



## Policy Forum Article

# Why a National Peace Agreement Is Important for Myanmar

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### Abstract

*As Myanmar readies itself for the second national conference on its 'new' peace process in February 2017, an update on outstanding issues with Myanmar's peace process may be timely. It is hardly surprising that, despite the months of preparation for the second Panglong Conference in August or September 2016, there was little or no change in the realities on the ground in Myanmar during the year: armed incidents between the Burmese military and armed ethnic groups continued in the days leading up to that conference, whether or not official ceasefires had been signed; armed groups that had sparred with each other regularly continued to do so; and in some cases, clashes occurred between groups that had not actually fought each other for many years.*

**Key words:** peace process, Myanmar, peace negotiation

### 1. Introduction

As Myanmar readies itself for the second national conference on its 'new' peace process in February 2017, an update on outstanding issues with Myanmar's peace process may be timely (Norway 2012). It is hardly surprising that, despite the months of preparation for the second Panglong Conference in August or September 2016, there was little or no change in the realities on the ground in Myanmar during the year: armed incidents between the Burmese military and armed ethnic groups continued in the days leading up to that conference, whether or not official ceasefires had been signed; armed groups that had sparred with each other regularly continued to do so; and in some cases, clashes occurred between groups that had not actually fought each other for many years (Mizzima 2016a, b).

Failure to achieve a national peace agreement would be a major political setback for the National League for Democracy (NLD) Government, but it will not necessarily be a political disaster as long as the areas of serious ongoing disagreement can be contained. Because no other central governments in Myanmar have been able to achieve such an agreement, and most Myanmar governments have been able to make considerable progress in other areas, failure should be manageable: but it would represent a significant disappointment in Aung San Suu Kyi and could lead to the early disintegration of her democratic regime. Since its independence in 1948, Myanmar has never really experienced total peace—it has never had a single 'peace agreement' that was agreed by all ethnic groups; even the 2015 'Nationwide Ceasefire

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Agreement' was not accepted by some major ethnic armed groups still engaged in insurgency (like the Kachin Independence Army), or major disagreement (like the United Wa State Army). So it is understandable, and indeed extremely logical, for Aung San Suu Kyi to state that a national peace agreement under which all parties are prepared to lay down their arms and to accept the authority of the national government, is an absolute priority for her government. Even if this is a symbolic goal, once achieved it should contribute greatly to increased political confidence across the country and enhance the legitimacy of the national government.

The first Panglong Conference in 1947 was a limited political success, as it did not include all relevant ethnic groups such as the Karen and the Mon, and not surprisingly, it proved not very relevant to the creation of a single Burmese state (UN Peacemaker 2016). It is hard to imagine that the 2016 Panglong Conference would be any more successful. However, the NLD Government is now treating the 31 August 2016 conference as the start of a rolling program of conferences. This might help find a satisfactory outcome at the end of the process, but it might also imply that all ethnic groups must be able to participate in the ongoing program, if not the Second Conference, as that might be the only way that the special interests of each groups can be embraced. This will require both a sense of realism about what can be achieved at the upcoming conference and a strong sense of pragmatism about the extent of specific benefits for different groups that can be accommodated. This might inevitably mean some compromises have to be made by all parties. At this early stage, it is probably not surprising that different parties are not yet ready to make compromises.

## 2. Increased Domestic Expectations of the Peace Process

Many people in Myanmar hope that Aung San Suu Kyi will be able to resolve outstanding issues holding back regional and ethnic aspirations in Myanmar and that she might at least play a successful mediating role in reconciling

longstanding differences between Burman-dominated institutions and ethnic groups (Mahtani and Myo 2016). These aspirations are quite understandable, given the dogged resistance against federalism by Myanmar's central authorities over many decades, but they are not obviously based on specific pronouncements or undertakings by Suu Kyi. On the whole, the NLD has avoided giving specific commitments regarding such matters to any ethnic group, and any hope that Suu Kyi might offer a way through this complex situation is not really reflected in what is publicly known about NLD attitudes. Even the 2015 NLD manifesto contains mainly broad goals for a federal system rather than specific proposals for how to achieve these (NLD 2015).

