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Burma's Prospects for Peace in 2019

The announcement on December 21, 2018, by Burma's Commander-in-Chief, Senior General Min Aung Hlaing, of a unilateral ceasefire in eastern (but not western) Burma has raised many questions about prospects for ending the nation's long-standing civil war. Some observers view the announcement as a possible breakthrough for the stalled "peace process" backed by Min Aung Hlaing and State Counselor Aung San Suu Kyi. Others see it as a ruse designed to promote discord among Burma's various ethnic armed organizations (EAOs), continue the military's military campaign in western Burma, and possibly set the stage for Min Aung Hlaing's political ambitions to be selected as Burma's next President in 2020.

Both the Obama and Trump Administrations backed the "peace process," both financially and as a matter of policy. The lack of significant progress in the negotiations and the escalation in fighting in 2018 has raised questions in Congress and elsewhere about the effectiveness of U.S. policy in Burma.

Intensified Fighting in 2018

In 2018, fighting between the Burmese military, or Tatmadaw, and several EAOs escalated in Kachin and Shan States, and erupted in Chin, Karen (Kayin), and Rakhine States, dimming hopes for the peaceful resolution of Burma's 60-year civil war. According to the Armed Conflict Location & Event Data Project (ACLED), fighting occurred in 7 of Burma's 14 States or Regions in 2018 (see **Figure 1**).

In Kachin State, the Tatmadaw launched an offensive against the Kachin Independence Army (KIA) that resulted in the internal displacement of over 5,000 civilians. According to some accounts, the Tatmadaw intentionally attacked civilians in villages, leading to comparisons with the brutal attacks on Rohingya villages in Rakhine State in late 2017.

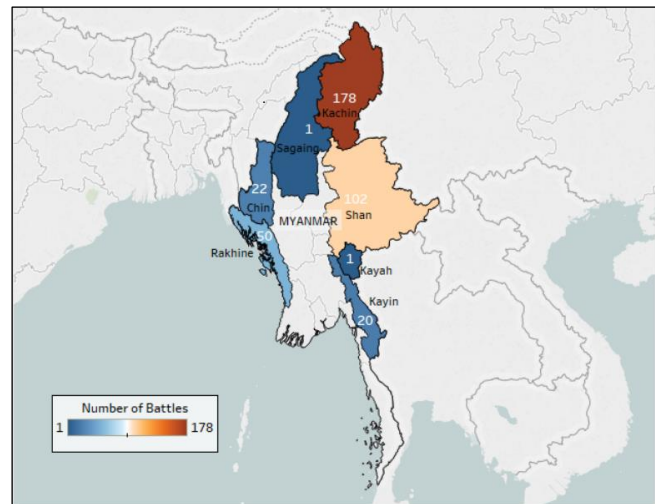
In Shan State, fighting between the Tatmadaw and the combined forces of the KIA, the Myanmar National Democratic Alliance Army (MNDAA), and the Ta'ang National Liberation Army (TNLA) increased, while rival EAOs also clashed. As in Kachin State, the conflict has created thousands of internally displaced persons (IDPs).

In Karen State, an apparent dispute over Tatmadaw road construction work led to new combat with Karen National Union (KNU) troops. Fighting between the KNU and the Tatmadaw had ceased following an October 2015 ceasefire.

The civil war was brought to western Burma's Chin and Rakhine States when the Arakan Army (AA), an EAO established in 2009 to protect the Arakan (Rakhine) people

from perceived oppression by the Tatmadaw, launched a series of attacks on security outposts and troops on patrol. The AA is also a member of a coalition with the KIA, MNDAA, and TNLA.

Figure 1. Map of Fighting in Burma in 2018
Conflict by State or Region



Source: CRS; based on data from Armed Conflict Location and Event Data Project (ACLED), accessed January 2019.

Stalled "Peace Process"

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. As President, he initiated a peace process that called for the signing of a nationwide ceasefire agreement to be followed by negotiations over reform of the 2008 constitution. In October 2015, 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.

