMSP was told that it, like all other ceasefire groups, would need to transform its military wing into a Border Guard Force.

On 5 August 2009, Mon National Day, the NMSP announced that it would not transform its armed wing, the Mon National Liberation Army, into a Burma Army-controlled Border Guard Force (BGF). With war looming, Naing Hong Sar, the General Secretary of the NMSP, stated in a May 2010 interview:

*'We will not be able to keep doing political work and representing the party if we accept the SPDC's offer [to transform into BGF]. They [SPDC] will provoke us, the cease-fire will end, and peace will end in Mon State. This will happen not only with the Mon but other ethnic groups as well. This is a big change and there will be massive conflict if the SPDC keeps doing what they want and the ethnic political parties are unable to accept their offer. To be clear, civil war will restart again. This change is important.'*¹²

When asked by the interviewer if this meant that the NMSP would need to prepare for a return to war, Naing Hong Sar replied that it did and preparation had already begun.

Regardless, a number of meetings have taken place between the NMSP and Lt. Gen. Ye Myint of the Southeast Command. The most recent was on the 7 April 2010, during which the NMSP were given a deadline of 28 April 2010 to acknowledge their transformation into a BGF or People's Militia. According to Mon sources, Lt. Gen. Ye Myint informed the NMSP representatives that failure to accept the SPDC's people's militia offer could result in a return to the 'pre-ceasefire relationship' between the two parties.¹³

In response, on 23 April 2010, the NMSP reiterated their official decision stating that they could not become a local militia. According to a NMSP spokesperson, Nai Chay Mon, a special meeting had been held and twenty-seven Executive Committee (EC) members, including nine Central Executive Committee (CEC) members and five associated EC members, had decided not to accept the transformation of the MNLA into either a Burmese government-run militia, or a Border-Guard Force (BGF). Nai Chay Mon was also reported as saying that, *'We will try our best to maintain the ceasefire, but if the government forces us to accept their demands, or if the government attacks, we will have to defend ourselves.'* Shortly after the meeting, a number of leaders were reported to have moved to safer locations in the event of a Burma army attack.¹⁴

The Burmese government's response has been surprisingly muted. Two Light Infantry battalions had been moved closer to the NMSP's northern border in Tavoy district prior to the NMSP's decision being announced. While no military action has been reported, the news immediately prompted local residents to flee to safer areas and there has been an increase in the population of the IDP camps near the Thai border. However, with the onset of the rainy season, it is unlikely an attack will take place before November 2010. It has also been reported that local Town Peace and Development Council (TPDC) authorities and police units throughout Mon villages have also begun taking a census to establish the number of current NMSP members. It must be noted, however, that such actions have become regular occurrences, especially when the relationship between the NMSP and SPDC has become tenuous.

THE FUTURE

The NMSP, gradually emasculated by the regime since its refusal to fully attend the National Convention, is now in a particularly precarious position - militarily, geographically and economically. The Mon National Liberation Army (MNLA), which is estimated to have 500-700 fully armed troops, may be small but could easily join with the KNLA in mounting operations against the junta's forces.¹⁵ In addition, the NMSP claims to have a further 2,000 members and should they become trained and armed, could prove to be a formidable force. Although it must be noted that securing weapons may be a problem. They may be able to acquire some from the KNLA, but the Karen themselves also face procurement problems.

There is little to suggest that the SPDC will seek a political accommodation with the NMSP and it has already begun training local NMSP splinter groups including the Mon People's Defence Force (MPDF). The MPDF is a minor group led by former MNLA Maj. Gen. Naing Aung Naing and it hopes to increase its numbers and qualify as a Border Guard Force.¹⁶ The MPDF's compliance would once again give credibility to the regime as it could claim to have ethnic participation in its armed forces, although this group, like the others, would eventually be neutralized. But it is unlikely to have any impact or win much support from the local population.

With the likelihood of a return to guerrilla warfare by the NMSP, Mon participation in the political future of the country will have to rely on the All Mon Region Democracy Party (AMRDP). The party, led by Nai Ngwe Thein, appears to have strong support from the Mon community. The leadership is comprised of a number of well respected former government civil servants and monks, and it is likely, in the event of a free and fair election, the AMRDP would win a number of seats.¹⁷ Faced with criticism for joining the process, Nai Ngwe Thein has been quoted as saying, *'Participating in the elections does not mean that we are going to be the government's slaves and do whatever the government wants. We are going to raise our voice for our people in the parliament.'*¹⁸

The future of Mon participation in their state's development will be dependent on two distinct elements. First, a return to guerrilla warfare and the NMSP rejoining the National Democratic Front; working with the KNLA, the MNLA will continue to engage and harass regime forces in defence of the people. Second, a political solution exists in which the AMRDP, with support from the local population, contests the election in the hope the regime holds free and fair elections.

