



Burma's Peace Process: Narrowing Opportunities in 2018

Burma (Myanmar) has been riven by a low-grade civil war between government forces and various ethnic armed organizations (EAOs) since it became an independent sovereign state in 1948. In 2016, State Councilor Aung San Suu Kyi and her party, the National League for Democracy (NLD), assumed power after a landslide victory in parliamentary elections, and soon after identified ending the long-standing conflict as one of their top priorities.

However, escalated fighting between the Burmese military, or Tatmadaw, and several of the EAOs, and an alleged “ethnic cleansing” in Rakhine State, have raised serious doubts about the prospects for peace. Although two EAOs, the Lahu Democratic Union and the New Mon State Army, signed a ceasefire agreement with the NLD-led government on February 13, 2018, several EAOs have lost trust in the peace process advocated by Aung San Suu Kyi and are preparing for intensified conflict in 2018. The 3rd session of the 21st Century Panglong Conference—an effort to forge a peace agreement between the government, the military, and EAOs—which was tentatively scheduled for late January 2018, has been postponed at least until late February.

Historical Context for the Conflict

Burma has suffered a low-grade civil war since it became an independent sovereign state on January 4, 1948. In 1962, the Tatmadaw used the ongoing conflict—and the perceived risk that some states could secede from the federated government—to overthrow a democratically elected civilian government. Over the next 50 years, the Tatmadaw was unable either to negotiate peace or to win victory on the battlefield.

In 2011, Burma's military junta, the State Peace and Development Council (SPDC), transferred power to a mixed civilian/military government headed by President Thein Sein, a retired general and ex-SPDC Prime Minister. In October 2015, President Thein Sein signed a ceasefire agreement with 8 of the more than 20 EAOs, but his subsequent efforts to get more EAOs to sign were unsuccessful. After the signing of the ceasefire agreement, fighting between the Tatmadaw and several of the non-signatory EAOs intensified, resulting in both civilian and military casualties.

Causes of the Ongoing Conflict

Burma is an ethnically diverse nation in which the ethnic Bamar are a majority of the population, but several other ethnic minorities—including the Chin, Kachin, Karen, Karenni, Mon, Rakhine, and Shan—are the majority population in some regions. Burma's 1948 constitution established the Union of Burma as a federated nation in which the predominately ethnic minority states retained a fair amount of autonomy and the right to secede from the Union after 10 years.

Figure 1. Map of Burma (Myanmar)



Source: CRS.

The 1948 constitution was based in part on the provisions of the 1947 Panglong Agreement negotiated between General Aung San (Aung San Suu Kyi's father) and leaders of the Chin, Kachin, and Shan ethnic minority communities. The Panglong Agreement accepted in principle the “full autonomy in internal administration for the Frontier Areas” in exchange for the ethnic minority communities joining the Bamar majority, who generally live in central Burma, to form a federated nation.

In the view of most of the EAOs, Burma's central government and the Tatmadaw have never lived up to the agreement's promises. These EAOs contend the Bamar majority has used the central government and the Tatmadaw to dominate and oppress Burma's ethnic minorities. To the Tatmadaw and Burma's past military juntas, the EAOs are insurgents threatening the nation's territorial integrity. In September 2015, the Tatmadaw set out its “six principles for peace,” which require the EAOs to agree to remain part of Burma, accept the 2008 constitution, submit to “national sovereignty” (the legitimacy of the current central government), and abide by the laws of the central government.

Key Issues for Peace Process

Most of the core disputes are between the Tatmadaw and the EAOs. In general, EAOs seek a more decentralized federated union, and the Tatmadaw prefers a stronger central government with less state autonomy. The Tatmadaw insists that the 2008 constitution be maintained, while some of the EAOs wish to write a new constitution. The EAOs want the ethnic states to have greater control over lucrative ruby and jade mines, but many of those mines are owned by the Tatmadaw. So far, the Tatmadaw has insisted that the EAOs disarm, demobilize, and reintegrate (DDR), while most of the EAOs have called for security sector reform (SSR). Finally, the EAOs generally agree that the peace talks should include all the EAOs, but the Tatmadaw has rejected the participation of several of the EAOs with whom it is currently fighting.

