

8 "THE BEGINNING OF A ROAD?" BURMA/MYANMAR'S UNCERTAIN TRANSITION

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INTRODUCTION

Burma/Myanmar,¹ a country of about 60 million at the crossroads of South and Southeast Asia, is a multi-ethnic nation with a long history as a state and an empire, though without a history of successful adaptation to a changing world. There has always been a strong social, cultural and even political role for the dominant religion of Buddhism.

Brought incrementally under British colonial control in the early nineteenth century, Burma/Myanmar became an independent state anew soon after the end of World War II, led by General Aung San and the Burma National Army, which turned on the occupying Japanese in 1943. He was assassinated by rivals in July 1947, but achieved his goal of ensuring Burmese independence, which was declared in January 1948. The armed forces — the Tatmadaw — had a position of central respect in independent Burma/Myanmar.

Though there were continuing insurgencies by Burma/Myanmar's numerous ethnic minorities, it was hoped that a democratic Burma/Myanmar would be able to

1 Both Myanmar and Burma are names that its citizens use to identify the country. After the seizure of power by the military junta, the then State Law and Order Restoration Council (SLORC) formally changed the name of the country to the more formal of the two, Myanmar, and also renamed the historic capital, Rangoon, "Yangon," building a new and remote capital, Naypyidaw. The choice of terminology is often seen to carry a political connotation: most democracy activists continue to call the country Burma and the capital Rangoon, while the use of "Myanmar" is often seen to confer legitimacy on the regime that formally adopted the name. In October 2010, the country was renamed the Republic of the Union of Myanmar, and given a new flag and national anthem.

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develop a peaceful *modus vivendi* for all its citizens. At that point, Burma/Myanmar was seen as having excellent prospects, being the largest rice exporter in the world, rich in minerals, rubber and timber, and possessing a larger educated managerial class than most other new states. The country held democratic elections, became an important founding member in the Non-Aligned Movement in the 1950s and played an active role on the world stage. In 1960, the Burmese elected U Nu as prime minister, and the following year, Burmese diplomat U Thant succeeded Dag Hammarskjöld as UN Secretary-General.

In 1962, a military coup by General Ne Win brought Burma/Myanmar's fledgling democracy and international engagement to a halt with his "Burmese path to socialism," an isolationist policy intended to be a blend of "Marxist economics, Buddhism, and autocratic, military-dominated political rule" (Gray, 1987). All political parties, unions and associations were outlawed, protests brutally suppressed and the Burma Socialist Program Party served as a civilian front for military rule. Military intelligence services became ubiquitous, "producing a sense of fear and foreboding that permeates society" (Steinberg, 2001). Many of Burma/Myanmar's ethnic minorities — Karen, Shan, Chin, Karenni, Kachin and scores of others — had never reconciled themselves to the dominance of ethnic Burmans (the dominant and largest single group; "Burmese" usually connotes all peoples of Burma/Myanmar) post-independence and increasingly saw the Tatmadaw as an occupying and oppressive force, and increasingly rebelled against central control. As author Thant Myint-U (2008) points out, the Burmese military dictatorship is the longest-lasting military dictatorship in the world.

All aspects of governance were brought under the control of the Tatmadaw, including, most disastrously, the economy. Rice production began a long downward slide, and economic development began to increasingly lag behind neighbouring Thailand and Malaysia while physical plants decayed. An informal economy emerged to provide what the official economy could not, offering ample opportunity for military corruption. The country's professional class and academic institutions suffered greatly from the isolation and the militarization of society.

Not generally seen as a strategic interest abroad, Burma/Myanmar effectively disappeared from international consciousness for two-and-a-half decades, as the regime resisted all elements of external influence. The insurgencies that had plagued Burma/Myanmar from independence gained ground, exacerbated by the Tatmadaw's harsh tactics involving violence against civilians. These insurgent armies sometimes relied on the opium trade to finance their operations. An ambassador in Rangoon in 1987–1990 speculated that the regime allowed these insurgencies to continue on a low boil because they provided a useful justification for the necessity of military rule and prerogatives.

Burma/Myanmar's relative advantage at independence of having an educated stratum of civil servants was squandered from 1962 on, with the stifling of educational exchanges and the chilling effect of dictatorship on intellectual freedom. Well before the 1988 crackdown, Burma/Myanmar's educational establishments had fallen into

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sad decline, both physically and in terms of their ability to develop next generations. This deterioration only deepened, stunting Burma/Myanmar’s capabilities to adapt to higher-end global economic activity.

In 1987, in an attempt to rein in the black market it had itself created, the regime declared the currency in circulation to be worthless. Naturally, this generated a public outcry, leading to demonstrations in Rangoon and elsewhere. Short-lived in themselves, the demonstrations represented a crystallization of discontent. Tension with the regime simmered in the months that followed, erupting periodically through mid-1988. Ne Win resigned after 23 years as unelected ruler, transferring power to senior officers handpicked to succeed him. But his successor, General Sein Lwin, known as the “Butcher of Burma” for his brutal suppression of student demonstrations in 1962, was not acceptable to the Burmese street, which began to mobilize in August for what became known as the 8-8-88 movement.

A massacre of students, doctors and nurses in front of Rangoon’s main hospital on August 11, 1988 was a turning point. Disbelief that the army would shoot doctors and nurses caused the residual social stock of the Tatmadaw to fall precipitously. Protests broadened to include the professional classes and, importantly, Buddhist monks, and to other cities and towns, including the northern urban centre of Mandalay. After street violence driven by the regime killed 112 people in Rangoon, Sein Lwin was forced to step aside, and the first civilian leader since 1962, Attorney General Maung Maung took the helm, in title only, while the Tatmadaw remained the power in Burma/Myanmar.

In a national broadcast, Maung Maung declared the need for economic reform and patience on the part of the Burmese, and raising the possibility of — but not committing to — multi-party elections.

The opposition was fragmented. Former Prime Minister Nu pressed for the interim return of the last elected government, overthrown in 1962. Democrats around scholar and UK resident Aung San Suu Kyi, daughter of independence leader Aung San, disagreed, and asserted it was time for more thorough change. Discussions to resolve this and to announce a joint interim government were ongoing. On September 21, an announcement by Maung Maung declared that elections would be held under the supervision of the current, and not an interim government, as soon as late October. This was roundly rejected by all opposition leaders, and the situation became increasingly militant. One student group approached the US Embassy seeking weapons with which to fight, and Buddhist monks led an armed assault on an army position forcing the surrender of 100 troops. Opposition leaders issued a joint call for restraint.

The army launched a violent crackdown nationwide, killing hundreds, including monks and students. Civilians armed themselves and fought pitched street battles with whatever weapons they had at hand — mostly knives and slingshots. Troops fired into the crowd outside the US Embassy, proving wrong the expectations of many demonstrators and diplomats that the location would protect them. Students put up posters calling for “appropriate action” against the army. Aung San Suu Kyi

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stated that the people “are not prepared to give in, because their resentment and bitterness has reached such proportions.” By September 24, the army’s control over Rangoon, Mandalay and the other cities of the country appeared secure to diplomats and journalists. All opposition leaders were jailed or detained.

Estimates of the numbers killed ranged between 3,000 and 4,000. The Tatmadaw’s new regime, the SLORC, renamed the country Myanmar and its capital Yangon. They mounted a campaign to forcibly resettle tens of thousands of citizens presumed to be opposition supporters outside the main cities. Many students and others sought refuge in Thailand, where most languished in a stateless status for years, with little international attention to their plight or efforts to assist on the part of democratic governments.

At the end of May 1990, the SLORC organized elections in which the opposition could participate. Western diplomats, human rights activists and journalists made the logical assumption that the elections would be neither free nor fair, given the continued imprisonment of opposition leaders like Aung San Suu Kyi, who now headed a unified opposition, the National League for Democracy (NLD). Campaigning was essentially non-existent; there was no free media. “In a free election, the [NLD] would win. Even under severe restrictions, it would do well if the votes are counted fairly,” said one diplomat at the time. While voters were afraid, they turned out to cast their votes in a process that was indeed free, delivering a landslide NLD victory — 386 of the 495 seats in Parliament. The SLORC apparently had been confident that its puppet party would perform well in the countryside and overwhelm the urban vote. “It showed how positively obtuse and divorced from its own people the military was...They were pretty confident,” noted then US Ambassador Burton Levin.

As soon as the gravity of its error sank in, the SLORC initiated a rearguard action to deny the election results, stating that an NLD government would not be “strong” enough. “The military...came up with one regulation and restriction after another...trash[ing] the election results,” according to former Ambassador Levin. Levin noted the military self-justification was that intellectuals and businessmen could not be trusted: “we are the only ones with the requisite patriotism and selflessness to hold the country together.” The regime prioritized establishing territorial control over all of Burma/Myanmar, intensifying efforts to crush ethnic minority efforts at de facto or de jure independence, even in cases where hostilities had stalled. The regime also began to expel the Muslim minority Rohingyas from western Burma/Myanmar into Thailand and Bangladesh. They were deprived of citizenship under a law passed by the Ne Win regime. Tens of thousands had been expelled in earlier waves.

In 1991, Aung San Suu Kyi was awarded the Nobel Peace Prize. The committee’s chair, Francis Sejersted, called her “an outstanding example of the power of the powerless,” quoting a title by former Czech dissident, by then Czechoslovak President, Václav Havel, who had become a lifelong ally of “The Lady.”

The National Convention was established by the SLORC in 1993 to develop a new constitution, but failed to do so. In 1997, the SLORC changed its name to the State

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Peace and Development Council (SPDC). But while there were some changes in the personnel lineup, the military’s dominance and the repressive apparatus remained unchanged.

To call the Tatmadaw a state within a state is an understatement — as far as they are concerned, the generals *are* the state. A statement made on Armed Forces Day in late March 2010 — the only one in bold print on the English press release — was “the nation will be strong only when the armed forces are strong.” The SPDC was theoretically a collegial body, but Senior General Than Shwe was the *primus inter pares* and demoted, sidelined or imprisoned senior officers who he considered insufficiently loyal.

The SLORC/SPDC needed foreign investment to fuel the Tatmadaw’s buildup, so the regime began to open up economically — but only to the benefit of the regime and its all-controlling patronage system. There was considerable foreign investment in the 1990s, particularly in the petroleum and gas sectors, logging, mining and fishing, but also in consumer goods; however, few of the benefits have trickled down to the general population. Furthermore, the extraction of these natural resources often entails major environmental degradation.

The opposition was outlawed and heavily restricted, with Aung San Suu Kyi rarely free from house arrest from 1988 on. Freed in 2002, she was put into prison the following year. The SPDC announced a “road map to disciplined democracy” in 2003, but this was derided as a sham by the NLD, which called for international sanctions and a boycott of tourism to Burma/Myanmar. Fearing popular backlash despite the massive repressive apparatus, SPDC leader and Tatmadaw commander Senior General Than Shwe had a purpose-built capital city constructed in Burma/Myanmar’s northern highlands to further isolate the increasingly wealthy leadership from the general population and even from civilian members of the government. Reportedly, Than Shwe made the decision after consulting his court astrologer.