There is plenty of evidence that higher than usual domestic expectations of Myanmar's peace process have emerged with the new NLD government. This was partly in response to Aung San Suu Kyi herself announcing that a peace agreement was a priority for her. Indeed, evidence of this intensified demand for more concrete outcomes from Myanmar's peace process can be seen in parliamentary debates in Naypyitaw in July 2016 (Swan 2016). Although that debate was inconclusive, the demands for economic dividends from any peace settlement continue to grow, especially in areas like Rakhine State, which have never been fully included in socio-economic development planning until this point; or in areas like Mon State, which have effectively been at peace for 25 years, but have very little to show for this in terms of socio-economic development that is entirely under local control. Not unreasonably, state leaders are coming to view the new NLD government as an opportunity to press for demonstrable socio-economic progress, and for more locally controlled development.

## 3. Analysis

Most assessments of the second Panglong conference from 31 August to 3 September 2016 concur that it represented a reasonable start to a complex process (ICG 2016). While it might have been the case that most statements at the second Panglong conference were no more

than expressions of very familiar long-held views, it was inevitable—and probably necessary—for such statements to be placed on the record. At the very least, most participants wanted to register their viewpoints for the NLD government. Perhaps in the same spirit, the NLD chose not to lay down its own ideas at this point, possibly closing off discussion prematurely but to listen to the expectations of all the assembled delegates. That there were more participants than at any previous conference was a testament to efforts to ensure inclusiveness, but greater inclusiveness is not itself a sufficient outcome.

On the positive side, the NLD government recognised that this was in fact not the start of a peace process, but the continuation of what had been begun under Thein Sein. By keeping three key officials from the previous Nationwide Ceasefire Agreement organisation—former spokesman for President Thein Sein Zaw Htay, chief ceasefire negotiator Min Zaw Oo, and leading facilitator Hla Maung Shwe—as part of the new peace negotiations effort, Aung San Suu Kyi's government is recognising that the current goal is to maximise continuity and preserving expertise while going beyond the flawed NCA of 2015. Logically, this should enhance the prospects of not losing what has already negotiated and producing an agreement that all parties will sign onto. Given the difficulties of holding volatile ethnic communities to what their leaders are prepared to be flexible on, negotiation of a comprehensive peace agreement was never going to be straightforward, and it would be unrealistic to expect ongoing armed confrontations to end, or even treat such political discussions as a quasi-ceasefire. The directive from the ministry of home affairs in late August 2016 that its agencies should cooperate with Rakhine state agencies should be seen as a positive move, even in its amended form (Thu 2016). While some observers have criticised the NLD government for not halting military activities, the significant negative development is the extension of hostilities into Rakhine state for the first time in many years (Lewis et al. 2016).

Some Myanmar observers have expressed disappointment that the 'old guard' in several

Myanmar organisations was not immediately 'made over' to embrace the new government's ideals, even where those ideals were not always spelled out in any detail before or after the election. The case of the Union of Myanmar Chamber of Commerce and Industry has been cited (Kyaw 2016a, b), but this ignores the fact that UMFCCI has always been a quasi-government agency and has traditionally not deviated from policies outlined by successive military regimes. As for the place of the peace process in Myanmar's foreign policy, there has also been little discernible difference of approach under the NLD government. In fact, Myanmar foreign policy has generally been more or less bipartisan and grounded in strategic realities that allow for little differentiation between the NLD and various military regimes both on internal and external security matters. Although some 'rebalancing' might have occurred under the NLD government, Myanmar's neighbours do not really exercise much influence over Myanmar's peace policies (Chow & Easley, 2016). Some members of the international donor community provided considerable political and financial support for Myanmar's peace process as it was carried out under the Thein Sein government. This assistance mainly focused on capacity building and helping meet the sizeable administrative costs involved; it did not seek to influence the nature of the process, but rather chose to support Myanmar's own efforts. The international donors included the United Nations, the EU and some smaller donors such as Norway and Australia. They did not include the major powers, the United States, China or Russia, who presumably considered their non-involvement would be desirable (Mizzima 2016a, b). A good deal of this international support has been recommitted under the NLD government (Mizzima 2016a, b). Criticisms of international backing of the peace process as being wasteful and irrelevant have not been substantiated and do not seem to be widely shared. In Myanmar, international support for the peace process has been generally seen as beneficial; especially because it does not seem to have involved external political interference, has been quite generous and has been reasonably well targeted.

