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MYANMAR: Is the long drawn Peace Process coming to a Halt?

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“Without a lasting peace with ethnic minority groups, who make up around 40 percent of the population, any future administration will have difficulty ensuring a nationwide buy-in for its reform agenda and providing the political stability needed to manage and develop the country’s resource-rich frontiers, where most ethnic groups are located”. - Murray Hiebert and Phuong Nguyen – Asia Sentinel - 22 August 2014.

“Seen in a broader perspective, the entire “peace process” is flawed because the government wants to put the cart before the horse by insisting on an agreement—the one signed on Oct. 15—before any political issues have even been discussed.” Bertil Lintner - The Irrawaddy -January 11, 2016.

The peace process that was started by the Thein Sein Government in August 2011 has come to a dead end with the conclusion of the five day Union Peace Conference (marking the beginning of a long-sought political dialogue) held at Naypyidaw from 12-16 January, 2016. One of the proposals approved in this conference was that the political dialogue must conclude within the next three to five years.

Vice President Sai Mauk Kham said, in his closing remarks at this Union Peace Conference, that documentation of all discussions throughout the conference will be handed over to the new government when it assumes power (The Irrawaddy – January 18, 2016).

Aung San Suu Kyi was however critical of this peace process and the so called Nationwide Ceasefire Agreement (NCA) because the pact was not inclusive. She said “now we are ready to lead the peace process, because we have the power invested in the mandate given to us by the people and ethnic minorities” – (Mizzima – 17 January, 2016).

The cooperation of the army is of paramount importance for this peace process to be successful. In this connection it is significant that Gen Tin Maung Win at the end of the peace conference said that “the Tatmadaw was ready and willing to co-operate with Suu Kyi in the continuation of the Peace Process (DVB – 15 January, 2016).

Background

Myanmar has been ravaged by a civil war (perhaps the longest in world history) which has lasted over six decades since independence (1948).

The Panglong Agreement signed on 12 February 1947 between Gen Aung San and the leaders of the Kachin, Shan and the Chin ethnic groups paved the way for independence (1948) and creation of a federal state with the option for ethnic minorities to secede from the union after 10 years from independence.

The agreement was laid to rest along with Aung San (assassinated in July 1947) as the civilian and military governments from 1948 considered a federal set up will disintegrate the nation and hence started marginalising the ethnics and tackling them militarily. This has resulted in this ongoing civil war.

The differences and diversities of the ethnic groups by way of religion, language, ethnicity strength, ideology and the large distances between the areas occupied by these groups have been exploited by the Myanmar Army in attacking them piece-meal and by adopting the strategy of “divide and rule”. Thus the civil war has been kept on a low key over the years.

The approximate demarcation of the areas occupied by the ethnic groups is shown in the map attached at Appendix A to this paper.

Two rounds of bilateral ceasefire agreements between the government and ethnic armed groups, the first between 1989 and 1997 and the second during 2011-12 had also brought a temporary lull in the civil war. By these ceasefires, the army has managed to weaken these groups without addressing their demands. Moreover, some of those agreements were broken by the Tatmadaw (Myanmar armed forces) or the rebel groups resulting in the continuation of the civil war till date.

It was only in June 2013, the Thein Sein Government decided upon having a nationwide (multilateral) ceasefire agreement. Though such an agreement was signed in October 2015 it cannot be truly called a nationwide ceasefire agreement as the majority of ethnic armed groups including the major ones declined to sign that agreement.

The Government and the Peace Process

The Peace Process began in 2011, when President Thein Sein called upon the ethnic armed groups to hold peace talks initially at the state level and then at the centre. A committee of law-makers managed to get bilateral ceasefire agreements with some groups while U Aung Min, a cabinet minister, with his team concluded some ceasefire agreements with some rebel groups in the eastern part of the country.

In 2012, two committees were formed – the Union Peace-making Central Committee under the leadership of the President and the Union Peace-making work Committee under the leadership of the Vice President. Subsequently these two committees were merged into one with U Aung Min, a cabinet minister, as the Chief Negotiator.

The Myanmar Peace Centre was established in November 2012 (as part of an agreement with the Norway-led Peace Support Donor Group) as a semi-governmental set-up to assist the two government peace committees and to act as the nodal point for all matters pertaining to the peace process.

The Government then gave its framework for the process in an eight-point peace plan which among other things included the proposal for ethnic groups to form political parties to further their demands.

The government also allowed the ethnic groups to have discussions among themselves both within the country and in locations in the neighbouring countries.

The government also reneged on its earlier firm stand to accept the demand of the ethnics for the term “federation” to be included in the draft ceasefire agreement.

After a number of informal and formal rounds of talks between the government and the ethnic armed groups, the first draft of a single-text Nationwide Ceasefire Agreement (NCA) was agreed upon and signed on 31 March 2015 by representatives of the government and ethnic groups. There were a few more rounds of talks on amendments proposed by the ethnic groups to the draft approved in March 2015. Similarly after many postponements of the date for signing of the Nationwide Ceasefire Agreement (NCA), it was eventually signed on 15 October, 2015 amid much fanfare and in the presence of a large gathering which included representatives of political parties and foreign observers. The absence of Aung San Suu Kyi, the main opposition leader, from the signing ceremony was conspicuous.