In September 2007, rising fuel costs sparked civil unrest anew in Rangoon and beyond. Resistance grew, drawing in thousands of Buddhist monks along with a cross-section of the broad population. The regime initially held off on cracking down, especially on the revered monks, no doubt hoping that the demonstrations would fizzle. But ultimately, in late September, the SPDC employed brute force to suppress the peaceful demonstrations and conducted invasive searches in monasteries in search of those involved. The government claimed nine were killed, but the UN Human Rights Council’s Special Rapporteur for Burma/Myanmar Paulo Sérgio Pinheiro estimates the number at 31. Pinheiro also reported that protesters detained by the Burmese government were subjected to torture and cruel, inhuman and degrading treatment. He stated, “Since the crackdown there have been an increasing number of reports of deaths in custody as well as beatings, ill-treatment, lack of food, water, or medical treatment in overcrowded unsanitary detention facilities across the country.” Estimates of political prisoners ranged up to 2,100, including a number of veterans of the 1988 student uprising. The brutality of the crackdown

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was seen by diplomats and analysts as placing a major damper on popular will to mobilize.

The junta set the date for a national referendum on the new constitution for May 10, 2008, and increased its repressive measures in advance, cracking down on those members of the opposition and civil society apt to be working to generate a “no” vote. The constitutional draft gave the Tatmadaw an automatic 25 percent of seats in both houses of the legislature, granted blanket amnesty to all soldiers for any crimes and legally disqualified Aung San Suu Kyi from political office, because she had been married to a foreigner and has children with foreign citizenship.

On the night of May 2, 2008, Tropical Cyclone Nargis hit the Irrawaddy Delta area southwest of the capital, inundating the country's most agriculturally productive land and killing tens of thousands. Storm surge inflicted most of the casualties. Over 40 warnings from Indian meteorologists were sent to the Burmese regime on the scale and likely impact area of the storm, yet these were not conveyed as proper or timely warnings to Delta residents.

External observers assessed that the flooding damage was massively exacerbated by the prior destruction of mangroves in coastal wetlands. British Ambassador Mark Canning said at the time that the scale of the required relief effort was roughly double that of the 2004 Aceh tsunami. The health threat placed 1 to 1.5 million people in direct jeopardy. Access to disaster relief experts and those prepared to distribute aid remained severely constrained for more than a month after the cyclone. Foreign journalists reported local anger at the lack of assistance from the military. The estimated death toll was 140,000, with 2.5 million displaced. Following weeks of heavy international diplomatic engagement and pressure, the regime finally allowed some international assistance into the affected areas. Aid agencies were then permitted to operate in the disaster zone, but the initial resistance to external humanitarian involvement cast a long shadow, dissuading international assistance. One humanitarian aid worker estimated that the assistance devoted to relief for Nargis was a mere 10 percent of that dedicated to relief from the 2004 Aceh tsunami, though the scale of the suffering was comparable. A Johns Hopkins University study, conducted with Burmese volunteers, asserts that the junta sold donated aid supplies on the local market and used forced labour for reconstruction efforts and recommended that a case against the regime be brought before the International Criminal Court. Transparency International's 2008 report placed Burma/Myanmar in second-to-last place, only ahead of Somalia, in terms of corruption.

Perhaps the only positive by-product of the calamity was that ad hoc Burmese community-based organizations, many of which were organized to deliver assistance to their compatriots in the wake of Cyclone Nargis, found ways to operate with increasing confidence in a still very repressive environment. “There is still room to change at the small scale,” said one AIDS activist. “People say civil society is dead. But it never dies. Sometimes it takes different forms, under the pretext of religion, under pretext of medicine.” Through such tolerated activity, Burmese tried to

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expand the space for civic organization, with the hope of applying this organization politically at a stage when this became possible.

The regime pushed ahead with the referendum for May 10, 2008. In the wake of Cyclone Nargis, the referendum results were hardly reported in the foreign press. Journalists reporting from the disaster area without permission spoke with Delta residents who said they would vote “no” as a result of the junta’s risible response. Despite some Burmese bravely (though not openly) voting against, the “overwhelming support” for the measure was never really much in doubt, given the process before the election and who counted the votes. The official figures reported 99 percent turnout and 92 percent support for the new constitution.

The violence meted out against the citizens, including monks beaten and tortured in the 2007 protests, and the callous indifference to their plight after the 2008 cyclone further diminished the regime’s legitimacy in the eyes of the Burmese people. But “the memories of 2007 are still raw,” according to a Rangoon-based diplomat.

In May 2009, US citizen John Yettaw swam across a lake to Aung San Suu Kyi’s home uninvited; he was arrested on his swim back two days later. The incident struck many long-time Burma/Myanmar watchers as highly implausible, given the tight security around the residence. Yettaw was released after an August 2009 visit by then US Senator Jim Webb, a Virginia Democrat who chaired the Senate Foreign Relations Committee’s East Asia and Pacific Affairs Subcommittee, and who has advocated greater engagement with the junta. Webb was the first member of Congress to visit the country in a decade, and the first to meet Senior General Than Shwe.

The regime accused Nobel laureate Suu Kyi of breaching the terms of her house arrest and incarcerated her in Insein Prison before her trial. With varying degrees of difficulty, diplomats were given access to the proceedings. Suu Kyi was convicted in August and her sentence, initially five years imprisonment, was commuted to 18 months additional house arrest. The British Foreign and Commonwealth Office noted that Than Shwe issued a directive to the court the day before her sentencing. Before the conviction, the NLD had stated it would participate in the election if all political prisoners (estimated in the thousands, including some arrested for distributing cyclone aid) were released, the constitution changed and international observers were admitted.

The ability to influence the inward-directed and wholly self-interested military regime remained a massive hurdle for most democracies, especially with new revenue streams coming to the military from natural gas, along with the continued destructive clear-cutting of old growth forests and trade in gemstones, and diversion of agricultural land to cultivate jatropha for biofuels. The *Financial Times* reported in July 2009 that a nouveau riche of connected urban traders was increasingly visible in Rangoon, but some questioned whether the conspicuous consumption was a sign of economic health and durable progress. “You can’t put it in the bank, so you put your money in cars or a nice new house to keep the value of the money,” one businessperson told the reporter.

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Hopes that the elections might allow some element of open competition or result in the Tatmadaw's power being checked to some degree were dashed. In March 2010, the Burmese government annulled the results of the 1990 election, which the NLD won by a landslide, stating that the new election law that it had promulgated invalidated the prior electoral law. This new electoral law greatly expanded the pool of those who could not run for office to include those convicted of crimes (to eliminate former opposition and other political prisoners) and those belonging to religious orders (to disallow monks who participated in the attempted "Saffron Revolution" of 2007).

The new election law was roundly criticized internationally. Then Filipino Foreign Minister Alberto Romulo said in March 2010 that "unless they release Aung San Suu Kyi and allow her party to participate in elections, it's a complete farce and therefore contrary to their roadmap to democracy." UN Secretary-General Ban Ki-moon stated that any election that didn't allow Suu Kyi to participate would not be regarded as credible. US State Department spokesman P. J. Crowley stated that the laws were "a mockery of the democratic process and ensure that the upcoming election will be devoid of credibility." Suu Kyi was reported by NLD spokesperson Nyan Win to have said, "such challenges call for resolute responses and [she] calls on the people and democratic forces to take unanimous action against such unfair laws."

With so many of its leaders disqualified from participating in the elections, the NLD's leadership of roughly 100 decided against participation, after what was apparently spirited internal debate, fearing they could legitimize an inherently unfair process. Prior to the decision, long-time NLD member Win Tin described the decision to the BBC as a "matter of life and death...If we don't register, we will not have a party and we will be without legs and limbs" (Than, 2010). But Tin Oo, the NLD deputy leader recently released from prison, stated "There are many peaceful ways to continue our activities." NLD Spokesman Nyan Win told Reuters that "After a vote of the committee of members, the NLD party has decided not to register as a political party because the election laws are unjust."

The stacking of the deck for the election continued with Prime Minister Thein Sein's resignation from the military, along with about 20 other senior officers. Thein Sein, handpicked by Senior General Than Shwe to succeed him, was a longtime member of the SPDC and considered a reformist in military circles. These men then formed a political party, the Union Solidarity and Development Party (USDP) to parallel the Tatmadaw's ostensibly mass popular organization, the Union Solidarity and Development Association, which claims to have 24 million members. This move was apparently aimed at boosting the Tatmadaw's control of the elected legislature, which is composed of 25 percent of their own to begin with and requires more than 75 percent of votes to amend the constitution that now governs this "disciplined democracy." Three ministries — for defence, interior and border affairs — must be held by serving generals.

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Tomás Ojea Quintana, a UN special envoy for human rights who visited the country three times, stated in a leaked report to the UN Security Council in March 2010 that the junta had engaged in “gross and systematic violation of human rights...The possibility exists that some of these human rights violations may entail categories of crimes against humanity or war crimes.” These abuses were especially pronounced in the border areas and included the recruitment and use of child soldiers. The junta was estimated to be incarcerating roughly 2,100 political prisoners at the time. Quintana’s report also noted that “far too many” people in Burma/Myanmar were denied basic food, shelter, health and education. Minority groups have been particularly persecuted.

The resulting desperation led to even more violence. Some, who had inked ceasefire agreements with the military years before, decided that they could no longer accept the violation of their rights and again took up arms. Khun Thurein, head of the 100-man Pao National Liberation Army operating from the eastern border region, explained to the BBC Burmese Service’s Ko Ko Aung that he resumed fighting with his small force to resist persistent human rights abuses by the Tatmadaw and its effort to establish a “Burmese monoculture.” “Our leaders wanted peace and democracy,” he said. “They wanted to sort out the political problems by political means. We never had a chance to sort the problems politically, so I thought the Burmese government would eliminate us.” When the journalist noted that a single military operation could eliminate his entire force, Khun Thurein replied that he “would rather die fighting than bowing down to the pressure of the Burmese military regime to lay down arms without a political solution.” A series of coordinated bombings in a lakeside park in Rangoon in April 2010 killed nine people and wounded 75, according to state TV. Their perpetrators remain unknown. The bombing sent an ominous signal that not only Burma/Myanmar’s ethnic minorities had determined that the path to political change could not be achieved peacefully.

Rumours of a Tatmadaw nuclear weapons development effort began to surface in 2009 and gained credibility in 2010 with the defection of a former officer and his allegations broadcast by the Oslo-based Democratic Voice of Burma.

