



## Meeting Summary

# Burma: The Way Forward

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U Khine Sow Naing Aung, Vice-Chairman, Arakan Liberation Front (ALP) and Presidium Member, NUB

Win Hlaing, Elected Member of Parliament (1990), National League for Democracy (NLD), Joint Secretary, NLD Liberated Area

David Tharckabaw, General Secretary, Karen National Union (KNU), Secretariat Member, NUB

Chair: Dr Gareth Price, Head, Asia Programme, Chatham House

Tuesday 22 April 2008

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### **Gareth Price:**

Introduced members of the panel, explaining that each would speak on the record and the question and answer session following would be under the Chatham House Rule. The topic was addressed from the point of view that the various political groups, since 1990, continue to work together towards the establishment of a federal union of Burma.

### **U Maung Maung:**

The National Council of the Union of Burma, one of the broadest pro-democracy groups in exile, was formed in 1996.

The NCUB consists of four major democratic organisations: the National Democratic Front (NDF), the Democratic Alliance of Burma (DAB), the National League for Democracy – Liberated Area (NLD-LA) and the Members of Parliament Union (MPU). Three fellow members of the panel are members of the NCUB and constituent organizations, Rimond Htoo represents an ethnic political organisation. The four organisations have worked collaboratively for over 15 years to bring about a peaceful transition to democracy. We continue to work together with the goals of bringing peace to all citizens of Burma and establishing a genuine democracy in the form of a federal union of Burma.

The organised opposition in Burma continues to work to challenge the military regime. The opposition is strong and united despite the regime's best efforts and our networks are still in place in Burma and around the world.

I believe it is this very fear that has pressed the generals' regime to abruptly conclude the National Convention and force a phoney referendum on its draft constitution. The generals' regime knows it cannot cling to power simply by maintaining control using the same brutal tactics they have used for the last 15 years – the people have demanded a change. Therefore they must use new tactics. But the people are not fooled, nor will they submit to the regime's new tactics. Change is coming.

The opposition is broad, inclusive and ready to administer and engage in an immediate and orderly transition to a democratically elected government. Contrary to some opinions, Burma will not dissolve into chaos when the generals' regime steps aside and yields to the democratic will of the people. Since 1990, Burma's ethnic minorities and pro-democracy groups have worked together to develop consensus and a plan of action, as evidenced by the members of the panel here today. Through successive agreements the pro-democracy movement, which includes the ethnic minorities, has

established a framework for an inclusive democratic federation. A few examples:

- In 1990 a number of organisations, including the organisations represented by the members of the panel, formed the National Coalition Government of the Union of Burma (NCGUB). Its membership consists exclusively of those representatives elected in 1990;
- In 1997 the ethnic nationalities signed the Mae Tha Raw Hta agreement which expressed their goal of co-operation towards a political solution to the situation in Burma and their support for Daw Aung San Suu Kyi;
- In 1998 the Thoo Mweh Klo Agreement reiterated the ethnic nationalities' support for the transition to democracy and condemned the rule of the military regime and their sham National Convention;
- In 2005 we adopted a set of Basic Principles to commence the drafting of a democratic Federal Constitution;
- In 2006 we drafted that Federal Constitution which has been endorsed by a broad coalition of the democratic movement groups;
- In 2007 we worked together to support the pro-democracy protests;
- Currently (2008) we are working to oppose the junta's efforts to entrench military rule through the sham referendum and subsequent election.

Even before the junta announced the date of the referendum, it had long been violating the rights of eligible voters. Law 5/96, adopted in 1996, criminalised criticism of the National Convention and by extension, its draft constitution, preventing any frank discussion or debate regarding the proposed measures that were eventually to be put to a vote under the Roadmap to Democracy. The junta has now adopted a new law criminalising criticism of the referendum and prohibiting calls for a boycott so that it may meet the 50% requirement provided for in its draft constitution. This cynical

edict very clearly and very chillingly illustrates the true nature of the generals' constitution, their referendum and their intention to quash all democratic hopes and efforts once and for all in Burma.

