



CHALLENGING THE RECONCILIATION PROCESS MYANMAR'S ETHNIC DIVIDE AND CONFLICTS



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Myanmar, ethnically, is one of the most diverse countries in Asia with Burmans making 69%, Shan 8.5%, Kayin 6.2%, Kayah 0.4%, Rakhine 4.5%, Chinese 0.7%, Mon 2.41%, Indians 1.3% and other Tribes 6.99%. By religion Buddhists are in a majority with 89.4%, Christians 4.9%, Muslims 3.9%, Animists 1.2%, Hindus 0.5% and others 0.1%. About 40% of Myanmar's population (around 60 million) is composed of ethnic minorities often referred to as ethnic nationalities. Officially there are 135 national races though the major ethnic groups are seven in number- the Arakan, Chin, Kachin, Karen (Kayin), Karenni (Kayah), Mon and the Shan.

The ethnic groups are located on the peripheral mountainous areas of Myanmar occupying around 60% the land area while the majority Burmans are in the inland plain areas. (See Map at Appendix showing the distribution of main ethnic groups across the country).

The hopes of the ethnic minorities, that while granting independence to Burma, the British will make a special dispensation

for them were in vain and the ethnic groups had to take to arms for seeking a federal union of Burma. The country has been ravaged by this civil war which has lasted for more than six decades soon after independence till date. The causes for this long drawn out civil war have been:

- Low intensity armed conflicts, that did not have any major impact in Burmese heartland
- Though the ethnic armed groups have been weakened over the years of conflict, the superior Burmese force could at no point overwhelm them.
- The Burmese army too has not seriously pushed heavily against all the ethnic groups--they have always been tackled piece meal and at different times and under different conditions
- Two rounds of cease fire agreements between the government and the ethnic armed groups, the first between 1989-1997 and the second in progress

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from December 2011 slowed down the operations against the ethnic armed groups and no decisive battles were fought.

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ETHNIC GROUPS: STRATEGIES, GOALS, CONCERNS AND FAILURES

Ethnic groups are divided in terms of religion, language, strength, ideology and separated geographically in distant places. This worked to the advantage of the Army which exploited the differences to the fullest extent. Differences within the groups also have resulted in tensions that prevail between Kachins and Shans, Shans and Karens and Shans and Wa-s. In the Karen state there had been pitched battles between Buddhist Karens (DKBA) and the Christian Karens (KNU).

Their goals have also been diluted over the years from an independent state, to self rule, to limited autonomy, to equal rights and fair share of the income from the natural resources of the state, to peace and development of their state and protection of their religion, culture, language etc. Lion H. Sakhong writes that "The Constitutional crisis and the implementation of the nation building process with the notion of one religion, one language and one ethnicity are the root causes of internal conflict and civil war in Burma" (Burma Centre for Ethnic Studies, Analysis Paper No.1, January 2012.)

The 1974 Constitution further denuded the

rights and aspirations of ethnics with the "Myanmar-batha-ska" as the non-Burman ethnics got together to form the "Federal National Democratic Front" in 1975 which was transformed into "National Democratic Front (NDF) in May 1976, with the aim of establishing a genuine federal union. Despite heavy odds the ethnic groups persisted in their struggle as most of them were strategically located in mountainous/jungle terrain near the borders and in some cases were even supported by the neighbouring countries. For the ethnic armed groups "Insurgency has become a way of life" wrote Martin Smith.

The ethnic groups subsist by their drug trade, selling timber, jade and other natural resources which are rich in the areas controlled by them. They also resorted to extortion and taxing the locals. However for some groups it was not just fighting but did develop the areas under their control and introduced welfare measures in health, education and infrastructure.

Consequent to the 1988 uprising (perhaps the only time), ethnic resistance armies of the NDF and 12 Burmese opposition parties joined together to form the Democratic Alliance of Burma to fight the military junta. Between 1989-1997, 17 ethnic groups, with the sole aim of peace and development in their areas, signed cease fire agreements separately with the military junta on different dates and with different preconditions. Representatives from 25 ethnic groups attended the National Convention (1993-2007), hoping to achieve their objectives. In fact 13 ethnic groups issued a proposal calling on the government to allow:

- Concurrent legislative powers for the states
- Residuary powers to the states
- The states to draft their own constitutions
- Separate school curricula for states
- Separate defense force for states
- The states to conduct own foreign