One Western diplomat believed that the 2010 elections held an opportunity for Burmese civil society to mobilize (“not in a ‘color revolution’ way”), despite the clear determination of the generals to leave nothing to chance. This will be “the first time in 20 years for Burmese to engage in politics. Many [Burmese] think of ‘politics’ as a dirty word. But this is an opportunity of engaging people, and changing the regime dynamic. There will be a generational shift as well. There will be a new parliament. There will be new ways to influence policy in a positive way. It’s a long shot, but the opportunities are there, both because there will be new structures and elements that are impossible to predict because of the shifting dynamics.”

The new USDP claimed a resounding win in November 2010 election, which was widely condemned as fraudulent and unfair. The NLD did not participate, but a splinter fraction of the party, the National Democratic Front, did. A week later, Aung San Suu Kyi was released from house arrest and soon allowed an Internet

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connection. Former Prime Minister Thein Sein, now USDP leader, was sworn in as president in March 2011. The two leaders met in the new purpose-built capital, Naypyidaw, in August 2011. From this point on, developments moved rapidly.

In a move that startled many observers, President Thein Sein halted construction of the Chinese-financed Myitsone hydroelectric dam in September 2011. Once online, the dam would have delivered electricity mainly to China. The project was controversial both for environmental reasons and the level of integration it reflected with China. The halt was seen as a bow to strong public opinion on the matter.

In late 2011, a general amnesty released many prisoners, including some 200 who had been imprisoned for political activity or their beliefs. Aung San Suu Kyi said she would run for a seat in Parliament in upcoming by-elections the following spring. In December 2011, US Secretary of State Hillary Clinton met with Suu Kyi in Rangoon and then with President Thein Sein in Naypyidaw. Clinton offered to upgrade relations with Burma/Myanmar should reforms continue. By the end of the year, political demonstrations were permitted and the NLD re-registered as a political party to compete in early 2012 by-elections.

Progress was also evident in regard to ongoing ethnic insurgencies — 11 major armed groups in all — throughout Burma/Myanmar. At the end of 2011, a truce was signed with the Shan State Army and military operations against the Kachin were halted. In January 2012, a ceasefire was signed with the Karen. In addition, many political prisoners were released the same month.

Prior to the awaited April 2012 by-election, Suu Kyi was philosophical. “Some are a little bit too optimistic about the situation,” she said prior to the vote. “We are cautiously optimistic. We are at the beginning of a road.” The NLD took 43 of the 45 seats. While this was a major victory in its first electoral test since 1990, it yielded the opposition party little actual power. It held approximately six percent of the Parliament’s 664 seats. To change the constitution to allow Suu Kyi to run for the presidency, 75 percent of the members needed to vote in favour. Still, it was an auspicious beginning. Voters in the Irrawaddy Delta constituency, which Suu Kyi chose as her own, were thrilled. “I was so excited about voting I didn’t sleep at all,” one betel nut and bamboo farmer told a BBC correspondent. He didn’t vote in 2010, since there was no candidate he liked. “Now we have Daw Suu and we all love and yearn for her.” At his polling station, half the registered voters had voted by 9:30 a.m. There were voting list discrepancies, denying right to cast a ballot to many, especially those who had recently turned 18 since the 2010 vote. But the vote led some in the opposition to voice greater hope. NLD official Myo Win said at the time “The army has changed and [is] now more lenient... So there is more of a possibility that Aung San Suu Kyi can become president in 2015.” The following month, Suu Kyi demonstrated her confidence that she would be allowed to return by leaving the country for the first time since her arrival in 1988.

EU foreign policy chief Catherine Ashton, British Prime Minister David Cameron, and UN Secretary-General Ban Ki-moon all visited the country in April, praising progress and pressing for deeper reform. Indian Prime Minister Manmohan Singh

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visited the following month, the first such visit since 1987. He signed 12 agreements, mostly to strengthen diplomatic and trade ties.

As the year went on, violence erupted between Buddhists and Rohingya Muslims in northwestern Rakhine. The violence, sparked by a reported rape and killing by a Rohingya, led to pogroms against the long-persecuted Rohingyas. Dozens were killed and thousands displaced. In August, President Thein Sein ordered a commission of inquiry.

That same month, pre-publication censorship was ended. Journalists now no longer have to have their reports vetted by censors. Hardline Information Minister Kyaw Hsan was replaced by the regime’s interlocutor with Suu Kyi, Aung Mye Thaw, a reputed moderate. The Press Scrutiny and Registration Division, the official censorship body, remained in place. In mid-2012, there were just over half a million Internet users in the country. Censorship online was assessed by the OpenNet Initiative to have declined markedly in 2012. By April 2013, four private dailies appeared for sale — 16 were granted licences for publication.

In September 2012, the government removed more than 2,000 names from a blacklist of Burmese who had hitherto been banned from return. Moe The Zun, the leader of the 8-8-88 student protests, was among those allowed to return. The same month, President Thein Sein said he would accept Suu Kyi as president, were she elected. Newly re-elected US President Obama visited Burma/Myanmar, offering the “hand of friendship” in return for continued reform. He made specific mention of the anti-Muslim violence in Rakhine state.

But early 2013 saw further worrisome developments in Burma/Myanmar. The military ended a ceasefire against the Kachin rebels near the Chinese border, launching a major offensive in January and February. The Chinese sponsored ceasefire talks in the neighbouring Chinese town of Riuli. In late May 2013, a ceasefire deal was reached, with political talks to follow. In March, a new front for Buddhist-Muslim violence had opened in Meiktila, near Mandalay, which has a 30 percent Muslim population. Several were killed and mosques and madrasas were torched; 12,000 Muslims were displaced. As in Rakhine, Buddhist monks were directly engaged in the violence, and security forces accused of complicity. This seems borne out by the available evidence. A former army captain quoted by the BBC was incredulous. “I saw eight boys killed in front of me. I tried to stop them...But they threatened me, and the police pulled me away. The police did not do anything — I don’t know why. Perhaps because they lack experience, perhaps because they did not know what orders to give...On the banks thousands of people were cheering. When someone was killed, they cheered...There were women, monks, young people. I feel disgusted — and ashamed,” the veteran told the BBC (BBC News Asia, 2013). Muslims, formerly prominent in the town’s commerce, gathered in ersatz camps, guarded by police. One Buddhist monk openly condoned the violence, speaking of Muslim birthrates and takeover. “Now they are taking over our political parties. If this goes on, we will end up like Afghanistan or Indonesia” (ibid.). He likened the Muslims to a seed that must be uprooted before it grows

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big enough to do damage. President Thein Sein warned “political opportunists and religious extremists” against fomenting inter-religious strife.

Despite these developments, progress continued on other fronts in 2013. Since 2011, 750 political prisoners have been released. As of January 2013, public gatherings of more than five persons are no longer illegal. President Thein Sein launched an extensive European tour, beginning in Norway, with its considerable Burmese diaspora population, in February 2013. He later reciprocated US President Obama’s visit with one of his own to Washington in May. Numerous sanctions were lifted by the EU and US, and trade ties began to proliferate.

While liberalization is an ongoing reality and Western businesses troop in to tap into a growing new market, Burma/Myanmar’s direction is hardly certain. It retains some of the world’s most dire human development indicators. In 2013, the country ranked 149 of 187 states on the UN Human Development Index. One quarter of its people live in poverty (measured at US\$1.25 per person per day). Less than one percent of GDP is spent in public expenditure on health and education — the world’s lowest proportion. There are, as yet, no indications that the Tatmadaw is willing to redirect its massive share of the national purse in that direction, as foreign donors work to pick up the pieces of its misrule. UN Secretary-General Ban Ki-moon notes that while there are fewer reports of child soldiers recruited in Burma/Myanmar, it remains a problem. Particularly troubling is the growing intercommunal violence, which is trending up just as the traditional insurgencies are being resolved in turn. There is also no clarity as of yet about whether the general elections planned for 2015 will allow full democratic competition — that is, will the country’s most popular figure be allowed to run?

The case of Burma/Myanmar shows the sorts of diplomatic activities that can be pursued in a “hard case.” It also may well show what can be done in a period of subsequent liberalization. It remains too early at the time of writing to know if the change is sufficiently deep and durable to produce real democracy. Given the top-down nature of the changes, the policy responses from democratic capitals have been driven from a high level. The ground-level impact on diplomatic practice is to be documented between now and 2015, in a future edition of the *Handbook*.

INTERNATIONAL POLICY POSTURES

In general, international policy responses through 2011 fell into one of two very general categories: countries that unequivocally condemned the Burmese military government and called for reinstatement of the 1990 election results and democratic transition, and those that called for engagement with the Burmese military government, rather than isolation.

Since the 1990s, Western states, including the US, EU members, Norway and Canada increasingly pursued a policy of sanctions and called unambiguously for a democratic transition. The effectiveness of sanctions in promoting positive change

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has long been a subject of debate. Arms embargoes are the least controversial. Australia adopted this but not other sanctions.

But partisans of economic sanctions argued that the revenues from foreign investment and purchase of Burmese exports essentially only redounded to the benefit — and repressive capacity — of the Tatmadaw by giving it foreign exchange to buy arms from China, Russia and probably North Korea. NLD leader Aung Sang Suu Kyi had long called on tourists to avoid Burma/Myanmar, but others argued that sustaining activity such as non-official tourism helped to develop Burmese civil society. The relative merits of further isolating an already insular (and hence indifferent) regime were also debated by the Burmese living outside the country. Some high-profile Burmese abroad advocated an effort to induce the regime to evolve and saw a heavily censorious Western approach as counterproductive.

By 2010, democracies observed that none of the approaches enumerated had delivered satisfactory results. “It’s not a question of sides,” said one Rangoon-based diplomat. “I think this sort of thinking has been a big part of the problem. We should all see what we can do together to help the people of Myanmar. There’s no question that the government is underperforming and underproviding for its people — there is common agreement about that. We’ve got to try and find ways to change that.” According to our interview with human rights activist Benedict Rogers in January 2008, “it’s not a question of engagement or not — we’ve advocated dialogue among the regime, Aung Sang Suu Kyi and the ethnic groups...The question is what you talk about and how you do it.”

The 2011 opening in Burma/Myanmar has catalyzed a convergence of policy among democracies. Without notable exception, all democracies have by now embraced President Thein Sein’s actions and overtures. Detailed descriptions of policy developments follow below.

The **US government** applied economic sanctions to Burma/Myanmar immediately after the 1988 military coup and repression of the 8-8-88 pro-democracy demonstrations. Initial economic sanctions included an arms embargo and restrictions on new investments by American companies in Burma/Myanmar. The US also downgraded its relations with Burma/Myanmar, not replacing Ambassador Burton Levin, but leaving the embassy headed by a chargé d’affaires.