While the AMRDP may be allowed take on the mantle of Mon nationalism to a limited degree, its existence is unlikely to see a shift of support from the NMSP. For its part, the NMSP will return to open conflict with the regime until the Government provides a solution in which there is credible ethnic representation in government and suitable amendments to the constitution are made.

ANNEX: LETTER FROM THE CEASE-FIRE GROUPS TO THE NATIONAL CONVENTION

To

The Chairman

National Convention Commission

Dated the 11th of May 2004

Subject: The standpoint of the Cease-fire Groups in relation to the National Convention.

Being convinced that political issues must be solved through political and not military processes, the ethnic nationality groups reached "cease fire" agreements with the current rulers in order that a true and genuine Union of Burma can be established through a change to a democratic system which will bring about unity, equal status and the right to self government that will be for the good of all the ethnic groups. As occasion and opportunities arise, we have declared this to be our standpoint to the current rulers and all the people of the nation.

The standpoint of the Cease-Fire groups in relation to current events was the first statement issued on the 1st of March, 2001 and signed by the following:

1. Shan State Peace Council (SSPC)
 - (a) Shan State Army (SSA)
 - (b) Shan State National Army (SSNA)
2. New Mon State Party (NMSP)
3. Karenni Nationalities People's Liberation Front (KNPLF)
4. Shan Nationalities People's Liberation Organization (SNPLO)
5. Kayan New Land Party (KNLP)
6. Palaung State Liberation Organization (PSLO)

Greetings from the "Cease Fire" groups on the occasion of the 55th anniversary of National Day on 12 February 2002 was the 2nd statement signed by the following:

1. Kachin Independence Organization (KIO)
2. Shan State Peace Council (SSPC)
3. New Mon State Party (NMSP)
4. Karenni Nationalities People's Liberation Front (KNPLF)
5. Shan Nationalities People's Liberation Organization (SNPLO)
6. Kayan New Land Party (KNLP)
7. Palaung State Liberation Organization (PSLO)

The standpoint of the "Cease-Fire" groups regarding the current political situation was the third statement issued on the 1st of July 2003 shortly after the Depaiyin episode that occurred on the 30th May 2003. It was signed by:

1. Kachin Independence Organization (KIO)
2. Kayan New Land Party (KNLP)
3. Karenni Nationalities People's Liberation Front (KNPLF)

4. Palaung State Liberation Organization (PSLO)
5. New Mon State Party (NMSP)
6. Shan State Peace Council (SSPC)
7. Shan Nationalities People's Liberation Organization (SNPLO)

After meeting and consultation a statement in relation to the proposed National Convention was issued by the following on the 6th October 2003:

1. Kachin Independence Organization (KIO)
2. Kayan New Land Party (KNLP)
3. Karenni Nationalities People's Liberation Front (KNPLF)
4. Palaung State Liberation Organization (PSLO)
5. New Mon State Party (NMSP)
6. Shan State Peace Council (SSPC)

Also, on the 15th of October 2003 a joint news release of three leaders was issued by:

1. U Pauk yu chan, leader of United Wa State Army (UWSA), Special Region 2,
2. U Lwe Maung, leader of Shan State Army (SSA), Special Region 3, and
3. U San Lu, leader of Maing La, Special Region 4.

They expressed their standpoint on the current political situation and emphasized that unity, stability, peace, love and friendship between all the ethnic groups and democracy was the desire of all. Any deeds and utterances to the contrary are wrong. They accepted the notion that the main purpose of the National Convention was to achieve this. They would welcome an invitation to this convention to solve the current political problems if the democratic process is adopted with equality and cooperation.

That is why when the "Cease Fire" groups met with the Prime Minister, General Khin Nyunt they believed that his 'road map' would achieve the change to democracy and welcomed it.

The above clearly states the standpoint of the "Cease-Fire" groups.