In fact, little focused research has been carried out on what type of federal system might be suitable for Myanmar, although it has for some time seemed to be a likely option to translate Myanmar's ethnic and regional diversity into a practical form of government. Such ideas were canvassed at the first Panglong conference in 1947, but they were never developed into concrete proposals. (When the author was with foreign dignitaries who visited the Kokang region in the early 2000s, Kokang leaders expressed in principle support for a federal arrangement only to have this soundly squashed by accompanying military intelligence officers, in line with the 'zero tolerance' attitude towards the concept of federalism that prevailed inside the Myanmar army at that time.)

Understandably, perhaps, few commentaries on federalism seek to point to any precise arrangement for Myanmar. Some, like the 2002 Special Issue of the former expatriate journal, 'Legal Issues on Burma', focused on the complexity of Myanmar's ethnic issues for a federal system. but generally, Myanmar observers have, not surprisingly, shied away from passing judgment about what was the best federal option for Myanmar. As far as is known, the NLD has not prepared a detailed policy either, although it has endorsed an alternative draft constitution. Naturally, this lack of precision to some extent complicates any process of identifying a way forward that would attract wide support inside Myanmar. At the very least, it means that the process needs to be moved forward gradually, and step by step, especially in view of the mixed outcome for the Nationwide Ceasefire Agreement under former President, Thein Sein, which secured only eight out of 15 signatories. Amongst Myanmar's political leaders, a range of expertise and a range of views exist about federal systems. It is now increasingly accepted that an effective federal system in Myanmar would need to be based on decentralisation of formal government responsibilities, arrangements for locally grounded economic development, as well as measures to secure 'the educational, linguistic and cultural rights of Burma's ethnic groups' (Blazevic, 2016).

While details of how a federal system would be achieved have not been publicised

Myanmar's bureaucracy has carried out some studies of its own. For example, a senior economic official visited Australia in the last few months of 2015 to explore how Australia's funding arrangements between the national government and the state worked. That official was to report after elections, but it is not clear what became of this investigation. Certain ethnic leaders have submitted their own ideas, but these have tended to be narrowly focused on potential benefits for one group or one locality. One of the more concrete arguments was that by the Chin leader, Salai Ceu Bik Thawng, who identified several specific measures that the NLD could take to achieve more democratic outcomes (Ceu 2016).

Also, political dynamics can cause serious logjams in a somewhat immature political environment; for example, ethnic groups in Myanmar know that they have to fight first for their own political survival, meaning for the support of their own kind, sometimes in the face of rival ethnic causes. This leads to a tendency to advocate aggressively for their own viewpoint, to be reluctant to compromise or show signs of weakness, and an unwillingness to look beyond the interests of their own group: so they often are not able to represent a broad, strategic perspective. Moreover, they often appear more dogmatic than they really are; they may be more interested in their own group's satisfactory (apparent?) political progress rather than a negotiated outcome. Multilateral groups formed to coordinate or manage ethnic differences, do not enjoy much longevity in Myanmar, but come and go all too quickly. These factors might explain why the NLD is not a more effective leading voice on ethnic issues.