As the junta prepares for the 10 May referendum, new violations of voters' rights are surfacing every day. For example, in many constituencies the junta is refusing to place known members of the pro-democracy movement on the electoral roll, thereby preventing those individuals who would vote NO from casting their ballots. To date, within the last week, over 60 people within Burma have been arrested for only talking about voting NO at the upcoming referendum.

Pro-democracy organisations are now co-ordinating a united response. All organisations have called for the rejection of the draft constitution. Small discussion groups are being organised throughout Burma to educate voters on how the constitution will entrench the regime. Through word of mouth, electronic means and social networks the pro-democracy movement is seeking to defeat the regime. Each NO vote against the referendum is a vote against the generals and a vote for democracy.

The major difference between the 1988 movement and the protests last year is that more information has been shared within Burma due to the availability of video and digital cameras. Our network has made sure that the vivid scenes of soldiers brutalising monks have been widely circulated within Burma, to rural areas that have no access to television and other modern media. These horrifying images have greatly changed people's perceptions.

I would like to address ways in which we believe the international community can support the pro-democracy movement.

We believe the primary goal of any country's policy on Burma should be to bring about a genuine dialogue between the junta and the democratic and ethnic organisations. Obviously the generals have a very poor history of genuine dialogue. The last time the regime offered elections, they refused to honour the results. The last time they let Daw Aung Suu Kyi out of jail, they attacked her convoy, killing numerous people and taking her back into custody. And now they make overtures of dialogue, reconciliation and democratic reform but they are still hunting people down. So, we are very cautious and at the moment sticks rather than carrots should be used to press the regime to enter into this dialogue.

In order to press the junta into such a dialogue, we make the following requests of the international community:

- That a permanent UN office is established in Rangoon, under the auspices of the Secretary General, with a mandate to co-ordinate and facilitate dialogue and reconciliation. We believe that persistent international attention lessens the probability of further violence against the people of Burma and makes substantive negotiation more likely. If the regime will not agree to the establishment of an office, the UN Secretary General must mandate its establishment;
- That all states and organisations with a presence in Burma conduct informal monitoring before and on the day of the referendum. We further ask those states and organisations to issue public statements on their observations and conclusions;
- That the United Nations and the members of the international community reject the junta as the representative of the people of Burma and invite the lawfully elected and legitimate representatives of Burma to take up their seat at the UN;
- That all countries establish a co-ordinated international policy on Burma. One thing that history has shown us is that co-ordinated, consistent pressure works on the regime. The work of the International Labour Organisation (ILO) within Burma is a good example. The ILO has stayed united and constant in its condemnation of the regime. Through pressure they have succeeded in negotiating a permanent presence in Burma to monitor forced labour issues and to assist in co-ordination of labour groups in Burma. They have pushed the regime in a way that no one else has been able to achieve. The ILO has been able to secure the release of two groups of people who had been sentenced to long prison terms. Such concrete results are rare in Burma, proving the success of the ILO's united approach.

Such united, co-ordinated, consistent pressure from the international community is key to democratic transition in Burma. To help develop co-ordinated policies, we ask that the Government of the United Kingdom host an international conference on Burma, inviting other states willing to press for change in Burma. We request that this conference be used to establish a co-ordinated plan of action with regard to Burma, in which states pledge to adopt and enforce co-ordinated sanctions, call for UN Security Council action,

pressure states friendly with the junta to facilitate change and support the pro-democracy movement.

With the support of the international community, democratic change is possible in Burma. Democratically elected leaders are ready and waiting to step in and lead the government until new elections may be conducted.

Humanitarian support and development projects are good for a country. But these will not result in political change. To stop the flow of refugees and internally displaced people, we need support for political campaigns organised with the country. There is political and moral support in the UK from the Prime Minister, MPs, political parties, trade unions and all of you gathered here. We request that this support be turned into practical support for political change in Burma.