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affairs in specific subjects

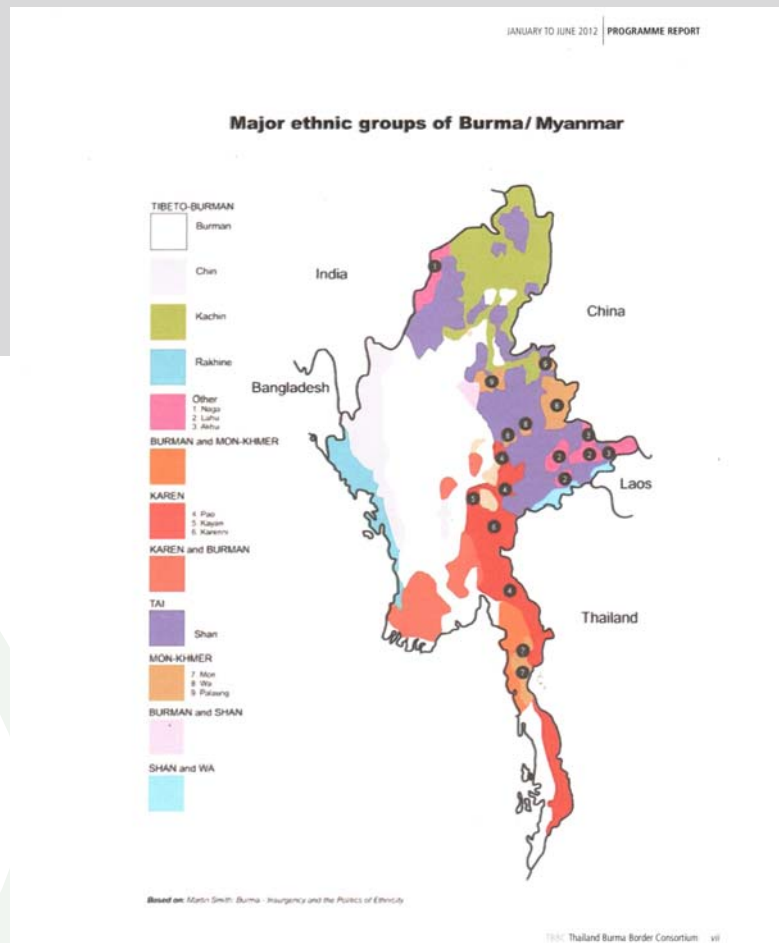
- Independent finance and taxation

However, these were ignored. The 2008 Constitution like the earlier ones further eroded the rights and privileges of the ethnic groups for autonomy and self determination. Under the 2008 constitution it became clear that all ethnic armed groups will be transformed into border guards. The positive aspects of the Constitution include the creation of 14 state legislatures (one of the long standing demands of ethnic groups) and the creation of six "self administered areas for the Danu, Kokang, Naga, Palaung, Pa-o and Wa giving these groups limited autonomy in their areas.

Under the Border Guards Force proposal, mooted in April 2009, ethnic armies were to become part of the Myanmar Army in their respective areas. Most ethnic groups came up with counter proposals without outright rejection though some groups (like the SSA-N) reluctantly agreed to. Even threats of outlawing the ethnic groups made no impact on these armed groups. The proposal died its own natural death consequent to the civil Government assuming power in March 2011.

Ethnic Groups had formed political parties to take part in the 1990 and 2010 elections hoping that they can voice their concerns and seek remedy through the parliament. In the 1990 elections the ethnic parties, who had joined together to form the United Nationalities League for Democracy, won 67 out of the total of 485 seats but the results were annulled.

In the 2010 elections, with the introduction of a bi-cameral legislature at the centre and state legislatures, the performance of the ethnic parties in state legislatures was satisfactory while it is insignificant at the central legislature level. With their limited numbers in the current parliament, they do not have much say in the proceedings. Between December 2011 and December 2012, 13 ethnic rebel



Source: Thai Burma Border Consortium Programme Report January to June 2012

groups have entered into ceasefire agreements initiated by President Thein Sein's government though the mistrust continues to prevail and proposals for code of conduct and an ultimate political dialogue is being demanded by most ethnic groups. However the military offensive with KIA is continuing for the last 14 months while simultaneous peace talks are going on with the Kachins.