#### **4. Why A Federalist System for Myanmar Needs Much More Study**

In view of the very differing circumstances of Myanmar's different ethnic groups, some framework of principles that would apply to all groups will eventually be needed. Some kind of Federalism could provide and answer, but so far, there has been insufficient thinking on how federalism might be adapted to suit Myanmar. In most countries where modified

federal systems have been successful, it has taken many years, or even decades, to achieve a unanimous understanding of how to embed some kind of federal system in Myanmar on a sustainable basis would probably be the same. However, before and during the long period of military rule (1962–2011), the notion of ‘federalism’ was not viewed kindly by Myanmar’s military leaders, not who only saw it as potentially undermining hard-won national ‘unity’ but who also no doubt saw it as a sure way of weakening centralised military control, in informal as well as formal settings, such as the National Convention 2005–2007. Danish expert on Myanmar’s ethnic issues, Mikael Gravers, traced confused thinking about federalism on all sides back as far as the post-National Convention times (2006–2007) in his introduction to *Exploring Ethnic Diversity in Burma* (Gravers 2007).

## 5. NLD Policy

NLD policy on federalism is rather general, and its detailed thinking since assuming government has not yet been articulated. The 2015 NLD Manifesto states its goals as: ‘... a federal democratic union ... based on the principles of ... freedom, equal rights, and self determination’ with a view to securing ‘balanced development of all the States and Regions’ ... with a view to achieving ‘a fair distribution across the country of the profits from natural resource extraction’. After the NLD government took office in April 2016, several NLD actions demonstrated the NLD’s uncertainty about precisely how national authority might be shared, notwithstanding their primary commitment to ‘democratic federalism’. When it came to appointing Chief Ministers for the states, for example—something that was the prerogative of the President under the dubious 2008 Constitution—the NLD Government surprised many by appointing NLD representatives in every case, even where NLD had won only a minority of state seats. In announcing these decisions without consultation with other parties, that in some instances had previously been NLD allies, the NLD Government seems to have alienated parties such as the Shan

Nationalities League for Democracy and the Arakan National Party (Kyaw 2016a, b).

## 6. Conclusions

Despite this array of issues, the time has come for Myanmar’s leaders to move beyond mere political rhetoric about the importance of peace and to begin setting in train a serious program to achieve genuine peace across the whole country and for all its people (SSRR 2014). It goes without saying that any program must be as inclusive as possible, and not just reliant on full ethnic participation. Gradually achieving balanced benefits from a genuine peace would certainly satisfy most expectations of the people of Myanmar, especially via increased economic development (Horsey 2016). This is especially the case in areas that have in the past not been the beneficiaries of adequate central funding and local empowerment, such as the Rakhine State.

Obtaining a satisfactory basis—even just a preliminary one—for peace across the country is more pressing now than ever before, because of the intensified popular demands across Myanmar—across all generations and all ethnic groups—for the development and employment opportunities that have been denied Myanmar people for too long. Thanks to the Internet and whatever limited wider exposure some Myanmar individuals have been able to experience already, this is no longer just an aspirational goal; more and more ordinary Myanmar people know that such opportunities are within reach and, more importantly, are legitimate expectations. But it is now clear that such opportunities will not materialise without the right enabling environment, whether that means some assurance about peace, or whether it means access to the skills and financial investment that have hitherto often been denied to Myanmar people and that in the end make such development something they can achieve without leaving the country. (Mizzima 2016a, b)

Suu Kyi herself has long called for a ‘political dialogue’ about the undertakings that might need to be incorporated in any comprehensive peace agreement (USIP 2016). This would certainly fulfill the criteria for a democratic,

inclusive and egalitarian agreement, which would be strongly supported internationally; but there is no point seeking only a political dialogue, which is no more than the mechanism by which the sustainable concrete outline will be achieved. There is no point in endlessly pursuing a political dialogue with no idea of what a workable and satisfactory compact might need in order to endure. At some point, Suu Kyi herself might need to articulate some specific elements of the eventual peace agreement, but a precursor to that is likely to be a ceasefire of some kind; and this depends as much on the willingness of armed ethnic groups to lay down their weapons as it does on the readiness of the Tatmadaw to stop fighting. It is just not credible to put the entire blame for continuing fighting on elements inside the Myanmar government and the Tatmadaw.

