

## Burma

### Introduction/Overview

Burma is ruled by a repressive military junta. How the international community should deal with Burma's military rulers, the State Peace and Development Council (SPDC)?

Burma's democratic deficit, coupled with a poor human rights record and difficult economic conditions have generated broad consensus in the West about the need for reform. Yet despite consensus there has been little agreement as to how far reforms need to go, what aspects of Burmese society need to be prioritised and ultimately how to advocate such reforms. The international community has been unable to reach a consensus over Burma. Responses to the military regime have been uncoordinated and fragmented. No diplomatic achievements with Burma involve Western governments alone.

### A Contemporary Political Overview

Burma has seen much political turmoil since achieving independence from the United Kingdom in 1948. Despite General Aung San's successful negotiation of independence, not all political actors accepted the final settlement. Indeed Aung San did not live to see his independence agreement come into force. In 1947 Aung San and most of his cabinet were assassinated by a political rival. As Aung San was the only man who enjoyed trust and respect throughout Burma's diverse society his assassination was a devastating blow for the newly-independent nation. Soon after the assassination the Burma Communist Party went underground, denouncing the independence agreement as a sell-out by bourgeois politicians to British interests. The agreement was also opposed by Karen ethnic nationalists who resented not having been granted an independent state. Over the coming decades other ethnic groups also rebelled, seeking autonomy from the Burman-dominated central government. Such pressures are in turn kept in check by the regime.

To further complicate matters, when the British left Burma in 1948 they left behind a country with a weak government structure. As a result successive post-independence governments focussed upon quelling ethnic and ideological insurgencies which threatened to overwhelm the new state. These insurgencies were also defined in terms of their external links. As organisations like the Burma Communist Party received support from nations such as China, the prospect of foreign intervention and the breakup of the state loomed large in political thinking. The 1962 military coup, led by General Ne Win, was an attempt by the military to protect Burmese sovereignty and national identity and to ensure that Burma remained in control of its political destiny.

Ne Win dominated Burmese politics from 1962 to 1988, first as a military ruler, then as president of a one party state. His Burma Socialist Programme Party stifled freedom of expression and assembly. Burma's constitution was replaced in 1974 with a new version that advocated an isolationist foreign policy to guarantee a 'Burmese Way to Socialism.' By 1988, however, economic problems associated with the overall objectives of the constitution led to mass protests. As a result of political unrest the military deposed Ne Win and ruled Burma via an executive body known as the State Law and Order Restoration Council (SLORC).

Despite permitting multiparty elections in 1990 that resulted in Aung San Suu Kyi's National League for Democracy's (NLD) landslide victory, SLORC refused to hand over power. In 1997 it was replaced by the State Peace and Development Council. Led by Senior General Than Shwe, the SPDC is Burma's contemporary ruling executive body. Subsequently, Aung San Suu Kyi has been subjected to several periods of house arrest and imprisonment. Recently was charged with breaking the terms of her house arrest by inviting an undeclared US visitor to her residence. Successive military governments have also consolidated their control over Burmese society with strict control of the media. Programmes are heavily censored to ensure that the government receives no criticism. Instead the

Burmese media focus upon formulaic reports of the junta's activities. Internet access is also subject to strict control by the government. What access there is available is further compromised by Burma's poor communications and electrical infrastructures.

After almost twenty years of out of the international spotlight, Burma returned to prominence in September 2007. Primarily led by Buddhist monks, the 'Saffron Revolution' began as a series of protests against living standards within Burma. The SPDC's decision to remove fuel subsidies resulted in dramatic price increases for diesel and petroleum.

Despite its apparent abundance of such natural resources as oil, gas, timber and minerals, Burma's gross domestic product per capita is under \$400. This makes Burma one of the poorest twenty countries in the world. Burma is also lagging behind its neighbours on socio-economic indicators relating to poverty, health and education. Burma has a contemporary Human Development Index ranking of 129 out of 177.

As elements of Burmese society became emboldened by the monks' activities demonstrations began to focus upon issues of democracy. However the 'Saffron Revolution' was eventually crushed with a brutal response from the SPDC.

One legacy of the 1988 military coup is that Burma does not have a working constitution. To replace the suspended 1974 constitution, in 1993 Than Shwe established the National Convention. Alongside the task of drawing up a new constitution the National Convention is regarded by the military junta as an instrument for national reconciliation. In response, the NLD has boycotted the National Convention, declaring that their emphatic electoral success in 1990 should be the basis for a political settlement.

Despite the NLD's boycott, the SPDC declared the National Convention process as over in 2007. As a result of the process the SPDC drafted the following constitutional provisions:

- Multi-party elections scheduled for 2010
- Elections part of a seven stage 'roadmap to democracy.'
- ¼ of parliamentary seats to be allocated to the armed forces
- Military retains control of the home affairs ministry
- Presidential candidates will be disqualified from elections if they are/have been married to a foreigner (Aung San Suu Kyi's husband was British)

The International Institute for Strategic Studies summed this up as:

"The main consideration for the SPDC was evidently how to maintain the military's control despite the elections, and particularly how to circumscribe the likely popular appeal of Aung San Suu Kyi and her National League for Democracy."