The 2003 Burma/Myanmar Freedom and Democracy Act banned imports from Burma/Myanmar, but allowed teak and gems processed outside the country to be imported. Subsequent legislation, the 2008 Tom Lantos Block Burmese Junta’s Anti-Democratic Efforts Act closed this glaring loophole, banning importation of jadeite or rubies in any form. As a result of the government’s September 2007 crackdown, the US tightened economic sanctions, enabling the Treasury Department’s Office of Foreign Asset Control to deny entry to the US and to freeze the assets of individuals “responsible for human rights abuses as well as public corruption,” including “those who provide material and financial backing to these individuals or to the government of Burma.” However, California-based Chevron remains invested in a prior joint venture with France’s oil company Total, in Burma/Myanmar’s state-owned oil firm.

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In February 2009, US Secretary of State Clinton announced a policy review on Burma/Myanmar. “Clearly, the path we have taken in imposing sanctions hasn’t influenced the Burmese junta,” she said, adding that the path taken by others, including the ASEAN, of “reaching out and trying to engage them has not influenced them, either.” In March 2009, State Department official Stephen Blake met with Burmese Foreign Minister Nyan Win. US President Obama renewed the US sanctions in May 2009, and US Senator Jim Webb visited Burma/Myanmar in August 2009, meeting with both the generals in Naypyidaw and with Aung San Suu Kyi, after which American John Yettaw was released. Webb, close to Obama, has long advocated a lifting of US sanctions. But following the new election law, which impeded NLD participation, this new approach appeared to have hit a wall. The resulting policy posture was unclear. After condemning the election law and stating any results from it would lack credibility, the US State Department stated “Our engagement with Burma will have to continue until we can make clear that... the results thus far are not what we had expected and that they’re going to have to do better.”

Following the inauguration of President Thein Sein and the resulting thaw, Secretary Clinton visited Burma/Myanmar in November-December 2011, the first such visit since the Eisenhower administration. Visiting both the president in Naypyidaw and Aung San Suu Kyi in Rangoon, her message was that if reform continued, relations would continue to improve. In January 2012, Clinton announced that US Ambassador Derek Mitchell would be posted to Rangoon, 24 years after the last US Ambassador, Burton Levin, departed. Mitchell took his post in July, and foreign assistance is on the rise.

Secretary Clinton announced a “targeted easing” of sanctions in July 2012, allowing US companies to begin to invest at a small scale. Larger investors would be required to file regular State Department reports certifying they respected workers’ rights and detailing any payments more than US\$10,000 to official or government-controlled entities. However, in a move much criticized by human rights activists, investment in the state-owned oil firm was now permitted. At the same time, President Obama issued an executive order expanding the ability to apply personal sanctions to those who impede the reform process in Burma/Myanmar. Soon after his re-election in November 2012, President Obama visited Rangoon (not Naypyidaw; President Thein Sein met him in the country’s commercial hub), encouraging further reform and an end to violence against Rohingya Muslims in Rakhine state. Human rights activists worried that this visit would reduce US leverage to press for further reform. Visa restrictions on many top officials were rescinded in early 2013, as was a ban on financial transactions with some Burmese banks.

President Thein Sein visited Washington six months later, in May 2013, the first such visit in 47 years. Another installment of political prisoners (about 20) were released in advance of the trip. President Obama declared his support for Thein Sein’s reform effort. “We want you to know that the United States will make every effort to assist you on what I know is a long, and sometimes difficult but ultimately

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correct path to follow,” he said. He also repeatedly called the country Myanmar, departing from common US official practice. White House spokesman Jay Carney called this a “diplomatic courtesy” offered in recognition of ongoing reform. In a background briefing, a senior administration official said that “that initial euphoria, that honeymoon period, is starting to wear off... This is a check-in meeting.” During the visit, US Senator Mitch McConnell announced a bipartisan move to allow the Burmese Freedom and Democracy Act, which had been waived for a year, to lapse altogether by not renewing it when it expired. It had been renewed periodically since its adoption in 2003. “The administration has extended an olive branch to the new Burmese government and I believe it is time for Congress to do the same... I believe that renewing the sanctions would be a slap in the face to Burmese reformers and embolden those within Burma who want to slow or reverse reform,” he told the Senate. Human rights campaigners again voiced concern over reducing US leverage to drive reform.

The **European Union** adopted the EU Common Position on Burma/Myanmar in 1996 and has also progressively strengthened measures since, extending EU sanctions to include an arms embargo, freezing assets and visas for government officials and their families, and prohibiting loans to Burmese state-owned enterprises. In October 2007, a ban on investment in or export of equipment for the timber, mining and gems industries was added.

In 1996, Danish consul James Leander Nichols was sentenced to three years in prison for possessing a telephone switchboard and two fax machines. He died two months later; no independent autopsy was permitted. Soon after, the EU and Canada called in the UN for pressure for a democratization process.

The EU continued, however, to provide humanitarian and development assistance to Burma/Myanmar and its sanctions regime allowed French oil giant Total to continue its exploration and drilling. Following the conviction of Aung San Suu Kyi in August 2009, the EU added members of the Burmese judiciary who were involved in her trial to a list of over 500 officials who could not enter the EU and whose assets in the EU were frozen.

While all EU members suspended bilateral aid (aside from humanitarian aid), they varied in terms of their assertiveness on democracy issues. The British in Rangoon developed a reputation as the most vocal and proactive. The Dutch and Czechs, operating from Bangkok, also have some profile. Following the conviction of Suu Kyi in August 2009 for violating the terms of her house arrest, Britain and France called for global arms and economic embargoes. The British Foreign Office also proposed EU-wide sanctions “targeting the regime’s economic interests,” urging the UN Security Council to adopt wider sanctions. The Foreign Office also called on Burma/Myanmar’s neighbours in Asia to ratchet up the pressure. Then German Foreign Minister Frank-Walter Steinmeier called the trial a “farce” and called on the regime to free Suu Kyi immediately.

As with the US, the EU has reviewed its policy portfolio and amended it in a major way since 2011. In 2012, it suspended the majority of its sanctions against

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Burma/Myanmar; only the arms embargo remained. In November that year, European Commission President Jose Manuel Barroso visited and announced €100 million in development assistance. In February-March 2013, Burmese President Thein Sein embarked on a wide European tour, visiting a number of capitals. In April 2013, despite recognizing “significant challenges” remaining, “in response to the significant changes that have taken place and in the expectation that they will continue,” the EU lifted its sanctions altogether. Burmese democracy leader (and now legislator) Aung San Suu Kyi requested they be lifted. “It is time we let these sanctions go...I don’t want to rely on external factors forever to bring about national reconciliation, which is the key to progress in our country.” Many member state officials went on the record applauding this common move. British Foreign Secretary William Hague, for example, said the reforms to date merited such recognition, but that “the work of the EU in Burma is not remotely finished. It is important to continue working on improving human rights, on improving the humanitarian situation, in helping the Burmese to address issues of ethnic violence, particularly attacks on Muslim communities.”

Thein Sein met in Brussels with EU foreign policy chief Catherine Ashton, European Council President Herman van Rompuy, and European Commission President Barroso. “You have in the European Union a committed and long-term partner for the historic journey that Myanmar and its people have started,” van Rompuy told Thein Sein. The EU’s move was criticized by activists as giving away leverage too soon, particularly as the government was implicated in worsening abuses against its Muslim religious minority. Human Rights Watch Asia Director Lotte Leicht called the move “premature and regrettable,” adding that “gushing superlatives appear to have replaced objective assessments in EU decision-making on Burma.” Leicht argued that the lifting of sanctions “imperils human rights gains made thus far.” Human Rights Watch had just published a report documenting government complicity in 2012 attacks on Muslims in Rakhine state, which it called ethnic cleansing and crimes against humanity. Officials in Naypyidaw panned the report with a statement that they didn’t “understand the situation on the ground.” High Representative Catherine Ashton is scheduled to visit Burma/Myanmar later this year.

Norway has long backed the exiled opposition and hosts the Democratic Voice of Burma television and radio. In late February 2013, President Thein Sein launched his European tour in Oslo. “The reason I chose Norway to be my first stop is because Norway helped our people and country in terms of education, health care and support for environmental conservation,” he said, thanking his hosts for forgiving US\$527 million debt, thereby allowing Burma/Myanmar to receive new credits from IFIs like the IMF and the Asian Development Bank. Thein Sein also encouraged Burmese in Norway to return to help build “the Union.”

Canada levied sanctions on Burma/Myanmar in 2007, barring exports to the country (except humanitarian goods), as well as imports. Regime-linked Burmese had their assets frozen, and financial and technical services were barred. Canada

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loosened these sanctions in April 2013, suspending the 2007 Special Economic Measures (Burma) Regulations, including on exports, imports, financial services and investment. Individually targeted sanctions remained in place. Trade Minister Ed Fast noted that Canada aimed to deepen economic ties. Ottawa also appointed its first-ever resident ambassador, Mark MacDowell, for service in Burma/Myanmar in late May 2013. Diplomatic and trade relations had previously been handled through Bangkok.

In the wake of the September 2007 crackdown, **Australia** expanded its personal sanctions of restrictions on arms sales, travel restrictions on senior figures and associates of the regime, and targeted financial sanctions to include 418 “Burmese regime figures and their supporters,” but explicitly excluded “Australians with commercial dealings with regime members in the oil, gas or publishing industries.” According to the Australian Department of Foreign Affairs and Trade, “Australia has never applied general trade or investment sanctions on Myanmar,” aside from a ban on defence exports. Aid is now set to increase to US\$100 million per year by 2015-2016. Development assistance focuses on education, health, livelihoods and rural development, peace building, and economic and democratic governance. US\$20 million of this is devoted to the Myanmar-Australia Partnership for Reform to strengthen democratic institutions and promote human rights, economic governance and rule of law. Still more funds are devoted to public health, particularly malaria, HIV prevention and AIDS treatment. A defence attaché has now been sent to “encourage the development of a modern, professional defence force in Myanmar that supports democratization and reform.” The arms embargo was maintained, but autonomous travel and financial sanctions were lifted in July 2012. Australia cooperates with Burma/Myanmar on counternarcotics law enforcement. Then Foreign Minister Kevin Rudd visited Burma/Myanmar in June 2011, and President Thein Sein returned the visit to Australia in March 2013.

New Zealand’s minimal bilateral relationship with Burma/Myanmar is developing since the reform process began in 2011. New Zealand’s representation is in Bangkok; Burma/Myanmar’s representation is in Canberra. In October 2012, the Burmese foreign minister visited New Zealand. New Zealand has devoted modest support over the past decade toward humanitarian relief and development projects. It has also funded English-language training for 239 Burmese officials since 1997 at the Mekong Institute, and has also funded scholarships at New Zealand universities. “All Burmese nationals who apply for entry visas to travel to New Zealand are assessed for any risk to New Zealand’s international reputation.” Visa bans on military leaders and their families remain in place.