### **Rimond Htoo:**

The leaders of the ethnic nationalities have tried since independence to regain what was promised in the Panglong Agreement which led to Burma's independence and the creation of a federal union. However, ethnic nationalities have been severely suppressed under a unitary system which has progressively become harsher. The struggle for survival of the ethnic nationalities has been carried out in a two-fold manner – politically as well as militarily. The political process began back in 1961 when attempting to have the constitution amended, ethnic nationalities held two conventions. At these conventions, the focus was only on the establishment of a genuine federal union and there was no mention of 'the right to secession'. However, General Ne Win and his government accused the ethnic nationalities of attempting to disintegrate 'the union' and imprisoned the leaders of the ethnic nationalities. In 1963 the armed ethnic nationalities' resistance groups teamed up with the Communist Party of Burma (CPB) under the banner of the National Democratic Front to negotiate with the Ne Win led Revolutionary Council in Rangoon. This attempt did not succeed.

In 1993, General Khin Nyunt of the SPDC again invited the ethnic resistance groups to come back into 'the legal fold'. However, the SPDC's position was effectively to set a trap for the groups who agreed to a cease fire while conducting negotiations with the regime. The regime's stance was to demand that the groups put down their arms while refusing to engage in political discussions in a genuine effort to resolve the situation. This has been the tactic of the regime on all cease-fire 'negotiations': put down arms, come into the SPDC's system and lose all hope of maintaining their ethnic identities.

Though both the Baman majority and the other ethnic nationalities have suffered from political setbacks and a historical mutual mistrust, the leadership of the various groups have worked together since 1990 to overcome the past and move towards establishing a genuine federal union, culminating in the agreement on, and drafting of, the Constitution of the Federal Republic of the Union of Burma.

We believe that only those who actually experience the terrible impact of the prolonged political crisis in Burma would be best able to solve the problem. It is important that the international community understand this aspect and communicate it to the SPDC by ways of diplomacy or political pressure. For the ethnic nationalities, the 'ethnic problem' in Burma is not a problem between ethnic nationalities and the ethnic Baman. It is a political problem that concerns all peoples. It is nonsense to say that Burma will disintegrate into chaos were it not for the SPDC. The diverse ethnic communities will co-exist under a democratic leadership in a genuine federal union.

The international community, including the United Nations, must carefully consider the fact that the SPDC is selling a slogan of 'democracy'. It is not attempting transition to a genuine democratic system. The mere slogan of 'democracy' alone will not solve Burma's problems, and Burma is challenging all of us to see beyond the fake assurances of the SPDC.

### **U Khine Soe Naing Aung:**

I have been working for national and democratic rights for over 40 years. The main point that I wish to present and explain is that the State will not disintegrate into chaos if the military junta stands down and is replaced by the legitimately elected democratic government. There have been many attempts to reach agreement by peaceful means with successive military juntas but, as yet, to no avail.

In February 2005 over 100 representatives and 20 MPs from 34 different ethnic nationalities and democratic forces attended a conference on the federal constitution. The attendees signed an agreement on eight basic principles for establishing a future federal state. These principles are:

- Sovereign power;
- Equality;
- Self-determination;

- Federal principles;
- Minority rights;
- Democracy, human rights and gender equality;
- Secular state;
- Multi-party democracy system.

The ethnic nationalities, together with the Bama majority, have made six attempts to establish a genuine federal union. The aim is a federal union of Burma and not to secede from Burma. We are clear that Burma will not disintegrate if the SPDC are no longer in power but will finally be able to be realised.

### **Win Hlaing:**

I was elected a Member of Parliament in Burma in 1990. I became politically active in 1988 and worked with the NLD and Daw Aung San Suu Kyi during the 1988 protests and in the lead up to the 1990 elections. Not long after the elections I was arrested and sentenced to 10 years in jail with hard labour for my political activities. I was released from jail in 2000. After continued harassment from the SPDC I decided in 2007 to leave Burma for the Thai-Burma border, where I now work with the NLD-LA. I am here to represent the National League for Democracy.

