

BRIEFING PAPER No.22

JULY 2014

UPDATE ON THE PEACE PROCESS

Despite continuing tensions on the ground, armed ethnic groups involved in the peace process continue to move forward with attempts to negotiate a nationwide ceasefire agreement (NCA). Although there remain many issues to be rectified, members of the Nationwide Ceasefire Coordinating Team (NCCT) are working on a nationwide ceasefire framework that will be acceptable to all parties. Recently, in June 2014, members of the NCCT met with their counterparts from the Union Peace-making Working Committee (UPWC) in Thailand. While differences remain, it is hoped that a nationwide ceasefire agreement can be signed shortly.

The Karen National Union, a delegation from which met with President Thein Sein at the beginning of June, were originally pushing for an August 2014 deadline in relation to signing the agreement. According to KNU leader Mahn Nyein Maung, the army, which had been seen as holding a hard-line position in relation to the talks, were now more open to compromise and that:

The senior-general told us that the Tatmadaw [Burmese military] will assist with the basic factors in democratic reforms to ensure the tranquillity, unity and development of the country . . . He also expressed a wish to have no individual or group left behind from the peace process and to ensure inclusivity.

However, confusion remains in relation to the terms of the agreement with some ethnic leaders. According to NCCT member, and principle agreement drafter, Lian Sakhong, the Government has agreed, in principle, to a union based on a federal system, and this is seen as a major step forward in the talks.¹ However, NCCT leader Nai Han Tha was recently quoted as saying:

The key points of the 'Single text Draft' are yet to be negotiated by both sides. The government side do not even accept the term 'federal'. There is no agreement between both sides about how to proceed after signing [the nationwide ceasefire agreement].²

Because of such misunderstandings, ethnic people are also unclear as to what is actually being offered by the Government. This, along with speculation by Burmese media groups and campaign organisations abroad, has created a negative view of the process suggesting that ethnic groups are too conciliatory and motivated by financial opportunities. Lian Sakhong believes that the NCCT and Government negotiators are close to finding common ground, and while there remain a number of issues to be addressed, they can be dealt with later during the political dialogue phase.

The process has also been hindered by the amount of time that it has taken to find common consensus not only between ethnic groups and the government, but also with ethnic leaders as well. The RCSS as remained outside of the NCCT, while the KNU has actively attempted to accelerate the process, and, as a result, been accused of being motivated by economic factors - an accusation for which there is no substantive evidence.³

In addition, there appears to be factionalism within the Karen National Union in relation to how to move forward. While the majority of current leaders are supportive of the process, 5th Brigade commander Baw Kyeh Heh, is much more cautious:

We all want peace, but we want a kind of peace real enough that we can sleep at night and not worry about our physical and cultural extinction in the morning . . . The way the government is trying to secure peace with the ethnic minorities is not sustainable in the long term. It can break down anytime, and when it does, it will even be worse.⁴

Despite such apprehension, NCCT negotiators are optimistic that they can secure a number of assurances in the future. Many doubts exists primarily due to the confusion over what the NCA is supposed to achieve and what exactly should be covered by the political dialogue. Many commentators appear confused as to what is supposed to be included in the two separate entities, and have raised concerns over issues now, like the Federal Army, that could be discussed later. These misunderstandings have led to the lengthening of the process and allowed the Burma Army to strengthen its position in relation to the ethnic groups.

Understandably, one of the keys reasons for the delay is that the Kachin Independence Organisation, wary of the breakdown of its previous agreement and continuing conflict in areas under its control, are being extremely cautious. This has led to KIO negotiators in the NCCT seeking guidance from the group's leadership before approving certain clauses in the agreement.

Another major factor causing delay is terminology. As noted in the example above in relation to federalism, certain terms remain complicated in the Burmese language, and as such, continue to be a major sticking point. According to Aung Naing Oo, associate director of the Peace Dialogue Program at the Myanmar Peace Centre (MPC):

Currently, there are some 20 to 30 words and phrases that need to be defined or redefined because their definitions need to be absolutely clear. Such words include federalism, federal army, revolution, union, and existing—as in existing laws—just to name a few.⁵

However, much progress has been made, he continues:

. . . the NCA document is over 20 pages long. All told, there are some 120 points slated to be included in the agreement. So far, about 75 percent of the contents have been agreed upon, and the remainder—about 30 points—will be tabled again in the next round of talks. In other words, approximately 25 percent of the NCA document remains to be negotiated.

It remains to be seen whether the Government is prepared to accept the term 'Federal System' in the written nationwide ceasefire agreement, but it is hoped that such problems can be solved at the next round of talks. The NCA framework continues to be under review and it is expected that the next draft framework written by the NCCT will be presented to ethnic leaders at an ethnic leader summit to be held in late July in Laiza. It is envisioned that a final text, based on the principle agreement that was made by the NCCT in May 2014, will then form the basis of the NCA.

There is speculation that the RCSS and the KNU are prepared to sign a ceasefire agreement without the support of the NCCT. Although the RCSS is eager to push forward, the Karen National Union's General Secretary Padoh Kwe Htoo Win has confirmed that there is no deadline in the process,

thereby making an assurance that the NCCT will be allowed to complete its mandate. There is understandable concern in how the formation of not only the NCCT but also the UNFC may allow smaller groups in the process to dictate the way larger groups act. While such concerns are real, currently there appears to be no real threat to the process.

While the peace process has taken a long time and many stakeholders may feel they have not had sufficient involvement in the decision and draft making process, there is a need for all involved to be tolerant and allow the NCCT to move forward with their objectives. Not until after the next meeting will a clearer picture emerge.

¹ Conversations with Lian Sakhong, June 2014

² <http://monnews.org/2014/06/11/nationwide-ceasefire-will-signed-august-says-ncct-leader-nai-hong-sar/>

³ Primarily, such accusations have been built on vehicle licenses being provided to ethnic groups, however, it must be noted that greater inducements were provided during previous agreements, especially to those ceasefire groups since 1989.

⁴ <http://www.irrawaddy.org/feature/magazine-feature/talking-peace-thinking-war.html>

⁵ <http://www.irrawaddy.org/contributor/words-peace.html>