Every group that accepted the "cease-fire" agreement was assured by General Khin Nyunt who was then Secretary (1) that they could raise their political concerns at the National Convention. We want to freely express our political concerns. On the 19th April, 2004 Lt General Thein Sein, Chairman of the National Convention stated that this National Convention would adopt the same 6 political objectives and pursue the same 104 basic principles as the previous convention. Those 6 objectives and 104 principles contradict the concept of a Union of Burma built on unity, equality and self government that we have in mind.

This is why we declare our position and stand with regard to the convening of this National Convention as hereunder:

1. **We need the right to revise the 6th objective of the convention which is not in accordance with the democratic system and not in keeping with the people's wishes.**
2. **We need the right to revise the principles that do not conform to democratic principles in the stated 104 basic principles of the convention.**
3. **For the benefit of the Union, participants should have the right to seek advice and consult any person or association on any relevant issue during the period of the convention.**

4. **Delegates must have the right to freely consult their respective associations and seek their views during the period of the convention.**
5. **Elected representatives of the people in the 1990 elections must be permitted to attend the convention.**
6. **Delegates from 'Cease-fire groups' must be genuine. Cease-fire agreements with other groups should be entered into as soon as possible so that their delegates may attend the convention.**
7. **Law 5/96 dated the 7th June 1996 was intended to protect the 1993- 1996 National Convention. It is no longer relevant and should be abolished.**

Signatories to this Statement of our Standpoint

- 1) Head of delegation to NC, Kachin Independence Organization (KIO)
- 2) Head of delegation to NC, New Mon State Party (NMSP)
- 3) Head of delegation to NC, Shan State National Army (SSNA)
- 4). Shan State Army (SSA)
- 5). Palaung State Liberation Organization (PSLO)
- 6). Kayan New Land Party (KNLP)

Copy to:

- (1) Prime Minister (Union of Burma)
- (2) Military Intelligence HQ (Defence Ministry)
- (3) Alliance organizations under Cease-fire

- ¹ [‘Southeast Command condemns NMSP as “illegal” at USDA conference’](#), IMNA, 17 May 2010
- ² [‘Mon leader views failure of cease-fire talks with junta’](#), DVB, 8 January 1994, the BurmaNet News: Monday, January 23, 1995 Issue #99
- ³ ‘Ethnic Politics in Burma’, Ashley South, Routledge, 2008, p160
- ⁴ [‘Waiting Game’](#), Louis Reh, Irrawaddy, Vol. 13, No.11, November 2005
- ⁵ [‘Ethnic Minority Politics’](#), ICG Asia Report No 52, May 2003
- ⁶ See ‘Trading Legitimacy’, ENC Working Paper No 1, Appendix 2, 2008
- ⁷ [‘Ceasefire group says it can’t trust National Convention’](#) - Shah Paung, Irrawaddy, 7 December 2006 and [‘Burmese junta cuts support for NMSP’](#), Louis Reh, Irrawaddy, 9 September 2005
- ⁸ [‘Mon NGO’s put under close watch’](#), Kaowao, 15 October 2005
- ⁹ [‘Programme Report - July to December 2005’](#), TBBC, 2006
- ¹⁰ [‘Investigation of New Mon State Party could threaten ceasefire’](#), Louis Reh, Irrawaddy, 4 October 2005
- ¹¹ ‘Statement on Burmese military government asking ceasefire groups and political organizations to against political dialogue called by Daw Aung San Suu Kyi and to support the regime’s National Convention.’ NMSP, 16 November 2007 <http://www.nmsp.info/press.php> accessed on 11 May 2010
- ¹² [‘The relation between NMSP and SPDC on the 51st anniversary of the party foundation: Interview with secretary of New Mon State Party, Nai Hong Sar’](#), IMNA, 12 March 2010
- ¹³ [‘Unofficial NMSP member censuses gathered across Mon State’](#), IMNA, 27 April 2010
- ¹⁴ [‘New Mon State Party announces final “government militia” decision’](#), IMNA, 24 April 2010
- ¹⁵ The Independent Mon News Agency, quoting the NMSP website, reported on 10 September 2009 that the MNLA had 350 members down from 7,860 at the time of signing the ceasefire. See [‘MNLA gears up for conflict’](#), IMNA, 29 April 2010
- ¹⁶ [‘Nai Aung Naing’s MPDF group gives military training in southern Mon state’](#), IMNA, 19 May 2010
- ¹⁷ Email correspondence with Mon activist 19 May 2010
- ¹⁸ [‘All Mon Region Democracy Party submits party flag and symbol for Commission approval’](#), IMNA, 17 May 2010