Despite their boycotting of the National Convention, the NLD responded to the provisional constitution with the Shwegonedine Declaration, 2009. The Declaration indicated that NLD participation was dependent upon a number of conditions. These include SPDC's amendment of the undemocratic elements of the constitution; the release of Aung San Suu Kyi; renewed dialogue between the SPDC and the NLD and the acceptance of international monitors to observe the election. It is unlikely that the SPDC will agree to any of these demands.

#### **International Measures Taken Against the Regime**

The United Kingdom's policy is to bring pressure to bear on the Burmese military regime to enter into genuine and substantive dialogue with opposition and ethnic groups. It is further anticipated that such dialogue will eventually lead to democracy, national reconciliation and respect for human rights in Burma. Further, the United Kingdom is committed to working closely with international partners to press the regime on these issues until Burma is irreversibly committed to permanent political change.

The United Kingdom has since 1996 also applied pressure on Burma within the European Union's Common Position on Burma. Since its inception the Common Position has been reinforced on a number of occasions. The sanctions contained in the common position include:

- A visa ban and assets freeze against named members and associates of the military regime as well as the regime's economic interests
- An embargo on arms and equipment that might be used for internal repression
- A ban on high-level government visits at the level of Political Director and above
- A suspension of most non-humanitarian aid
- A prohibition on EU companies making finance available to Burmese state-owned financial ventures

Recent US administrations have continued to press for the release of Aung San Suu Kyi and all political prisoners; an end to conflict with ethnic minority groups; accountability for those responsible for human rights violations; and the initiation of a genuine dialogue among the Burmese government, the opposition and ethnic minorities.

The United States has been keen to emphasise that the sanctions it introduced in the aftermath of the 'Saffron Revolution' have been targeted not at the wider population, but at the military leadership, its state-owned companies and cronies that support the government, often through illicit activities.

However, the West's overall approach regarding Burma's military regime has been subject to much criticism. The EU's Common Position, for example, is criticised for continuing to allow non-military bilateral trade and investment. Claims have also been made that arms sales to India by EU-based firms are finding their way into Burma via cross-border routes.

Despite the United Nations maintaining an active presence in Burma via a range of agencies, it has been unable to build effective international consensus. In 2005, the United Nations Security Council met informally to discuss Burma for the first time. A US and EU-supported resolution went before the Security Council in January 2007. However, the resolution was rejected by the combined efforts of Russia, China and South Africa. China's rationale for rejecting the memorandum was that the political situation in Burma was an internal affair of a sovereign state. Interestingly China's position was also supported by Indonesia, who agreed that a democratic deficit and human rights concerns do not make Burma a threat to international security. Yet as the 'Saffron Revolution' developed, the US and EU led the way in calls for official restraint and possible additional measures against the military regime. On the 11<sup>th</sup> October 2007 the Security Council agreed a joint statement on Burma. Although it was subject to many compromises instigated by Russia and China, it was the first time that the Security Council had taken a public position regarding the military regime.

Despite its apparent commitment to the Security Council's position, China continues to emphasise the importance of regional institutions to act on the issues that directly concern them. This outlook fits into China's state-centric approach to international relations that sees global governance built on

dialogue between individual states at the basic level. Such dialogue is in turn complemented by regional intergovernmental organisations such as ASEAN and fortified by the United Nations at the global level. The state-centric approach therefore seeks to restrain the United States from interfering unilaterally in the domestic affairs of other states, thereby bolstering China's security and freedom to act within the international system.

It seems possible that ASEAN could play an increasingly significant role in dialogue between Burma and the wider international system. In the aftermath of the 'Saffron Revolution,' whilst ASEAN did not quite condemn the actions of the Burmese government, it nevertheless went further than it ever had in being critical in the internal affairs of a member state. However ASEAN continues to maintain a policy of 'constructive engagement' regarding its relations with Burma. This approach endeavours not to 'embarrass and isolate the military regime.' It is further bolstered by a commitment to resolving Southeast Asian issues within regionally autonomous frameworks. Yet it also needs to be remembered that many ASEAN states have a less than perfect human rights record of their own and, like Burma, also do not welcome interference in their domestic affairs.

International measures taken against Burma have not resulted in anything tangible regarding an end to military rule. The current US government launched a review of its Burma policy in early 2009, acknowledging that neither sanctions nor engagement, implemented alone, have succeeded in introducing democratic reform to Burma. The policy review further acknowledged that additional tools were required to enhance the pursuit of the United States' policy objectives.