The NLD's policies include ensuring that all ethnic nationalities have the right to self-determination with respect to all areas, such as politics, administration and economic management, in accordance with the law. The NLD fought for the rights of the ethnic nationalities to be respected during the junta's National Convention. When the NLD issued its paper of suggestion for the National Convention in 1994, the Secretary of the NLD affirmed that: 'The NLD's position is to form our future state with a federal system and to separate state power to different layers of government'.

Despite the NLD's best efforts to engage in dialogue with the SLORC, as the SPDC was known at the time, through the National Convention, the SLORC did not reciprocate. The NLD's efforts at national reconciliation, developing a genuine multiparty democracy and a new constitution with all people's assent was blocked by the SLORC. In protest, the NLD stopped attending the National Convention. At that point, with the absence of legitimately elected

representatives of the people from the 1990 election, the National Convention became a sham, a farce devoid of all legitimacy.

Since 1992 the NLD has continued to work with other pro-democracy groups and ethnic nationalities groups towards a genuine federal union of Burma. Most recently, the ethnic organisations and pro-democracy groups together adopted a federal constitution. Through successive agreements, the groups have established more areas of consensus and reduced the areas of disagreement. Furthermore, we have established more unity in the struggle against the military dictatorship.

Over the next weeks, the SPDC plans to establish an official role for the military in national politics through their constitution, which they drafted without input from other stakeholders. On 10 May they will conduct a sham referendum. The referendum is intended to trick the world into believing that the junta's constitution has been properly adopted and that the generals are the legitimate representatives of Burma. The generals' constitution firmly entrenches military rule and as such will make the plight of the Burmese people and the ethnic nationalities even worse. Quite simply, under the generals' constitution, the country will be under the boots of the military junta and its generals.

The fate of the country will be ugly as long as the military dictatorship remains. For two decades the NLD has been subject to a range of restrictions, pressures, arrests, torture, murders and many forms of hardship under the military dictatorship. The NLD will continue to struggle for the democratic cause and the emergence of a genuine federal system for all the people including the ethnic nationalities. But our struggle will be made even more difficult once the generals' sham constitution is adopted, unless the world renders immediate help and takes affirmative steps to stop this travesty.

For the time being, the NLD has been struggling to fight against the sham constitution within the SPDC's legal framework, by urging people to vote "NO" in the referendum. We will continue our struggle against the military dictatorship until a genuine federal union emerges and human rights and the equality of all ethnic nationalities are guaranteed.

### **David Tharckabaw:**

The regime is using threats and intimidation to pressure people to cast a vote of approval at the referendum. The situation being such, it is important for the international community to insist on monitoring the referendum by UN representatives. The international community should make it clear to the

SPDC that refusal to accept UN monitoring and any attempt to cheat will make it impossible for the international community to recognise the result of the referendum.

It is important for the democratic and peace-loving countries of the world to make a concerted effort to employ a strategy of increasing pressure on the regime by employing:

- Trade sanctions;
- Economic and investment sanctions;
- Diplomatic and political sanctions;
- Arms embargo;
- Refusal of financial services.

Pressure on the regime should be maintained until the SPDC abandons its hard-line policy and begins a meaningful dialogue for national reconciliation and peaceful resolution of the conflict.

As well, it is necessary to provide adequate assistance to the democratic and ethnic nationalities working on the ground, through the NCUB, which is the most effective coalition of the democratic and ethnic nationalities. We need humanitarian assistance, including cross-border assistance; financial assistance for working with communities, setting up political networks for mass participation in rural and urban areas, education and health care in rural areas; saving child soldiers and demobilisation of the SPDC army.

Burma is a multi-ethnic country, with eight large ethnic nationality groups, including the dominant Baman nationality. Since 1995 the democratic and ethnic nationality forces have been drafting and improving a federal constitution which is designed to meet the needs and aspirations of all the ethnic groups, including the Baman majority. The Federal State Constitution we have drafted can be used readily, as a basis for national reconciliation, the establishment of a just peace and sustainable development.

I call upon world leaders to make a concerted effort to assert pressure on the SPDC regime, without delay. Only then will the SPDC regime be persuaded to accept meaningful dialogue with the democratic and ethnic forces for peaceful resolution of conflict and genuine national reconciliation.