The list of Ethnic Armed Groups that have signed the agreement and the list of the non-signatories are attached at Appendix B to this paper.

Ethnic Armed Groups

Since the military government took over in 1962, the policy of Burmanisation resulting in open discrimination of ethnic minority groups in matters of culture, education, language and religion has only prolonged the civil war till date.

The ethnic groups have tried time and again to establish an alliance to work for their rights and autonomy but have failed on most occasions. In February 2011 an umbrella group called the United Nationalities Federal Council was formed to represent the ethnic groups which also had differences with the Working Group for Ethnic Coordination (WGEC) in deciding on the modalities for talks with the Government.

Under pressure from the Government the Kachin Independence Organisation, which had not entered into a ceasefire agreement (since the last one was broken in 2011), agreed to become a part of the peace process and attended the talks held at Myitkyina from 08-10 October 2013.

A KIO sponsored four day conference was held at Laiza (KIO HQ) from 30 October to 02 November 2013 which was attended by 18 Armed groups. The salient feature was the formation of a 13 member committee called the “Nationwide Ceasefire Coordination Team (NCCT)” for further negotiations with the government.

The next round of talks was held at Myitkyina on 04-05 November 2013 between the government and the NCCT where the ethnic groups presented their 11 point proposal while the government gave out their 15 point proposal for arriving at a nationwide ceasefire.

The ethnic groups had a number follow up meetings (to study the government proposals) of which the ones held at Law Khee Lah from 20-25 January, 2014 and the second from 02-09 June 2015 were significant. In the first meeting the most contentious issues were discussed and their stand communicated to the government. In the second, a negotiating committee called the Senior Delegation for Nationwide Ceasefire Negotiations was constituted which had taken over the responsibilities of the NCCT.

In the conference held at Myanmar Peace Centre, Yangon on 08-09 March, 2014 a joint committee with an equal number of members from the government agencies and the ethnic groups was formed to draft a nationwide ceasefire agreement.

However, differences continued to crop up within the ethnic armed groups in the proposals arrived at, in the modalities of the negotiations, and even in the terminology used in the draft. It is also pertinent to note that the biggest ethnic armed group United Wa State Army (UWSA) and its ally National Democratic Alliance Army (NDAA) did not even participate in any of these talks.

Finally, only 8 of the 15 Ethnic Armed Groups that were involved in the talks signed the Nationwide Ceasefire Agreement on October 15, 2015. Of the 8 groups that signed the agreement the only important group is the Karen National Union/ Karen National Liberal Army (KNU/KNLA) with an estimated strength of 4000 to 5000 armed soldiers. Of the groups that did not sign the NCA, the significant ones are

the UWSA (20-30000 armed soldiers) and the Kachin Independence Organisation (8-10000) soldiers.

Both the government and the Tatmadaw opposed the signing of the NCA by three armed groups as they were involved in fighting with the Tatmadaw in early 2015. They are:

Myanmar National Democratic Alliance (Kokang)

Ta'ang National Army

Arakan Army.

Interestingly the non-signatories of the NCA attended a summit hosted by the United Wa State Army (UWSA) at its HQ Pangshang from 01-03 November 2015 to discuss building cooperation among the non-signatories and plan their strategy to approach the new government which will be in power by March 2016. Some analysts suspected China's blessings for this meet.

The Armed Forces

In the initial stages, the Army was not cooperating with the government in the peace process. It was involved in regular clashes with the Kachin Independence Army (KIA) since June 2011 and continued with the military actions escalating to the use of artillery and air power. Despite orders from the government to stop fighting (in December 2011) the army was involved in skirmishes even while peace talks with the government and the KIA were in progress.

Perhaps for the first time Lt Gen Myint Soe was part of the government delegation in the talks held at Myitkyina in November 2013. At the end of the talks he reportedly said that the Tatmadaw cannot accept the idea of a federal army as proposed by the ethnic groups in the talks. Since then the Army representatives have been attending all the talks held with the ethnic armed groups.

The Army, in the talks with the ethnic groups and in the media, have always been harping on its six point plan. The six points demand that ethnic groups:

- have a "genuine wish" for peace
- keep any promises they make in the peace process
- refrain from exploiting peace agreements
- must not be a burden on the people
- follow the rule of law in Burma
- respect the Burmese military-drafted 2008 Constitution.

“During the negotiations, Burma Army officials maintained that military integration meant disarmament, demobilisation and reintegration (DDR), while ethnic armed organisations saw the process of integration as security sector reform (SSR) which has wider implications than DDR and includes a whole range of reforms including of the judiciary and the police”. Dr.Sai Oo-The Irrawaddy, July 13, 2015.

C-in-C Sr. Gen. Min Aung Hlaing and his Deputy Vice Senior General Soe Win signed the Nationwide ceasefire Agreement on October 15, 2015 on behalf of the Tatmadaw.