In November 2015, Aung San Suu Kyi and the National League for Democracy (NLD) won a supermajority of the seats in Burma's Union Parliament, raising hopes that they would offer greater autonomy for ethnic minorities and facilitate the peaceful resolution of nation's civil war. In her role as State Counselor, Aung San Suu Kyi chose to modify Thein Sein's peace process; she did so by adding the concept of "Panglong Peace Conferences" at which a broad spectrum of vested interests would discuss the terms of a ceasefire agreement and governance reform.

The 3rd Panglong Peace Conference was held in July 2018 (six months after it was originally scheduled), but little progress was made in addressing the differences on the

goals of the negotiations between Burma's military and many of the EAOs. Subsequent to the conference, two major EAOs, the Karen National Union (KNU) and the Reconstruction Council of Shan State (RCSS), announced they were "suspending their participation in the formal peace process." Plans for the 4th Panglong Peace Conference are currently on hold.

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 a federated nation in which the predominately ethnic minority states retained a fair amount of autonomy. 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 communities.

Most of the EAOs maintain that Burma's central government and the Tatmadaw have never lived up to the Panglong Agreement's promises. They contend the Bamar majority has used the central government and the Tatmadaw to oppress Burma's ethnic minorities. The Tatmadaw views the EAOs as 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.

Another barrier to peace is a fundamental difference between the Tatmadaw and many of the EAOs on the final goal of negotiations. In general, EAOs seek a more decentralized federated union, and the Tatmadaw prefers a stronger central government with less state autonomy. Aung San Suu Kyi has not presented her vision of a future federated union in Burma. Also, the Tatmadaw has insisted that the EAOs disarm, demobilize, and reintegrate (DDR), while most of the EAOs have called for security sector reform (SSR) that provides a role for the EAOs in the nation's security and defense.

Signs of Tatmadaw Flexibility?

Burma's prospects for peace were rather dim for much of 2018. The "peace process" appeared to be stalled while fighting escalated across the country. On December 12, 2018, the AA, MNDAA, and TNLA announced that they would cease all military operations in exchange for their participation in the peace negotiations, from which they had previously been excluded, apparently with the approval of Senior General Min Aung Hlaing. On December 21, 2018, the Tatmadaw released a statement indicating that it would cease all its military operations in Northern, Northeast, Eastern, Middle East and Triangle Command regions—effectively Kachin and Shan States—until April 30, 2019. The ceasefire announcement did not include Western Command, which includes Chin and Rakhine States, where the Tatmadaw has been fighting the AA. The Tatmadaw

statement also calls on the EAOs to continue to participate in the peace negotiations.

Some observers believe that China pressured Min Aung Hlaing and some of the EAOs to accept these conditions in an effort to advance Burma's prospects for peace. Other analysts warn that the apparent flexibility may be a ruse by the Tatmadaw to draw more EAOs into the negotiations, while allowing it to focus its military operations against the AA in Chin and Rakhine State. These observers note that the Tatmadaw's statement does not announce any changes in its position on the terms for peace—acceptance of the 2008 Constitution and DDR for the EAOs.

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 National Reconciliation and Peace Center and/or the peace negotiations.* Financial support can potentially boost participation and facilitate negotiations, but donors to the "peace process," including the United States, have found that such assistance was seen by some EAOs as support for Aung San Suu Kyi, Thein Sein, and the Tatmadaw, undermining the donors' ability to be seen as neutral parties to the negotiations.
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 negotiations.
3. *Withholding selected forms of engagement or aid from parties in Burma's peace process who the United States views as uncooperative.* Similarly, engagement or assistance could be withheld from parties who are impeding the peace talks.
4. *Encouraging political reforms that enhance democratic governance and protection of human rights.* A lasting peace in Burma may require the federal and local governments to be more responsive to the wishes of their constituencies and recognize the rights of all ethnic groups.
5. *Coordinating with U.S. allies and the Association of Southeast Asian Nations (ASEAN) to actively support Burma's pursuit of peace.* ASEAN and several U.S. allies and partners have not been particularly engaged in promoting peace in Burma. Finding a common perspective and sharing a similar policy may improve prospects for peace.
6. *Pressing the Tatmadaw to extend its unilateral ceasefire to Rakhine State and beyond April 30, 2019.* The limited scope and duration of the ceasefire has increased speculation that Min Aung Hlaing's announcement is another example of the Tatmadaw's efforts to foster dissent among the EAOs.

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