A major failure on the part of the ethnic groups is to establish an alliance and to work out a common strategy to fight for their rights and autonomy. The efforts made in this regard are: National Democratic Front (NDF) in 1976, Ethnic Nationalities Council (ENC) in 2001 and

the United Nationalities Federation Council-2011 comprising of both cease-fire and non cease-fire groups. More than 100 ethnic leaders met in Chiang Mai from 14-16 September 2012 and have submitted a six-point peace plan to the government. These umbrella groups could not achieve much for two reasons: the Government refusing to deal with such umbrella groups till Feb 2013; and all groups had not come together because of their own differences.

The common concerns of most of the ethnic groups are: (These concerns have been extracted from the ENC Report "Discrimination, Conflict and Corruption – The Ethnic States of Burma – 2011)

- Counter insurgency operations target the local community especially in relation to forced labour.
- Burman Army units being responsible for their own upkeep has resulted in wide scale land confiscation. The local population is also used for Army/private business projects.
- Over taxation and failure to maintain law order
- Unemployment combined with the lack of training for what work is available further aggravates the problem.
- Discrimination against ethnic minorities by both Government forces and local communities. There are instances where boards like "Muslims not allowed in this Place" can be seen.
- Ethnic communities are generally not allowed to hold positions beyond local village chiefs.
- Corruption – though it affects all

Burmese people, the ethnics seem to be worse off (Burma ranks lowest in the Transparency International's corruptions perception index).

- Wide ranging Human Rights Abuses including rape
- Environmental degradation

II ETHNIC GROUPS: GOVERNMENT STRATEGIES

If U Nu (1948-62) had opted for cultural and religious assimilation by declaring Buddhism as a state religion, Ne Win (1962 -88) imposed the national language policy for establishing a unitary state and the military government (1988-2011) tried to achieve national integration through ethnic assimilation by changing the country's name as well as names of many cities, states etc., and tried to settle the issue militarily.

The military government that took over in 1962 steadily increased its armed forces with counter insurgency as its main function. The Myanmar Tatmadaw (armed forces) which had around 135,000 personnel in 1964 is today estimated to be 400,000 strong and the second largest military force in South East Asia next to Vietnam's. The combined strength of the armed rebels of all ethnic groups is estimated to be about 45,000.

General Ne Win, during his reign, instituted a series of legislation which further eliminated the ethnic rights. Since 1962, and the seizing of power by General Ne Win, the Burmese Army has made a concerted effort to fully militarize ethnic areas in order to completely control their population. After implementing a scorched earth policy known as the four cuts campaign i.e. cutting the four main links (for food, funds, intelligence and recruits – between civilians and armed opposition forces) in the seventies, the Burmese Military further increased its presence in ethnic areas and fully mobilised its troops through a number of operations against ethnic armed forces

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during the eighties and nineties.

To ensure compliance of ethnic population in pacified areas, the Burma Army created a vast network of military outposts close to ethnic villages both in designated black areas, or free fire zones, and brown areas, or contested territory where both ethnic opposition and government forces operated. As a consequence, the military, both BA and resistance forces, have solely dominated the lives of those civilians in areas where they operate. (Extracted from Briefing Paper No.3 February 2012—"An Uneasy Peace" of the Burma Centre for Ethnic Studies).

General Khin Nyunt, the former intelligence chief and deposed prime minister, was known to be the mastermind for entering into cease fire agreements with 17 of the ethnic groups between 1989 and 1997. The reasons for entering into these agreements are a) to avoid multiple fronts b) improve relations with neighbouring countries-China and Thailand and c) gain political legitimacy after the mass crackdown of 1988.

Most of these agreements were unwritten understandings or arrangements (except in the case of KIO) and varied in content also from group to group. The ethnic armed groups were allowed to retain their arms and control extensive areas under their control. Though these groups were not granted any political concessions, they were allowed to run business ventures in their areas to sustain themselves. [

Consequent to the ceasefire agreements, the government launched a Border Area Development Programme in 1989. In 1992 a ministry was formed for "Progress of Border Areas and National Races" which had taken up projects for schools, hospitals, health centres, bridges and dams in border areas occupied by cease fire groups.

The Chinese claims being the most comprehensive in scope, all other claimants are in direct contest with China and therefore share a common interest in containing Chinese expansion in the sea. Other parties in the dispute accuse China of using force to extend its claims by intimidation and physically occupying marine features in the South China Sea.