Sr. Gen Min Aung Hlaing in an address to the press council on 25 January 2016, has promised greater transparency throughout the peace process and said that the military was working closely with the government and the parliament to ensure the rule of law and urged the media to remain “positive”.

Conclusion

The signing of a Nationwide Ceasefire Agreement is just the first phase and perhaps the easiest of the peace process. The hard part comes when political dialogue is initiated.

President Thein Sein has rushed through this peace process in order to finalise it before November 2015 elections even when a majority of the ethnic groups had not acceded to it.

Some Analysts feel that the peace process is flawed and that the political dialogue or agreement should have preceded the ceasefire and not the other way as it has been done now.

The 2008 Constitution in its present form is the biggest hurdle for the peace process as it stipulates that all armed forces in the union shall be under the command of the defence services, which is unacceptable to the ethnic groups. Besides it precludes a federal structure of the union which is the main demand of the ethnics.

The peace process as and when it fructifies will definitely be a set back for the Tatmadaw as it will reduce its importance. Hence its reluctance in the peace process is understandable.

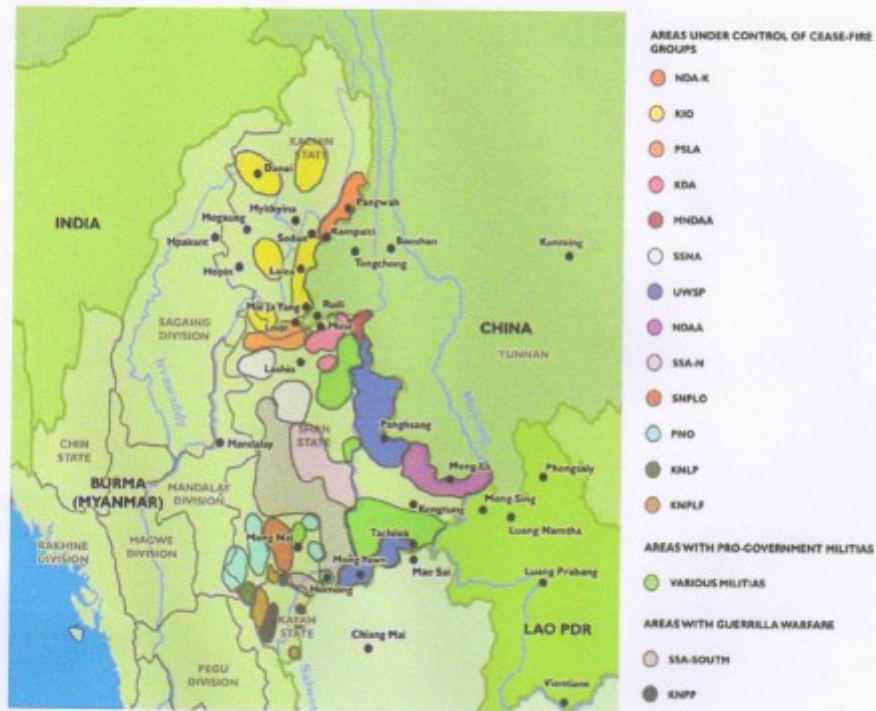
China was involved (2012- 2013) in hosting the peace talks between KIA and the Myanmar government at Ruili (in Yunnan close to Myanmar border) as well as in sending observers to the talks perhaps to preclude the US from taking this initiative. Prior to signing of the NCA in October 2015 media reports indicated that China has influenced ethnic troops close to its borders, particularly the UWSA not to sign the NCA, though this has been denied by China. For its own strategic interests, China will continue to exert pressure on the Myanmar government through these groups.

Ethnic Armed groups that have not signed the NCA are perhaps hoping that the new government will be more amenable in looking after their interests than the present one.

To carry forward the peace process, the new government has an uphill task in that it has to adopt a fresh strategy and start afresh if it has to lure the non-signatories of the NCA to come into the fold.

As of now the Peace Process has come to a state of hibernation.

Appendix A



Source: "Burma: Neither War nor Peace" A report published by the Transnational Institute, Netherlands in 2009

Appendix B

Myanmar: Nationwide Ceasefire Agreement

List of Ethnic Armed Groups Who signed the agreement.

- Restoration Council of Shan State (RCSS)

- Karen National Union (KNU)
- Democratic Karen Benevolent Army (DKBA)
- All Burma Students Democratic Front (ABSDF)
- Chin National Front (CNF)
- Pa-Oh National Liberations Organisation (PNLD)
- KNU/KNLA Peace Council
- Arakan Liberation Party (ALP)

List of Ethnic Armed Groups Who did not sign the agreement.

- United Wa State Army (UWSA)
- Shan State Progress Party/Shan State Army (SSPP/SSA)
- New Mon State Party (NMSP)
- National Democratic Alliance Army (NDAA) - MONGLA
- National Socialist Council of Nagaland-Khaplang (NSCN-K)
- Karenni National Progressive Party (KNPP)
- Kachin Independence Organisation/Army (KIO/KIA)
- Ta'ang National Liberation Army (TNLA)
- Arakan Army (AA)
- Myanmar National Democratic Alliance Army (MNDAA) - KOKANG
- Lahu Democratic Union (LDU)

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