NLD's Approach

In April 2016, Aung San Suu Kyi announced her intention to hold a "21st Century Panglong Conference" to negotiate a path to peace. Aung San Suu Kyi also renamed the Myanmar Peace Center (MPC) as the National Reconciliation and Peace Center (NRPC), and transformed it into an agency reporting to the State Counselor.

The first session of the 21st Century Panglong Conference was held in Naypyitaw in August–September 2016. While Aung San Suu Kyi was able to secure the participation of many of the EAOs, progress appeared to be hampered by the Tatmadaw's objection to inviting the Arakan Army (AA), the Myanmar National Democratic Alliance Army (MNDAA), and the Ta-ang National Liberation Army (TNLA). Statements presented by Commander-in-Chief Senior General Min Aung Hlaing and several EAOs revealed different visions of a democratic federated state of Burma and the path to creating that state.

The second Panglong Peace Conference was held in May 2017, with mixed results. In part due to China's intervention, the AA, the Kachin Independence Army (KIA), MNDAA, TNLA, and the United Wa State Army (UWSA) met with Aung San Suu Kyi during the conference. Other EAOs that had attended the first conference, however, chose not to attend the second.

Escalated Fighting Since 2016

Fighting between the Tatmadaw and some of the EAOs increased after the NLD took power in 2016, and has further intensified since the 1st and 2nd Panglong Peace Conferences. The fighting has been particularly intense in Kachin State and northern Shan State, with some clashes reported in Chin State and Rakhine State. Some of the EAOs view the Tatmadaw's increased offensives as an indication that the Burmese military is seeking a possible military solution to the nation's long-standing conflict.

Periodic clashes were reported throughout 2017 in Kachin State and Shan State, most frequently among the Tatmadaw and the four main EAOs, but occasionally including the Shan State Army–North and the Shan State Army–South. In late 2017, fighting occurred in parts of Chin State, Kayin (Karen) State, and Rakhine State.

Implications of the Rohingya Crisis

In August 2017, a relatively new EAO, the Arakan Rohingya Salvation Army (ARSA), attacked 30 security outposts in northern Rakhine State. In response, the Tatmadaw launched a "clearance operation" that resulted in nearly 690,000 Rohingya relocating into Bangladesh and, according to Doctors Without Borders, at least 6,700 civilian deaths. The State Department has officially described the Tatmadaw's "clearance operation" as ethnic cleansing, and a senior U.N. official has suggested that Aung San Suu Kyi and Min Aung Hlaing may face charges of genocide. For more about the situation in Rakhine State, see CRS Report R45016, *The Rohingya Crises in Bangladesh and Burma*.

The alleged ARSA attacks and the Tatmadaw's violent "clearance operation" have had an indirect impact on the prospects for peace. The reported ferocity and intensity of the Tatmadaw's response to the ARSA attacks have fostered greater distrust of the Burmese military among some of the EAOs, especially those already facing alleged Tatmadaw assaults elsewhere in Burma. In addition, the NLD-led government, the Tatmadaw, and the EAOs must determine if ARSA will have a role in the peace process.

Issues for U.S. Policy

Identifying a path to peace, and what constructive role, if any, the United States can play in helping to end Burma's civil war, raises a number of policy options, including:

1. *Providing assistance to the NRPC and/or the peace negotiations.* Donors to the MPC, which included the United States, found that such assistance was seen by some EAOs as support for President Thein Sein and the Tatmadaw, undermining the donors' desire to serve as neutral parties to the peace process. This is likely to continue to be true for donations to the NRPC.
2. *Encouraging or otherwise applying pressure on the key groups in the peace process to negotiate in good faith and compromise.* Certain forms of assistance or support for the NLD-led government, the Tatmadaw, or the EAOs could be made contingent on progress in the peace process.
3. *Withholding selected forms of engagement or aid from parties in Burma's peace process who are viewed as uncooperative by the United States.*

Role of China

Whatever action the United States may or may not choose to take, Congress and the Administration also may consider the role China may continue to play in Burma's search for peace. China reportedly seeks a stable and friendly neighbor on its southwestern border and has long-standing relations with some of the EAOs. In addition, China has close ties to the Tatmadaw and is one of its major arms suppliers. China also allegedly provides arms to several of the EAOs, particularly the UWSA.

Michael F. Martin, Specialist in Asian Affairs

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