III ETHNIC CONFLICTS: THE SITUATION TODAY

The civil government of President Thein Sein since March 2011 has launched a three-stage strategy of initial ceasefire agreements, followed by union level talks and a political dialogue on the lines of a New Panglong Agreement. In pursuance of this strategy the government had appointed two peace teams one led by Aung Thaung and the other by Aung Min, the Railway Minister. This two-pronged approach had caused confusion amongst the ethnic groups as the approaches followed by the groups were at variance.

In May 2012 these two teams were scrapped and a single Union-level peace team was appointed to deal with ceasefire negotiations with ethnic armed groups. This peace team will have a 12 member Central Committee and a 52 member working committee. President Thein Sein will chair the Central Committee and Vice-President Sai Mauk Kham (a Shan) will chair the working committee.

While addressing the members on the first meeting of the Union-level Peace committee on 03 July 2012 President Thein Sein said that "a failure to end the conflict with ethnic groups would be an obstacle to economic development and that is why the efforts being made to end the conflicts is the key foundation to peace-building in the country".

Thein Sein's Government has entered into ceasefire agreement with 10 ethnic armed groups between December 2011 and March 2013. There is definitely a change in the attitude of Thein Sein's government towards the ethnic groups as long as they do not want to secede and agree to non-disintegration of the union, national unity and perpetuation of national sovereignty.

In a landmark talks between the government and the United Nationalities Federal Council (UNFC) held at Chiang Mai on 20 Feb 2013, the government, perhaps for the first time, officially agreed to initiate a political dialogue with the ethnics after six decades of civil war.

The peace process has also gained momentum in the first ever Myanmar Development Co-operation Forum held at Naypyidaw on 20 January 2013 wherein a number of representatives of the International Community met with President Thein Sein to sign an agreement for a smooth process for international aid to flow into Myanmar for the next few years. The meeting resulted in the so-called Naypyidaw Accord which sets out the guidelines on Government – donor co-operation. President Thein Sein also told the meeting the 10 priority areas identified by the government for economic and social reforms (The Irrawaddy, 22 January 2013).

Another major development is formation of the Myanmar Peace Centre in Yangon in November 2012 as part of an agreement with the Norway Peace

Support Donor Group. This is a government body headed by Aung Min (President's Office Minister) funded by the European Union to serve as a platform for dialogues between all parties involved in Myanmar's peace process. This has been established to assist Union Peace-making Central and Working Committees, with specific objectives to be achieved in two phases – phase I (November 2012 – February 2013) and phase II (March 2013– August 2014)

In this peace-making process, it seems, the Myanmar Army is not co-operating as seen from the ongoing war with the Kachin Independence Army (KIA) in the north which began in June 2011 and is still continuing. There are also media reports to indicate that the Myanmar Army has launched some offensives against the Shan State Army North (SSA-N) in April 2013 with the aim of holding some vantage positions on the west bank of river Salween (DVB-30 April 2013).

A major setback in the peace process is the escalation in the war with the Kachins in December 2012 when aerial attacks using jet fighters and helicopter gunships were carried out in the Kachin rebels held areas. The rebels' headquarters Laiza is virtually surrounded by government troops. In the aerial attacks some bombs had landed in the Chinese territory and over 70,000 people have been internally displaced in this war. The Government declared a unilateral ceasefire on 19 January 2013. Since then two rounds of peace talks with the KIO have been held on February 4 and March 10, 2013 at Ruili – a border town in China. The talks were hosted by the Chinese authorities with some Chinese officials in attendance.

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Ethnic Related Security Problems

Though there are many security related issues in the ethnic rebel controlled areas such as Internally Displaced persons, Health (HIV), Law and Order etc., Drugs and Smuggling of Arms are the most worrisome.

Drugs: The International Narcotics Control Bureau (INCB), in a global report, has said that more than 70% of the amphetamines available worldwide are produced in countries around the Golden Triangle, particularly Myanmar.

While new ATS labs have sprouted up worldwide, Myanmar has kept its position as the main supplier of methamphetamine in mainland South-East Asia. The majority of Myanmar's illicit drug production was in the eastern part of Shan state, home to several ethnic minority insurgencies including the United Wa State Army and Shan State Army. There are indications that at least 50 different organized criminal groups are involved in activities related to the trafficking of drugs from Myanmar.