Japan has, in contrast, pursued a softer position regarding Burma/Myanmar, asserting that a policy of economic and political engagement could be more productive. During the 1988 military coup and the repression of the 8-8-88 demonstrations, Japan, along with Western states, condemned the human rights violations perpetrated by the Burmese military, but was also the first OECD country to officially recognize the new military government. It did not impose sanctions. A

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senior representative from the Japanese Foreign Ministry stated that Japan's position is for "pressure and dialogue. [The Japanese government tries to] keep a working relationship with the government while maintaining pressure." Consequently, Japan became Burma/Myanmar's largest official development assistance donor, contributing approximately three-quarters of Burma/Myanmar's entire foreign aid. Japan argues that its closer economic engagement gave the Japanese Foreign Ministry greater influence with the Burmese government, though the results were difficult to identify.

As a result of the September 2007 protests and the killing of Japanese photojournalist Kenji Nagai by the Burmese military, however, Japan imposed economic sanctions on the Burmese government, including halting US\$4.7 million in funding for Rangoon University. Yet after being able to send observers to some polling stations in May 2009, the Japanese government declared that it had seen an "improvement in transparency." Japan also provided technical assistance to the regime for the 2010 elections.

In May 2013, Japan announced the cancellation of the Burma/Myanmar's remaining US\$1.74 billion debt, which followed the write off of US\$3.58 billion in January 2013. Japanese Prime Minister Shinzo Abe, in a visit to Rangoon (the first by a Japanese head of government in 36 years), announced a US\$504 million loan agreement to support infrastructure, electricity generation and power generation. "It is important to continue to back up the progress of Myanmar's reforms and [Japan] will continue its support to Myanmar," he said.

China was long reputed by diplomats in Rangoon and NGO activists to have the greatest influence and potential leverage on the Burmese junta. Beijing emerged over the 1990s as Burma/Myanmar's most important regional ally, investor, trading partner, arms supplier and consumer of Burma/Myanmar's resources. It has engaged in strategic cooperation with the Burmese generals, monitoring Indian missile tests and satellite launches from Great Coco Island, as well as supplying the Burmese military with a wide variety of armament.

China has supported the Burmese status quo, and has been Burma/Myanmar's main defender in international forums such as the UN, vetoing non-punitive, multilateral UN Security Council resolutions that would have condemned the Burmese government. The Chinese position in favour of the principle of non-interference in Burmese domestic affairs has been supported by **Russia** and others, and even democracies such as **South Africa**. This support has extended to preventing humanitarian access from being placed on the agenda of the UN Security Council in the wake of Cyclone Nargis.

In the aftermath of the September 2007 protests, however, China used its influence with the Burmese government to negotiate a visit to Burma/Myanmar by UN Special Envoy Ibrahim Gambari. Though China failed to directly condemn the Burmese government's crackdown against democracy activists, Chinese officials explicitly stated that Burma/Myanmar should "push forward a democracy process that is appropriate for the country." Former Chinese Premier Wen Jiabao also urged

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the Burmese government to “achieve democracy and development.” On October 11, 2007, China supported a UN Security Council resolution condemning the Burmese government’s violence against protestors and calling for the release of political prisoners.

After Cyclone Nargis in May 2008, China continued to cover for the Burmese regime in international forums, preventing joint international sanctions from being applied. It said the international community should respect Burmese law following Aung San Suu Kyi’s August 2009 conviction, but a resurgence of ethnic conflict in the northeastern Shan state, bordering China’s Yunnan province, between the Tatmadaw, local allies and ethnic Chinese Kokang rebels drove tens of thousands of refugees across the border, putting Beijing in an uncomfortable position. This led to the greatest friction between the junta and Beijing in recent memory. The Chinese government called on the Burmese regime to cease its offensive and restore stability. The cessation of the Myitsene Dam project came as a shock to Beijing. It maintains close relations with Naypyidaw (though it maintains its embassy in Rangoon), working occasionally to help resolve insurgencies. The recent opening to the West signals a diversification in Burma/Myanmar’s foreign policy, however, which must be unwelcome.

India, despite being the largest democracy in the world as well as the region, also maintained a policy of economic and diplomatic engagement with Burma/Myanmar for the past two decades. India is a major consumer of Burmese oil and gas, as well as a major investor in its economy; it is the country’s fourth largest trade partner, after Thailand, China and Singapore. India is participating in a major trilateral road construction project with Burma/Myanmar and Thailand, scheduled for completion in 2016.

Like the ASEAN (see below), India asserted that dialogue, rather than sanctions, was the most effective way to persuade the Burmese government to improve the political and human rights situation in the country. Some observers, however, saw India’s interests focussed on access to strategic resources and to countering the growing Chinese influence in Burma/Myanmar, which Indian strategists believe stole a march on India in the late 1980s and early 1990s, when it isolated the regime. It also has internal security concerns, including with rebel groups, which have shared arms with insurgents within India in the past. During the 2007 crackdown, India declared it had “no desire to interfere in the internal affairs” of Burma/Myanmar. During a visit earlier that year, Indian Foreign Minister Pranab Mukherjee said “India is a democracy and it wants democracy to flourish everywhere. But we are not interested in exporting our own ideology.” In March 2008, India made a US\$120 million deal with the junta to “build, operate and use” the port of Sittwe in the Bay of Bengal as part of a growing regional rivalry with China. UN Special Envoy Ibrahim Gambari called on India to employ its growing influence on the Burmese generals to gain the release of Aung San Suu Kyi and other political prisoners. India backed China and Russia in resisting broader international sanctions against the regime. India’s response to the August 2009 Suu Kyi verdict was muted.

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Russia has, along with China, typically vetoed efforts to apply pressure through the UN Security Council against the Burmese junta. It has also been a major arms dealer to the regime, selling it advanced fighter aircraft, and is supplying nuclear technology to build a light-water research reactor, which has generated considerable concern.

The **ASEAN**, which allowed Burma/Myanmar to join in 1997, has many member states that have maintained close relationships with the regime and are strong trading partners. Following the violent crackdown on the Saffron Revolution in 2007, ASEAN did condemn the government's violent repression. Many members seemed to lose their patience after having given the generals the benefit of the doubt for years. According to Malaysian Foreign Minister official Ahmad Shabery Cheek, "now Burma has to defend itself if it [is] bombarded at any international forum." But ASEAN still rejected calls from the US Senate to suspend Burma/Myanmar from membership. "Our approach is not to take such a confrontational, drastic action, especially when it doesn't yield good results," said ASEAN's then Secretary-General Ong Keng Yong. Following the August 2009 verdict against Aung San Suu Kyi, the ASEAN chairman released a statement expressing "deep disappointment" in the ruling, reiterating a call made at its summit the month before for "all those under detention," including the NLD leader, to be released so they could participate in the 2010 general elections. The outgoing Filipino Foreign Minister was quite incredulous about the new election law and its exclusion of Aung San Suu Kyi — but such statements remained an anomaly in the neighbourhood.

Thailand, perhaps the country most closely linked with Burma/Myanmar, took the chair of the ASEAN in July 2008. Immediately after the 1988 crackdown, Thailand helped keep the Burmese junta afloat financially by signing business deals that gave the country foreign exchange. Thailand is a major consumer of Burmese gas. Thailand's return to democratic rule led many to hope that it would become more assertive on behalf of Burma/Myanmar's democrats, as the Philippines and Indonesia have been. ASEAN parliamentarians have also been more supportive of Burmese democrats than their governments. While the site of much political turmoil over recent years, Thai policy toward Burma/Myanmar has been consistent and heavily influenced by the military, which has strong links with the junta. From the chair of the ASEAN, Thailand criticized the verdict against Aung San Suu Kyi. Thailand's former Prime Minister Abhisit Vejjajiva called for "balanced" and "complementary" international approaches toward Burma/Myanmar. Thailand's own fraught democratic practice made it less likely to carry the torch for democratic practice in Burma/Myanmar. Since the 2011 reforms began, Thailand has returned to regular democratic practice with Prime Minister Yingluck Shinawatra. Soon after Aung San Suu Kyi announced in late 2011 she would run in by-elections, the prime minister visited her in Rangoon (the first foreign leader's visit since she was released from house arrest) and gave her support for her bid. Yingluck visited Naypyidaw in September 2012, focussing on the joint project to develop the Dawei deepwater port on their border.

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Bangladesh is another large, populous neighbour of Burma/Myanmar, albeit probably the poorest. The government of Prime Minister Sheikh Hasina, elected in 2008, has been vocal in its calls for democratic change. 270,000 Rohingya refugees live in southern Bangladesh; their expulsion has been a major irritant in relations between Dhaka and Naypyidaw. After the 2012 violence in Rakhine state, Bangladesh closed its frontier, much to the consternation of human rights groups and Muslims worldwide, claiming it could simply no longer absorb these Burmese citizens (which Burma/Myanmar refuses to recognize as such).

Burmese ties with the “hermit kingdom” of **North Korea** resumed after over 20 years of severed relations following a 1983 bombing in Rangoon targeted at South Korean President Chun Doo Hwan and his delegation. Seventeen South Koreans and four Burmese were killed; 46 others were injured. Since the resumption of ties, North Korea is widely suspected of selling arms, including missile and even nuclear technology, to the Burmese junta. In 2003, North Korean technicians were reportedly at Rangoon’s Monkey Point naval facility. Some analysts suspect that the North Koreans, long involved in underworld transactions for hard currency, were being paid in heroin for equipment and expertise. One diplomat posted in Rangoon noted that the Naypyidaw-Pyongyang relationship is “the big question mark.” Speculation on whether North Korea was involved in a suspected Burmese nuclear program gained ground in 2010. It can only be assumed that North Korea’s leadership is less than thrilled with Burma/Myanmar’s opening, losing a pariah ally.

The United Nations’ level of engagement has varied. At the outbreak of the September 2007 protest and the government’s violent reaction, then UN High Commissioner for Human Rights Louise Arbour singled out Burma/Myanmar for criticism. But in general, China and Russia have proven themselves willing to protect the junta’s interests by vetoing resolutions in the Security Council. In contrast, the veto-free General Assembly has issued repeated statements on the violation of human, civil and political rights by the SLORC/SPDC. On September 26, 2007, the Security Council gave the Secretary-General unanimous support to send Special Envoy Gambari to Burma/Myanmar. In December 2008, the UN General Assembly voted to condemn Burma’s human rights record: 80 voted for the resolution, with 25 against and 45 abstaining. Gambari’s series of visits has achieved little from a seemingly indifferent military. Following Aung San Suu Kyi’s August 2009 conviction, Gambari said that “[she] is absolutely indispensable to the resumption of a political process that can lead to national reconciliation.” The UN’s human rights envoy, Tomás Ojea Quintana, reported to the Security Council in 2010 on the deplorable state of human rights observance in Burma/Myanmar, at roughly the same time that the Secretary-General stated the new election law made the process non-credible. The reform process has made the UN more hospitable for Burma/Myanmar. UN Secretary-General Ban Ki-moon visited Burma in 2012 to encourage further reform. But the UN High Commissioner on Human Rights has yet to be able to open an office in Burma/Myanmar. “We are not denying the opening of the office,” President Thein Sein told *The Washington Post* interviewers in May

2013, “but we are seriously considering about the pros and cons.” Such an office would allow direct observation and reporting of numerous human rights concerns, such as the recently announced decision to enforce a two-child limit for the 800,000 strong Muslim Rohingya population.