In response to the Burmese government's recent interest in engaging the United States, the current administration perceives that a policy of pragmatic engagement holds the best hope for advancing the cause of democratic reform. The United States has identified a number of issues which might lead to the development of confidence-building measures with Burma. These include cooperation in counter-narcotics activities, environmental protection and the recovery of the remains of World War II-era missing soldiers.

The United States also re-emphasised the importance of working with other international actors to encourage Burma to be more open in international relations. This initially involves continued cooperation with ASEAN, EU, UN and other bodies to reinforce the fundamental message on reform to the Burmese regime. US initiatives also seek enhanced dialogue and interaction with countries such as China and India, who have traditionally close relationships with Burma's military leaders.

### **Burma's Foreign Policy**

As they have found themselves increasingly ostracised by the West, over the last twenty years Burma's military government has sought closer diplomatic, military and economic ties with their regional neighbours. Since 1988 Burma has joined ASEAN, the Asian Regional Forum and the Bay of Bengal Economic Cooperation Group. Burma has continued its more proactive diplomacy by also reaching out to states that have a strained relationship with the West. It has, for example, resumed diplomatic relations with North Korea which had remained severed since 1983. Russia is widely regarded as Burma's main weapons supplier. In 2007, Russia also agreed to help Burma build a 10-megawatt nuclear research reactor.

In its recent policy review, the US government acknowledged Burma's commitment to complying fully with UN Security Council Resolutions 1718 and 1874. These resolutions prohibit states from engaging in trade with North Korea in conventional weapons and sensitive technologies. Nevertheless the US government remains concerned about the nature and extent of Burma's relations with North Korea. No doubt this will reinforce the military leaders' perception of the US as intent on manipulating and subverting Burma for its own political ends.

There is, in principle, the basis for a close political alliance between China and Burma. China was the first country to recognise Burma's military regime in 1988. This paved the way for high-level visits that culminated in agreements relating to military and economic cooperation. As a result of such arrangements Burma exports around 8.9% of its products to China (as of 2008). In return Chinese business interests in Burma continue to expand. In 2001, for example, China began joint natural gas explorations with Burma. Such activities eventually resulted in Burma permitting China to explore regions in areas off the western coast of the Bay of Bengal. In 2008 Burma's Ministry of Energy also signed an agreement with the China National Petroleum Corporation to explore for natural gas in three deep sea regions off western Burma.

Burma has used its own nationalist perspectives and historical relations with China to develop beneficial relations with its other neighbours. As a result of the SLORC's intention to develop a more open economy, Burma actively encouraged foreign investment from regional sources beyond China. Largely due to their mounting concern about China's seemingly dominant position, ASEAN, India, Japan and Thailand also continue to have extensive commercial interests in Burma. Despite China's significant business presence, Burma's major exporting partners are Thailand (52.3%) and India (12.7%). Burma has proved to be adept at developing cordial relations with all major powers in the region to counter over-dependence on any one country.

#### **Malaysia's Engagement with Burma: A promising option?**

When ASEAN accepted Burma as a member nation in 1997 it was criticised by human rights organisations, who argued that this would give the military junta licence to continue political control. Yet Malaysia's then Prime Minister Mahathir Mohamad argued that Burmese government would alter its behaviour to reflect its membership of the 'Southeast Asian family.' Mahathir's commitment to improving Burma's status within ASEAN was underpinned by a more proactive approach to engagement with the SPDC.

Since Mahathir left office Malaysia's influence within Burma appears to have declined. However, on the sidelines of the Non-Aligned Movement's 15<sup>th</sup> Summit, UN Secretary General Ban Ki Moon reportedly asked Malaysia's current prime minister to enlist the help of fellow ASEAN members to encourage the development of democracy in Burma.

#### **Concluding Remarks**

International attempts to foster democracy in Burma fail in part because of the obsessive quality of the military's nationalist and historical mindset. Such thinking in turn reflects and feeds into a suspicion towards the international community in general, and the West in particular. Yet that is not to say that Burma's current military regime rules out entirely engagement with the international community. The realities of modernisation and globalisation continue to prompt Burma's leaders to gradually insert itself into mechanisms of global governance. However, the military's perception that the West is trying to destabilise Burma continues. Cyclone Nargis only partially modified this perspective.

In terms of diplomatic initiatives to install democracy in Burma, the prospects for a regional approach seem the most interesting. Whilst ASEAN may appear as the logical choice for leading such initiatives, its own democratic credentials are distinctly lacking. Furthermore, the prospect of China taking a significant lead in initiatives is likely to be of concern to Western governments. However, as Malaysia's previous initiatives show, proactive engagement with Burma's military regime is possible without unilaterally relaxing signs of international disapproval. What is essential to such dialogue is showing a general respect for the regime, its traditional foreign policy outlook and due consideration of its past. But as Burma has never really experienced the type of democracy that much of the

Western world advocates, all future initiatives with the Burma's military are likely to require patience and maximum international consensus.

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