A Shan Herald Agency for News reads "Burmese Military Commanders are giving the green light to People's Militia Forces (PMFs)—the para military forces built among the local populace by the army—to establish their own drug production plants and trafficking new works and thereby wrest the market away from cease fire groups. A massive increase in poppy cultivation, heroin and methamphetamine production in the Burma Army People's Militia controlled areas are far more than in areas under rebel ceasefire groups' control" ..

Smuggling of Arms: Myanmar is only a transit point for the arms smuggled to India and other nations. The main supplier is China. 'Reportedly, the Black House syndicate (a mafia group) based in China's Yunnan province oversees most illegal weapon shipments in South Asia. Apparently, Black House erases Chinese ordnance factory markings from weapons and ships them to Myanmar and Thailand.'

A Janes Intelligence Review report says that "China had replaced Cambodia and Thailand as the main supplier of weapons to militants in north-eastern India. JIR named the United Wa State Army, an eastern Myanmar based

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insurgent group, as the link between Chinese arms suppliers and Indian militants." UWSA has reportedly a small arms production line for AK 47s.

National Reconciliation: In her acceptance speech for the Nobel Peace Prize Suu Kyi said "I stand ready and willing to play any role in the process of National reconciliation." Ethnic reconciliation has to be the starting point for any National reconciliation. In the case of Myanmar even after 60 years of civil war there has been no progress at all towards this end. United Wa State Army the biggest and strongest is reportedly considering to drop its independent status and accept a Burmese-run People's Militia Force (PMF) status (Mizzima News-13 July 2012). Kachins, the second strongest armed group, continue to fight for a long sustained period and this is not possible unless it draws support from external sources.

Ceasefire agreements are not the solution to the problem as such agreements only freeze the conflicts without a way forward for final settlement of the conflicts as it happened during the first round of ceasefire agreements entered into between 1989-1997. Hence if the current ceasefire agreements are to be sustainable, they have to be followed up with political and social reforms and rehabilitation measures for the ethnic groups. The three entities, the government (for all practical purposes the Army), the prodemocracy movement and the ethnic groups are on different wave

lengths and working at cross purposes. Result--Ethnic reconciliation is the main casualty.

Army: Considers the Civil war as their main justification to maintain their power structure. The civil war has been their golden goose. Besides the military top brass is worried about retribution by the Civil Government for its war crimes.

Pro-Democracy Movement: Suu Kyi in her first speech in the parliament highlighted the plight of ethnic minorities and called for new laws to protect minority rights. The National League for Democracy (NLD) seems to be oriented in achieving democracy through non-violent means without the displeasure of the Army Generals for all that has happened. Ethnic issue is perhaps being considered secondary to their goals. Freedom and democracy seems to be have been given priority over peace.

Despite her offer to get involved in the peace process, the Myanmar government may be wary of giving Suu Kyi the chance firstly as she might steal the thunder and secondly as the ethnic groups are skeptic about her being fair to the ethnics. She has not been involved in the peace process so far.

Ethnic Groups: Having fought for six decades for their equal rights, autonomy, preservation of their culture, religion language etc., they want a political solution. NLD being a party of Burmans, the ethnics are sceptic about its commitment to interests of ethnic minorities. They have no recourse except

to continue their armed struggle. What is needed is an immediate 2nd Panglong Conference. Since the sanctions have been eased, a certain amount of legitimacy achieved and the political opposition appeased, the government does not seem to be in a hurry to go for national reconciliation, as the status quo suits the administration, particularly the army.

IV CONCLUSION

For any reconciliation, the first and perhaps the foremost requirement is a change in the embedded rigid mind set of the majority Burmans towards other ethnic groups who are not small either in number or in the area occupied by them.

Whether under pressure from China or to ensure free flow of all the aid that has been pledged from the Western nations or realising on its own that the peace process cannot be further postponed, the Myanmar government has taken a welcome step to initiate political dialogue with the ethnic groups which has been their main demand.

The 2008 Constitution has to be scrapped or drastically revised (as amending it is a cumbersome process) to form a federal set up based on ethnicity or linguistic basis. Both have their own pit falls. Perhaps the Indian model may be the best for Myanmar to adopt. Proportional representation, if introduced in the election process, could provide empowerment to minorities. A second Panglong type conference needs to be held to iron out the differences between the Government and the ethnic groups and among the ethnic groups.



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