RESOURCES AND ASSETS OF DIPLOMATS IN BURMA/MYANMAR

The international diplomatic community’s isolation from government decision makers dating from the Ne Win regime deepened in the SLORC/SPDC era. This became even more pronounced when the capital was moved to the closed garrison city of Naypyidaw north of Rangoon, where civilian ministries are cordoned-off from those of the Tatmadaw. Diplomats posted in Rangoon bemoan their limited tool boxes, but in the absence of countervailing interests and even day-to-day contact with authorities, embassies can concentrate their local missions on supporting civil society’s efforts on behalf of human rights and democracy.

Despite the regime’s violation of diplomatic premises repeatedly since 1988, rarely, if ever, has the regime taken direct action against diplomatic personnel (as opposed to domestic staff). Diplomats could and did avail themselves of their **immunity** to meet with opposition and make public statements. According to an international NGO worker, “there is theoretically the risk of being expelled, but this never happens.” UN Head of Mission Charles Petrie was, however, made to withdraw in late 2007 for underlining the cruel effects of the regime’s destructive economic policies on the population. To date, he remains a solitary example.

Diplomats accredited to Burma/Myanmar could count on the **support of home authorities**, as most democratic national governments have been very vocal about the repression in Burma/Myanmar, with the US Secretary of State naming it an “outpost of tyranny” in 2005. EU governments represented the concern of their publics. Former US President George W. Bush and First Lady Laura Bush were widely reported to be personally engaged on Burma/Myanmar, as was former British Prime Minister Gordon Brown, who wrote on the subject and questioned his staff regularly on developments there. Former Czech President Václav Havel mobilized several fellow Nobel Peace Prize winners in favour of concerted action, including in the UN.

Without much access to SPDC officials, diplomats had limited, but occasionally significant, **influence** on the regime. Japan claimed to have somewhat more influence than either the US or the EU. A senior Japanese diplomat working on Burma/Myanmar policy stated that “Our position is for dialogue. We try to keep a working relationship with the government while maintaining pressure. This position is similar to the ASEAN approach, so I believe we can coordinate with them.”

Embassies **fund** civil society development, training programs and activities to promote open and democratic discussion in Burma/Myanmar. Embassy funds are

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also available for international exchange programs to connect Burmese activists with politicians and activists in other countries. Most aid is now humanitarian — mainly to the health sector, delivered through embassies, development agencies and multilaterals — and therefore coordinated with the government. Due to poor government policies and transport restrictions, Burma/Myanmar began importing rice, “perversely,” according to a UN World Food Program official.

The **solidarity** of the Western democratic world was clear in 1988. There was already near-total disdain for the Ne Win regime, including from the ambassadors of the USSR and China in Rangoon. During and after the 1988 crackdown, the EU ambassadors from France, Great Britain, Italy, the Netherlands and West Germany delivered a joint demarche on behalf of the EU to the regime in protest. After the 1988 crackdown, the US and West German ambassadors worked to persuade their Japanese colleague to mirror their curtailment of development aid; they ultimately succeeded. This solidarity continued in the Thein Sein era, with the US, the EU, Australia, Japan and Norway raising the need to deepen and accelerate full observance of democracy and human rights in their increasingly frequent meetings with Burmese officials. In Cyclone Nargis, the greatest adversity the Burmese people have faced since 1988, one diplomat says that democracies, and even some non-democracies, showed “extraordinary solidarity” in trying to get the door opened for humanitarian aid.



Hands reach to touch the hand of Myanmar’s pro-democracy leader Aung San Suu Kyi following her release from house arrest in Yangon, Burma/Myanmar on November 13, 2010. (AP Photo)

During the SLORC/SPDC era, the democratic world’s diplomats could refer back to the UN General Assembly, Security Council and other UN bodies’ statements on

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the human rights situation in Burma/Myanmar for **legitimacy**. This, unfortunately, cut little ice with the regime. But the UN had (and has) deep reservoirs of legitimacy with the Burmese people. In addition, countries have specific resources to draw upon — Burmese demonstrators in 1988 believed that, as symbols of democracy and leaders of the “free world,” the US and France would rally to their side. The increased and multiplying contact among Burmese citizens and officials with officials and citizens of democracies gave increased potential leverage.

WAYS DIPLOMATIC ASSETS WERE APPLIED IN BURMA/MYANMAR

The Golden Rules

Diplomats assigned to Burma/Myanmar long operated within an extremely constrained public and diplomatic space, but several, especially the Norwegian embassy operating from Bangkok, earned plaudits for **listening** to a wide range of groups and individuals involved in the democracy movement. Glen Hill, the former executive director of SwissAid, asserted that the Norwegians “gave the impression that they were there to learn.” Seasoned Burma/Myanmar human rights activist Benedict Rogers of Christian Solidarity Worldwide said of the democratic embassies, the British and US were “by far the most robust, forward, and accessible.”

While embassies tried to be approachable in the SLORC/SPDC era, all were (and surely remain) under regular surveillance by the regime, and fear of questioning or worse inhibits the civil population from coming, especially to the US Embassy. One Burmese activist noted that embassies lacked “good human intelligence” on the situation in the country, and rarely speak the language(s), limiting their **understanding**. It is hoped that the opening in Burma/Myanmar is generating more diplomats with requisite language capability to take full advantage of its opportunity.

Making an effort to recognize a country’s best value added is another important element of understanding the situation. Former Czech Ambassador Jiri Šitler, operating from Bangkok, noted that the Czechs’ experience of having lived under a repressive regime was something that his democratic colleagues did not have, and centred his country’s approach to the Burmese around that core advantage.

The difficult situation in Burma/Myanmar was beneficial in promoting **sharing** among missions, both of information and of tasks, in a way that avoids competition and promotes comparative advantage, as detailed in chapter 3 of the *Handbook*. The US, EU, Australian and Japanese embassies in Rangoon meet regularly to coordinate strategy in pursuit of supporting and accelerating peaceful democratic change.

In the immediate aftermath of Cyclone Nargis, the differences among diplomatic approaches were set aside in light of the scale of the calamity. One Western diplomat states that “there was a common sense of urgency...we felt more common ground

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than previously...It was a different focus than usual; getting aid to the delta was paramount.”

Since the thaw, diplomatic visits to Rangoon — including President Obama’s meeting of his counterpart Sein Thein there, rather than in the military-built capital of Naypyidaw — demonstrates an understanding of the significance of this move to the NLD. The capital was never moved by popular consent — nor was the country’s name changed in this way. The continued use of “Burma” and “Rangoon,” widespread among most democratic countries (some others use the official and traditional names interchangeably), conveys this respect.

Truth in Communications

Reporting on the situation in Burma/Myanmar by diplomats has long been a crucial source of information, given decades of restricted international media access and independent media within Burma/Myanmar, yet freedom of movement for diplomats is restricted and the Tatmadaw’s pervasive police state deters many Burmese from actively providing information.

Diplomats in embassies can be misled if their only sources of information are from within Rangoon. But even under constraints, embassies provided crucial information on the situation and their reports were read at high levels, including at 10 Downing Street and in the White House. The UNDP office in Rangoon was well situated to witness the demonstrations of the 2007 Saffron Revolution and the subsequent crackdown, and had an independent satellite communications system that also allowed for Internet access, providing an important information conduit.

In the absence of objective newsgathering — the regime has expelled most foreign journalists and blacked out websites — diplomats have a long history of informing media outlets of the internal situation. In 1988, Dutch Ambassador Peter van Walsum, based in Bangkok, gave extensive interviews to the press reporting on the nature of the crackdown and its brutality. US Ambassador Burton Levin released reports that the embassy had received “credible, first-hand reports” of beatings, torture and executions of pro-democracy activists and others, thousands of whom were arrested.

Burma/Myanmar’s government long controlled public access to information and to the means of communication. Mobile phone costs were long prohibitive; this has only recently begun to change. Land lines remain primitive; Internet servers are frequently jammed. In such a closed society, rumours are rife and travel quickly. The mobile phone cameras and video uploads of protests and violence in 2007, made from outside the country, were devastating to the regime — it hadn’t foreseen them. Once broadcast outside the country, such footage could boomerang back into Burma/Myanmar. An award-winning documentary by Danish filmmaker Anders Østergaard, *Burma VJ* (VJ for “video journalist”) released in 2008 showed much of this footage and the documented process these reporters underwent to get their stories out.

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Former British Ambassador Mark Canning was perhaps the most vocal diplomat posted to Rangoon, and was rated by one international Burma/Myanmar watcher as having been “absolutely superb...a great example of doing the right thing. He made himself accessible to human rights NGOs.” He was quoted regularly in the international press and even had a regular blog where he wrote on developments in Burma/Myanmar, through the Aung San Suu Kyi trial in the grim Insein Prison. American chargé d'affaires Shari Villarosa was also a regular in the international media, particularly important in the aftermath of Cyclone Nargis. Human rights advocates sung the praises of both in their efforts to inform the world, noting that they also helped inform Burmese indirectly.

Embassies have played a key role in **informing** the Burmese public and the international community about activities and events occurring in Burma/Myanmar. Embassies have committed resources to support media and journalism trainings for young Burmese journalists. While independent media sources are now developing and more able to operate in Burma/Myanmar, the quality of reporting varies. Embassies supported training programs both in Rangoon and Thailand to help Burmese journalists learn how to write, develop, edit and market pieces for a wide range of audiences. The Czech Embassy provided a basic video and journalism course in Burma/Myanmar: how to use a camera, how to edit and how to produce a story. This was not explicitly political, but proved extremely useful in allowing Burmese to provide imagery of the 2007 crackdown.

Embassies also supported the actual dissemination of information to the Burmese public. Both the American Center and the British Council provided important access to information to Burmese citizens, such as English medium newspapers and materials published by exile groups. The information available at the centres provided Burmese users a vital link to the outside world, as well as a better understanding of what exactly is occurring in Burma/Myanmar itself. The centres also invite speakers from outside to present — and some have spoken both about the international policy toward Burma/Myanmar and the situation with the insurgencies and in refugee areas in Thailand.

The Japanese Embassy, which enjoyed greater access to the regime than other embassies, often conveyed information between the SPDC and the NLD. “I think the NLD appreciates our activities. We can give them information. Unfortunately, the NLD has no contact with the government,” one diplomat explained in 2008.