November 2016.

## References

- Blazevic I (2016) Burma Votes for Change: The Challenges Ahead. *Journal of Democracy* 27, 101–15.
- Chow J, Easley L-E (2016) Myanmar's Foreign Policy Rebalance, *The Diplomat*.
- Gravers M (2007) Ethnicity Against State, State Against Ethnic Diversity. In: *Exploring Ethnic Diversity in Burma*, pp. 19–26. Nordic Institute for Asian Studies (NIAS), Copenhagen.
- Horsey R (2016) After Myanmar's Peace Conference, What Next? *Nikkei Asia Review*. <http://asia.nikkei.com/Viewpoints/Viewpoints/Richard-Horsey-After-Myanmar's-peace-conference-what-next>
- Htut SY (2016) Mps Urge Government to Adopt 'Fiscal Federalism' When Collecting Taxes. *Myanmar Times*.
- International Crisis Group (2016) Asia Briefing 149. Available at <http://reliefweb.int/report/myanmar/myanmar-s-peace-process-getting-political-dialogue-crisis-group-asia-briefing-n-149>
- Kyaw Kyaw Phone (2016a) NLD Goes It Alone, Raising Ethnic Party ire *Frontier Myanmar*.
- Kyaw Kyaw Phone (2016b) Old Guard Retains Grip Over New Executive at UMFCCI *Frontier Myanmar*.
- Lewis S, et al. (2016) (Reuters). Myanmar's Suu Kyi Under Pressure as Rohingya Crisis Deepens. <http://www.dailymail.co.uk/wires/reuters/article-3890238/Myanmars-Suu-Kyi-pressure-Rohingya-crisis-deepens.html>
- Mahtani and Myo (2016) Aung San Suu Kyi Calls Securing Peace in Myanmar Her Priority. *The Wall Street Journal*. <http://www.wsj.com/articles/aung-san-suu-kyi-calls-securing-peace-in-myanmar-her-priority-1451899867>.
- Ministry of Foreign Affairs, Norway. (2012) Peace Donor Support Group and Myanmar Peace Support Initiative. (BNI website <http://www.mmpeacemonitor.org/stakeholders/mpsi>)
- Mizzima (2016a) Interview with EU ambassador, Roland Kobia, accessed at: [bnionline.net/opinion/interview/item/2030](http://bnionline.net/opinion/interview/item/2030)
- Mizzima (2016b) KNU and NMSP Clash After 27 Years of Ceasefire.
- National League for Democracy (2015) Election Manifesto. Authorised English translation available at: [http://www.burmalibrary.org/docs21/NLD\\_2015\\_Election\\_Manifesto-en.pdf](http://www.burmalibrary.org/docs21/NLD_2015_Election_Manifesto-en.pdf)
- SSRR (2014) Backgrounder – Political and Economic Reforms in Burma/Myanmar Security Sector Reform Resource Centre (website).
- Thawng SCB (2016) From Rhetoric to Action: How the NLD-led Government Can Put Federalism Into Action.
- Thu MK (2016) Home Affairs Ministry Walks Back Civil Service 'Reforms'. *Frontier Myanmar*. Available at: <http://frontiermyanmar.net/en/home-affairs-ministry-walks-back-civil-service-reforms>
- UN Peacemaker (2016) United Nations Briefing on 1947 Panglong conference. Available at: [http://peacemaker.un.org/sites/peacemaker.un.org/files/MM\\_470212\\_Panglong%20Agreement.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/MM_470212_Panglong%20Agreement.pdf)
- US Institute for Peace (2016) Myanmar's Peace Process Suu Kyi Style. <http://www.usip.org/publications/2016/09/15/qa-myanmar-s-peace-process-suu-kyi-style>

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