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Realising Peace in Myanmar

There had been much hope regarding an end to ethnic conflict in Myanmar with the then Thein Sein's government's attempts to bring long-term armed ethnic organisations around the table. The international community including the United States and Europe were quick to remove sanctions and offer support to the government, even more so when the National League for Democracy was elected. However, with the length of time so far taken and differences over what individual actors want, the possibility of an actual ceasefire in conflict affected areas and an eventual political solution seem far away.

While eight armed ethnic organisations signed a Nationwide Ceasefire Agreement on 15 October 2015, many others remain reluctant to do so as competing interests and objectives vie with the overall demand for equality in a federal union. Many observers see the conflict, and the peace process, through a singular black and white prism. This view sees the Military/Government pitted against armed ethnic organisations the latter all wanting the same outcome. However, this is not the case, the number of actors involved and their motivations is what currently drives the conflict, and the solution to it, in the country.

Before 2010, armed ethnic resistance was seen as a unitary issue. Armed ethnic groups were united in the common aim of overthrowing a military regime that was seen to have invaded ethnic states and trampled on the rights of ethnic peoples in favour of the predominant Burman, or Bamar, majority. While some groups had come to an accommodation with the military government, it was primarily the New Mon State Party (NMSP) and the Kachin Independence Organisation (KIO) that had decided to break with perceived ethnic unity and try and find an alternative to conflict.

Putting trust in the then military Government and what was called the National Convention these two groups believed that their voices would be heard only to find this would not be the case. As a consequence, and as the Myanmar military gradually eroded ethnic territory given to those groups, fighting once more broke out in Kachin State in 2011. It is therefore understandable that some, the Kachin especially, are wary of further negotiation with the government. It was believed that with the arrival of the NLD-led Government that more progress would be made towards securing peace and achieving genuine federalism. Two Union peace conferences have been held, and while some view the recent concessions about 37 agreed on points as positive, many ethnic leaders believe that the current peace process is being badly mis-managed and that the process under Thein Sein yielded better results.¹

The second Union Peace Conference

The second Union Peace Conference, also dubbed the 21st Century Panglong-2, began on 24 May 2017.² It was marred by the fact that members of the United Nationalities Federal Council (UNFC), whose negotiating ability was beginning to wane, did not attend. The UNFC, which has seen a number of resignations, now consists of the Karenni National Progress Party (KNPP), the New Mon State Party (NMSP), the Lahu Democratic Union (LDU), and Arakan National Council (ANC), the latter two have no armed wing.³

Meanwhile, the Federal Political Negotiation Consultative Committee (FPNCC) consisting of the United Wa State Army (UWSA), Kachin Independence Organisation (KIO), Ta'ang National Liberation Army (TNLA), Myanmar

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National Democratic Alliance Army (MNDA), and later the Shan State Progress Party (SSPP) were present at the behest of China.

While Aung San Suu Kyi's opening speech took the usual conciliatory and positive tone, it was Myanmar's Commander-in-Chief that highlighted the likely trajectory the peace process was now likely to move in,

Studying 72 papers submitted at the previous conference, we came to notice that the discussions, activities and basic concepts of some ethnic groups are far beyond the federal system, which is the right of autonomy. Such acts go against the desires and interest of the people who have high expectations of the democracy cause and peace process.

As an institution responsible for protecting the interests of the State and the people, the Tatmadaw has to face any organisation committing destructive acts in line with its responsibility.⁴

Commander-in-Chief Min Aung Hlaing was insistent that the peace process continue in line with the Myanmar Military's six-point policy, in that ethnic leaders agree,

- to have a keen desire to reach eternal peace,
- to keep promises agreed to in peace deals;
- to avoid capitalising on the peace agreement,
- to avoid placing a heavy burden on local people
- to strictly abide by the existing laws, and
- to march towards a democratic country by the 2008 Constitution.⁵

Throughout the process, even under the auspices of the Thein Sein Government, negotiations have been unbelievably slow. The actual ceasefire agreement, which should have been designed and written to bring an end to fighting did, in fact, include a number of political issues. This agreement not only required a ceasefire but laid the groundwork for future political negotiations this, and negotiations over semantics, further delayed the possibility of a ceasefire. It was this fundamentally flawed process, which also lacked a code of conduct for military forces, which negated any on the ground ceasefire agreement. As a result, years were spent not only between the Government and Armed Ethnic Organisations, but also inter-EAOs, as they tried to come to terms, not with a simple ceasefire, but a lengthy roadmap for a future federal Myanmar.