In the wake of Cyclone Nargis in May 2008, diplomats were among the most quoted information sources in Burma/Myanmar on the scale of the devastation, the shocking inactivity of the Burmese military to the humanitarian need and the scale of the aid effort required. In the aftermath of both the cyclone disaster and earlier, during the protests in September 2007, then British Ambassador Canning and US chargé Villarosa were often quoted in the media, setting baselines for international response. When Aung San Suu Kyi was imprisoned and facing trial, Ambassador Canning visited her in jail and reported to the press that she was “composed” and “crackling with energy.”

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Despite the multiplication of independent channels since 2011, diplomats and politicians remain active today in getting information about pro-democracy events and human rights violations out to the international community. The US, UK and Australian ambassadors are present in international media, discussing Burma/Myanmar’s evolving political situation and continuing abuses in the country, particularly against the Muslim minority in 2012-2013. Previously, such diplomat-sourced reports were beamed back into Burma/Myanmar by Radio Free Asia, Voice of America, the BBC, the Democratic Voice of Burma/Myanmar and exile information organs in Thailand. There are now more channels in Burma/Myanmar through which pronouncements can travel, but these external sources remain yardsticks of credibility for ordinary Burmese. They will remain important for the foreseeable future; hopefully taxpayers in democracies and other donors will continue to appreciate their utility.

Working with the Government

Given the insular nature of the regime, it was a challenge for diplomats to engage in **dialogue** with government on a regular basis, especially with the move of the capital to the purpose-built garrison city of Naypyidaw. Yet the extraordinary nature of Cyclone Nargis brought a string of international dignitaries to Burma/Myanmar to offer assistance and press the regime to allow urgent humanitarian assistance to be brought directly to the Irrawaddy Delta. UN Secretary-General Ban Ki-moon came to press for an opening to external aid. Britain alone sent two key ministers, Deputy Foreign Minister Lord Mark Malloch-Brown and Secretary of State for International Development Douglas Alexander, in as many weeks.

In the SLORC/SDPC era, officials from the US, European, Australian and Japanese embassies regularly raised issues of democracy and human rights when they had the opportunity to meet with Burmese officials. However, human rights and democracy concerns raised by Western diplomats were generally dismissed by government officials; instead, they preferred to focus on talking up their road map to democracy plan.

The increased diplomatic representation in Rangoon and far higher circulation of international and Burmese officials since 2011-2012 have multiplied the opportunities for democratic diplomats and officials to engage in dialogue with government officials, including sectoral and specialist personnel, such as military and security services.

Until very recently, diplomats on occasion tried to **advise** the Burmese government, but to no discernible effect. In 1989, US Ambassador Levin met with SLORC intelligence chief General Khin Nyunt in an attempt to see if the regime could be convinced to enter into an effort for national reconciliation and to bring in Burmese expatriate technocrats to return vibrancy to the economy. His effort elicited an earful of invective about “communists” and “traitors” straight out of the regime phrasebook. He determined such efforts were useless at that point.

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Civil society in Burma/Myanmar survived suppression and has benefitted from diplomatic advice. Czech Ambassador Šitler determined early on in his tenure that his approach should be to concentrate on transferring applicable know-how to Burmese. “We discovered that our experience from transformation to democracy was exactly what they (the Burmese dissidents) needed and wanted. The old EU members who were heavily engaged (the Dutch, Danes, British and the US) could give more money, but just didn’t have this experience.”

Discussions between Czech diplomats and Burmese dissidents in refugee communities in Thailand included:

- the role of returned exiles in the society after democratic transition;
- how to obtain justice for crimes committed by the regime; and
- how to promote economic reforms.

There are other such examples from even further afield. In the development of this *Handbook*, the authors had the good fortune to cross paths with former human rights lawyer and later Chilean Foreign Minister (now Senator) Ignacio P. Walker at Princeton University’s Woodrow Wilson School. When queried by a Western democracy promotion activist if we knew anyone who could explain the benefits of participating in a patently slanted election for the purposes of mobilization for later battles, he sprang to mind. Burmese activists were thrilled to be able to consult and discuss their concerns with someone who had also faced a brutally repressive regime, as well as a similar choice of whether to participate or not. This sort of understanding of the situation that democracy advocates face is something that can be *intellectually* appreciated by those without similar experience, but it cannot be fully appreciated except by those who have walked where they walk.

The American Center “pushed the limits” by providing journalism, human rights and democracy training. The Australian Embassy rather controversially provided human rights training to Tatmadaw officers. The Chinese and Indian embassies had and retain frequent contact with the Burmese government. Prior to the 2011 liberalization, Ichiro Maruyama stated that the Japanese Embassy, in meetings with Indian diplomats, asked the Indian and Chinese embassies to convey the Japanese Embassy’s interests and concerns to the Burmese government.

Having such access does not mean it is always used to effect. Human rights activist and author Benedict Rogers cited specifically Japan, India and Thailand as potentially having a positive impact. “If they stood up to the regime more, there might be progress. They seem completely unwilling to say anything negative.”

Reaching Out

Efforts to link Burmese with the outside world and with each other had to be undertaken within Burma/Myanmar even in the regime’s most repressive period. This was clearly easier to do in refugee communities outside Burma/Myanmar. Diplomatic immunity gave diplomats in Rangoon the ability to do what local

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and foreign NGOs would normally be doing, but could not, given the pervasive repressive apparatus of the state.

Diplomats **connect** Burmese activists to other democracy players outside of Burma/Myanmar, including Burmese activists in exile as well as activists in the diplomat’s home country.

In coordination with an ongoing Dutch foreign policy training program aimed at promising young refugees, the Czech Embassy organized a three-month study segment in the Czech Republic; during the visit, participants attended three months of trainings and meetings.

The Norwegian Embassy transmitted information from exiled groups residing in Thailand to groups within Burma/Myanmar, with the objective of promoting linkages and common ground.

The American Center, located in Rangoon, helped Burmese activists to establish a peer network for those who had been imprisoned and tortured by the Burmese government. One of the goals of the peer network was to decrease the isolation of those who had experienced torture and are likely suffering from post-traumatic stress disorder, and to connect them with other survivors and activists.

Embassies and cultural centres provided essential space for Burmese activists and others to **convene** and exchange information, sometimes with government officials included, and other times without them. The Australian, Japanese, EU, US and UN missions in Rangoon all engage in this sort of activity.

Given the heavy regime surveillance of the embassies, Alliance Française, the British Council and the American Center all played critical roles in providing space for Burmese to meet and discuss a wide array of social and political issues, particularly for youth. While these were not packaged as “democracy courses,” they offered young people an opportunity to explore issues of human rights, democracy and globalization in a safe space and without drawing undue attention from the Burmese government. Most of those attending, however, knowingly assume a certain amount of risk.

Cultural people-to-people contacts also came into play. In May 2009, the US State Department financed the Burmese performances of a Los Angeles-based alternative rock/hip-hop band, Ozomatli. As part of a wider Southeast Asian tour, the band visited music schools, performed with Blind Reality, a local heavy metal band composed of blind musicians and held a performance at the American Center in Rangoon. Despite the fact that the government’s scrutiny board monitors Facebook — the country’s only social networking site — through servers it controls, the band has garnered many Burmese “friends.” Ulises Bella, the band’s saxophonist, said after the trip, “I think that for me one of the things that struck me about Myanmar in particular was the strength of the people...And the hospitality and love people felt for us just being there was really eye-opening.” He continued that at the American Center, “we jammed with a local rapper who came onstage and did his thing with us. He’s a big deal out there. Interesting interpretations and perceptions of what hip-

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hop is. They're getting it from magazines and movies but also trying to incorporate their own things."

The US Embassy was among the most vocal advocates for a democratic transition, **showcasing** democracy in practice through the programs offered by the American Center. Programs include lectures covering many sensitive topics, including the situation in the ethnic minority areas, the UN Security Council, sanctions and genocide. SwissAid's Glen Hill asserted, "The American Center...didn't shy away from difficult subjects." France's Alliance Française, in collaboration with the Czech Embassy, projected films of interest that otherwise would not be seen by Burmese activists.

The American Center is also a prime example of how embassies can **facilitate** discussion among civic and opposition members. The American Center not only offered resources not readily available in Rangoon, it also provided a safe space where democracy activists could participate in training and workshops that would strengthen their ability to participate and direct the pro-democracy movement. However, it was certainly easier to facilitate dialogue among Burmese opposition and minority groups outside the restrictions in Burma/Myanmar itself, either among refugee communities or further afield, and a number of embassies in Thailand were active on this front.

During the SLORC/SPDC era, embassies financed assistance projects for Burmese civil society, though the restrictions by the regime made doing so complex. Embassy support for the democracy movement in Burma/Myanmar ranged from funding training (both short- and long-term) to financing civil society projects. Some of the funding came directly from embassy operating budgets, while funding was also available from development funding agencies, including the Japanese International Cooperation Agency and the UK Department for International Development.

When asked in 2008 what sort of diplomatic activity he would wish for, human rights activist Benedict Rogers (also the author of a recent biography of Than Shwe) said "the main thing is if embassies can provide a space for ordinary Burmese, as well as dissidents and activists, to meet, learn, develop skills, and debate." Rogers said the American and British embassies, along with the American Center and British Council, were doing this. "I would like to see more (democratic embassies) acting the same way."

One diplomat stated in mid-2009 that "we support civic activists...by trying to help them develop better knowledge, better analysis, to help them better strategize. We want to help them broaden their ways to get at democracy, good governance. We want to help break down this 'us vs. them' split between the government and the people."

Former Czech Ambassador Šitler noted that small, well-targeted grants for projects can evade regime strictures and accomplish a great deal. Some NGOs that received embassy funding managed to find ways through the bureaucratic morass by cultivating relationships with officials who helped them navigate the regulatory maze.

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A variety of training and capacity-building programs were provided to democracy activists, including:

- English language and other educational courses funded by the British Council;
- English language courses, journalism and media training, human rights training, transitional justice workshops, and organizational and communication trainings funded by the American Center;
- film and media training funded by the Czech Republic (which showed its utility in documenting the 2007 protests and crackdown); and
- Foreign policy training seminar funded by the Netherlands.

Embassies also financed library resources, increasing access to books and magazines either difficult or illegal to obtain in Burma/Myanmar. The American Center and the British Council offered extensive library resources to Burmese members, including extensive offerings on democracy and Burma/Myanmar. The Czech Embassy had Czech authors’ books translated to Burmese, as well as collecting and translating volumes of articles on the Czech democratic transformation. The US, UK and Czech embassies also provided direct support to local Burmese NGOs to fund environmental, social and education projects to assist community development.

Defending Democrats

Diplomats regularly **demonstrate** their support for democracy and human rights in Burma/Myanmar, and have done so for more than two decades. In 1988, US Ambassador Levin made a point of driving to observe demonstrations with his car’s flag flying. British and US diplomats regularly met with NLD officials from 1990 through the 2011 thaw. When former British Ambassador Mark Canning visited the NLD office, he arrived in his official car flying the British flag. Embassies as a matter of course declare public support for Burmese demands that fundamental human rights and freedoms be respected.