In addition to the agreement itself, many ethnic leaders did not know, and a majority still do not, what their endgame is. Before the Thein Sein government, the endgame was quite clear, the removal of a military dictatorship that they saw as oppressing ethnic states and committing widespread human rights violations. While such violations continue, the actual endgame has changed. It is no longer the removal of the government but actual equal recognition for all ethnicities within the country. However, due to the numerous ethnic actors involved each sees their own separate goals on different terms.

For a number of groups, for example, the KIO, it is largely control over natural resources, for the Chin and Rakhine it is development while for the UWSA it is recognition as a state. However, the anomaly is that other groups have attached themselves to larger organisations and are therefore supporting the goal of this organisation as well as their own. The TNLA seek to extend their influence to four, not two townships, the MNDA wants to reassert its power over Mongla, while the Arakan Army wants the Myanmar Army to leave Rakhine and parts of Chin State.

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Meanwhile, the KNU seeks to control resources and also encourage development as does the Karenni National Progress Party (KNPP) and New Mon State Party (NMSP), while both the SSPP and RCSS wish to maintain control over their respective areas.

Territorial control

Shan State is a particularly difficult issue to address. Not only is there fighting between the RCSS and the TNLA over areas of operation but also fighting between the RCSS and the Myanmar Army.

Additionally, there have been minor infractions, primarily due to territorial control in Mon State. The Karen National Liberation Army (KNLA) and the Mon National Liberation Army (MNLA) had fought sporadically since September last year. The skirmishes have centred around Yephyu township, Tanintharyi Region, and violated a 27-year ceasefire the group had with each other. Clashes broke out again on 11 January. Both sides blamed the other for provoking the attack by invading each other's area of control. The boundaries of the KNLA's territory have not been demarcated, according to the NMSP.⁶

Fighting also erupted between the Arakan Liberation Party/Arakan Liberation Army and the Arakan Army when nearly 70 soldiers from the AA raided a front-line post belonging to the ALA in Chin State's Paletwa Township on 22 August. A statement by the group said that two ALA soldiers were killed in the attack, three were "severely" wounded, and two more were missing. According to U Khine Aung So Than, the ALA unit in the camp had just 20 soldiers, and they withdrew from the base as AA soldiers surrounded them and began the assault.⁷

This last attack and the one in Mon State is particularly disconcerting as it sees NCA signatory organisations, the ALP and KNU, clashing with non-signatory organisations and therefore has widened the conflict even further. The AA attack in Chin State also threatens to involve the Chin National Army, the armed wing of the CNF.

Such inter-ethnic conflict appears set to continue, regardless of the current NCA, with individual organisations seeking the best terms for their people should the UPC be able to find a solution to the armed conflict. Suu Kyi openly admitted on the first day of the conference that

. . . The peace process under her watch had "experienced many highs and lows, progression and regression" she expressed a wish that 2017 would be the "Year of Peace".⁸

Despite such optimism, such a goal is unlikely to be achieved. Preparations continue to be made for the next session of the Union Peace Conference possibly to be held in December, and the FPNCC has suggested it is willing to attend if invited and has also urged China to get more involved in the process. The reason for China's involvement according to Tar Joke Jar, vice chair of the TNLA is,

We could not have had a chance to attend the second 21st Panglong Conference if there had been no Chinese involvement and negotiations. We believe that talks between the government and us will be successful if China gets involved.⁹

However, the FPNCC speaking after a meeting held from August 18 to 24, led by the United Wa State Army and held at Pangkham, reiterated that all negotiations with the group must be done as a single bloc, and not as the Government, or more likely the military, wants, as separate members.¹⁰

While a political settlement in regards to a Federal Union is essential, it must not be used as a bargaining tool to prevent a cessation of conflict in ethnic areas. A properly implemented ceasefire throughout the country should

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be the priority and it, along with proper codes of conduct and designation of territorial boundaries, should be decided first. If anything has been learnt about the Union Peace Conference, it is the fact that words do not directly translate into actions.

The Government/Military Position

It would appear, at least according to one senior ethnic leader, that the peace process has largely faltered under the leadership of Suu Kyi. This, in large part, is because of the military, under the control of Senior General Min Aung Hlaing, which no longer feels compelled to find common ground with ethnic actors.

This view, on behalf of the military, the leader believes, is largely because under the Thein Sein civilian/military government it was necessary for the military to seek legitimacy to remove sanctions and receive international support. It was a strategy that worked, but now, however, that legitimacy has been provided by the election of Aung San Suu Kyi. Therefore the military, working behind her façade of democracy, has all the acceptability it needs and therefore is less inclined to reach an accommodation regarding ethnic organisation demands.¹¹

Also, Min Aung Hlaing has openly stated he believes the ethnic armed organisation's demands, especially those from the FPNCC and UNFC, seek to split the Union,

The NCA has already covered all the points demanded by the national races. Ignoring this agreement to pursue another, or second way will be seen as an attempt to spite the Union, which is based on the values of peace, democracy and federalism . . . We have to assume that the attempt [in seeking an alternative to the NCA] is tantamount to grabbing power and splitting from the Union through armed struggle.¹²

One of the most controversial issues that came out of the last UPC was the military's insistence that all armed ethnic organisation agree to include the phrase 'not to secede from the Union' in a future Union Peace Accord despite the fact that already under the NCA text, Chapter 1 (a),

. . . the armed ethnic organisations and the Myanmar army have agreed in principle to uphold the three national causes that have been championed by successive military governments: non-disintegration of the union, non-disintegration of national solidarity, and perpetuation of national sovereignty.¹³

This issue and that of the future composition of a Federal Union Army remain highly contentious, and the military is unlikely to take into account the armed ethnic organisations demands. While Aung San Suu Kyi appears to be championing the peace process, the Myanmar military it would seem, although backing the State Counsellor, will not compromise on what it sees as an already confirmed upon ceasefire agreement. While the UNFC and FPNCC may continue to make further demands and Suu Kyi will offer further optimism and meet with ethnic actors, it would appear that the military has already got what it wanted in relation to armed ethnic organisations. The recent silence from the international community on its actions in Rakhine State further emboldens it to continue with whatever strategy it seeks to follow.

Notes

¹ Personal conversation with ethnic leaders July/August 2017

² For information on the first see 'The 21st Century Panglong Conference', EBO Background Paper No 3/2016

³ Although the Arakan Liberation Party is a member of the ANC it has already signed the NCA

⁴ <http://www.globalnewlightofmyanmar.com/the-greetings-extended-by-commander-in-chief-of-defence-services-senior-general-min-aung-hlaing/> accessed 16 August 2017

⁵ <http://www.nationmultimedia.com/asean&beyon/Tatmadaw-outlines-6-point-policy-for-peace-talk-30243970.html> accessed 16 August 2017

⁶ <https://www.mmtimes.com/national-news/24691-knu-and-nmsp-agree-to-stop-fighting.html> accessed 25 August 2017

⁷ <https://www.irrawaddy.com/news/burma/arakan-army-seizes-ceasefire-signatorys-outpost.html> accessed 27 August 2017

⁸ <https://frontiermyanmar.net/en/mixed-results-at-latest-panglong-peace-conference> accessed 23 August 2017

⁹ <https://www.mmtimes.com/news/fpncc-willing-attend-3rd-panglong-conference.html> accessed 23 August 2017

¹⁰ Ibid.

¹¹ Personal conversation with senior ethnic leader, 6 September 2017

¹² <https://www.bnionline.net/news/network-media-group/item/3086-senior-general-min-aung-hlaing-criticizes-ethnic-armed-groups-at-panglong-outset.html> accessed on 7 September 2017

¹³ 'The Nationwide Ceasefire Agreement between The Government of the Republic of the Union Of Myanmar and the Ethnic Armed Organizations', Final, 2015