Diplomats reportedly **protected** individuals who feared imprisonment or other retaliation from the Burmese government. Assistance included financial and logistical support for these individuals to reach the Thai-Burmese border. In 1989 and 1990, embassies of the democracies protested in solidarity against aggressive interrogation and other repressive measures against their local staff, including one member of the British Embassy staff who was sentenced to three years in prison by the regime. In 1988, Ambassador Levin agreed with Aung San Suu Kyi to limit their contact to reduce the potential for the regime to paint her as a US stooge.

Diplomatic protection was also given in other, less obvious, ways. By disseminating information about human and political rights violations by the Burmese government, diplomats were able to direct international scrutiny and criticism on the government. The Burmese government’s reluctance to draw negative international attention constrained its actions, at least as regards the internationally known face of Burmese

opposition, Aung San Suu Kyi. But the junta did not hold back when dealing with other less visible opposition figures.

It was also reported that during the September 2007 protests, the UNDP allowed demonstrators to seek refuge within its building, as well preventing the Burmese security officers from forcibly entering the premises. Even when diplomats were not able to directly protect activists, by **witnessing** and **verifying** anti-democratic activities and human rights violations committed by the Burmese government, diplomats play an integral part in collecting and disseminating information.

By publicly witnessing and verifying abuses by the government, key embassies also sent a message to the Burmese government by regularly sending officers to witness demonstrations and civil court trials, and by supportively attending prayer services, various holiday celebrations and commemorations. As noted earlier, many diplomats attended the long trial of Aung San Suu Kyi in summer 2009, among them, European, US, Russian, South Korean, Japanese, Thai and Chinese diplomats. On July 31, 2009, as the trial neared its close, a European quoted by a journalist noted that most were ambassadors. Suu Kyi thanked the diplomats for attending. She was merely the most prominent of an estimated 2,100 political prisoners in Burma/Myanmar at that time; hundreds remain, despite periodic releases by the Thein Sein government.

In an exit interview with the Burmese exile Internet publication, *The Irrawaddy*, Ambassador Mark Canning noted the counterproductive effect of the SPDC's trial of Aung San Suu Kyi. "It's ironic that a trial which is intended to marginalize her from playing a political role is having precisely the opposite effect — illustrating what a towering figure she is. If she wasn't relevant, none of this would be happening. She would be the first to recognize that many others, not least the ethnic minorities, need a voice, but there is no doubt she remains central to a meaningful process of reconciliation and that's why the international community has been united in calling for her release."

CONCLUSION: THE CHALLENGE OF AN UNCERTAIN TRANSITION

Burma/Myanmar is perhaps simultaneously the world's most hopeful and most questionable case of transition. While the impact of targeted sanctions was a factor, it remains unclear what finally drove the ruling generals in what was the SPDC to embark on this path; the only recent exogenous shock, Cyclone Nargis, infamously did not affect their constitutional referendum timetable by one day. The Tatmadaw is notoriously opaque, paranoid and convinced of its own centrality to the nation's survival. President Thein Sein told *The Washington Post* that the army "will always have a special place in government." As of now, one could say that the military's long-declared plans to introduce a "disciplined democracy" are proceeding, simply much faster than anticipated. US Ambassador Mitchell told *The Washington Post* by

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email that “I don’t think anyone expected the speed of change we have seen in this country over the past two years, and our encouragement has sought to keep pace.” In a speech on Australia Day, 2012, Australian Ambassador Bronte Moules said “the reform process is just beginning. Even where there is political will, Myanmar will need to develop greater capacity to implement the necessary changes. That is why it is so important that the international community reinforces and supports the momentum for reform.”

Speaking at George Washington University in May 2013, President Thein Sein said “I know how much people want to see democracy take root,” adding that Burma/Myanmar had to forge “a new and more inclusive national identity....Our goal cannot be less than sustainable peace.” More ominously, he noted that “spoilers” who oppose reforms because their interests are threatened might want to derail the process. There is evidence to support the view that the president’s peripatetic foreign journeys are meant to strengthen his hand against conservatives at home.

But there are also serious reasons for skepticism. Political prisoners have not been released en masse, but rather in dollops to coincide with Thein Sein’s foreign charm offensive or for foreign visitors to Burma/Myanmar. To date, 850 have been released; an estimated 160–200 remain incarcerated. While some of the most protracted ethnic conflicts are being halted, no comprehensive settlements have been reached about the nature of the state. The generals are not enthusiastic about any delegation of power from the centre, while many of the insurgents advocate federalism. Several of these conflicts have been put on ice, only to be reanimated at short notice. So while signs are hopeful, this dance has gone on for decades; nothing is yet definitively resolved.

Furthermore, the increased incidence of Buddhist versus Muslim inter-religious bloodshed, with the Muslims on the losing end, is worrying. The US State Department classifies Burma/Myanmar as a country of special concern for severe violations of religious freedom, particularly against Muslims. One need not be too imaginative to wonder if there is more to military and police non-interference than unfamiliarity with such conflict. Sein Thein recently repeated the hoary line that the Rohingya minority is not “among the indigenous races” (to the extent that even matters) to Burma/Myanmar. It bears repeating that he is distinctly lukewarm toward the request of the UN High Commissioner for Human Rights to open an office in the country.

On the democracy front, there are numerous open questions. President Sein Thein’s own commitment to democratic practice remains to be tested, beyond the 2012 by-elections, which brought Aung San Suu Kyi into Parliament. In a recent interview, the president repeatedly dodged a question as to whether Suu Kyi should be able to run for president. In a new and disturbing twist, he even implied that a supermajority in Parliament would be insufficient to amend the constitution; accordingly, a referendum might be required: “It needs to be discussed among the elected members of Parliament. The constitution that was adopted by the people needs the approval of the people to be amended,” he told *The Washington Post* reporters. Burma specialist Andrew Selth stated that the necessary parliamentary

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supermajority could only be assured if the army gave the green light. He is skeptical of such a deal.

There is also the question of the NLD's ability to adapt to the new situation. Aung San Suu Kyi, who was recently recognized for her persistent advocacy for democratic change by the Community of Democracies, appears to have determined that partnership with Thein Sein is the best or only way forward. She clearly aims to run for president, a path impeded by the current constitution — by design. She favoured the removal of sanctions (as opposed to their suspension — they would now need to be legislated anew) to support the reform process. She was long reticent about months of inter-communal violence against the Rohingya in particular, only recently stating her disgust at the two-child policy announced by the government and condemning it as “illegal.” Minority groups also worry that the NLD may be Burman-centric. The internal workings and membership of a party inured to decades of suppression, but without experience in actual democratic representation, require attention as well. Observers noted insularity in decision making and a wide age gap between senior members and a youthful general population. In the unlikely event that the generals decide to allow Suu Kyi to run for president in 2015, will she have a wide and deep enough supporting cast to implement her vision for a democratic Burma?

The Washington Post's Fred Hiatt (2013) explains the dilemma well:

Western officials hope that Thein Sein, who has been in power for about two years, is bravely negotiating a treacherous path from the repressive regime he was once part of to a society in which people genuinely can choose their own leaders. Along this path, they believe, he has to battle hardliners who oppose change...If so, his circumspection may be a clever tactic to keep everyone on board as reform moves forward. Alternatively, it could be an indication that the generals remain firmly in control and that Thein Sein is not free to express a view that might offend them. Or it might be that he hopes the reform path can stop somewhere short of true democracy.

Shwe Mann, reputed architect of the reform drive, Speaker of Parliament, and number three in the SDPC, told the BBC that “[Suu Kyi] has good qualities and she loves her country. We share the same ambition — to serve the nation and people.” He added in the September 2012 interview that “Our reforms are irreversible. Our goal is still to build a multi-party democratic system and market economy...It takes time to change from one system to another...I don't want to see revolution, I would rather see evolution,” yet he gave no sign of being haunted by his institution's actions — or his own. “I won't say regrets (when questioned about past policies, violence and repression). But we have learned a lot. We must learn from our past so that in future we can serve our people better.” It would seem axiomatic that to learn from the past, one has to agree what it was, first.

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Thiha Saw, editor of the (new and independent) *Open News Weekly Journal* in Rangoon recently assessed that the reform process “hasn’t reached a point of no return yet. It still needs a few more years.”

There are numerous indicators that the army wants to maintain control, but could it wind this process back even if it wanted to? With each passing month, this would be harder to do.

There remain some basic indicators of whether the democratic reform process has a firm foundation. These are relatively simple to identify:

- Will all political prisoners/prisoners of conscience released?
- Will the constitution be amended to allow Aung San Suu Kyi to run for president?
- Will the tentative peace deals with the 11 major insurgencies hold and develop into durable solutions for the “inclusive national identity” that Thein Sein mooted in Washington?
- Will the violence against the Rohingya and other Muslim minorities be stopped? Will the “inclusive national identity” Thein Sein raised in Washington be extended to them as well?
- Will there be any process of accountability for crimes committed against citizens of Burma/Myanmar by their own authorities?

Even if all of these were done — and none are on the horizon at the time of writing — the achievement of durable democracy is not guaranteed. Much hard work lays ahead for those Burmese, in and out of government, who aim to develop a democratic and prosperous future for their long stunted country.

As they pursue this goal, the democratic world will have a crucial role to play. The military would not tolerate this opening if they did not see it in their interest — but there is always the risk that protection of interests will lead them to tighten the leash once more. While most democracies have, in less than two years, decided to give President Thein Sein the benefit of the doubt, reassured by Nobel laureate Suu Kyi that he is for real, there needs to be a will to constantly assess the ground reality and operate accordingly.

Not everything in the diplomatic playbook in Burma/Myanmar needs to change as a result of the evolving environment. When the *Handbook* was first drafted, a seasoned NGO activist dealing with Burma/Myanmar and its border areas said that democratic embassies and associated missions “providing space, enabling visitors to meet dissidents,” was the most important value added. So additional funding for these activities is useful. One hopes that diplomats come to the country with greater language ability. Given the harsh repressive nature of the regime until recently (and to present day in large measure) and the pervasive fear of informers, citizens are more likely to trust a foreigner who speaks their language than his or her interpreter.

Insisting on full access to make these assessments throughout Burma/Myanmar is essential. Diplomats in Rangoon, Mandalay, Naypyidaw and elsewhere will

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be stewards of their countries' democratic values. They are now adapting to the changes at the top, trying to help the Burmese shore up reform and drive it further from below. They will need to convey to officials and ordinary Burmese of all stripes that the ability to recalibrate policy when the facts change is a central democratic tenet. If the situation warrants it, democracies will need to be able to tighten their policies, as well as loosen them.

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