



# MYANMAR'S FRAGILE CEASEFIRE

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*Resolving Myanmar's protracted civil war is the country's defining challenge. With declarations of support signed for a National Ceasefire Agreement, there is much optimism that Myanmar is finally on the right track toward peace. Christopher O'Hara cautions, however, that there is still a long way to go, with federalism and resource sharing constituting two of the most contentious issues that could derail the peace process.*

Myanmar has been entangled in a long and complex civil war between the Myanmar Defence Services (MDS) and a number of ethnic armed groups. Since the installation of the civilian government in 2011, ending the decades-long war has been an important part of the country's overall reform process. On March 31, after numerous rounds of negotiations, the government and 16 rebel groups signed declarations of support for a draft National Ceasefire Agreement (NCA) in a step that has been internationally acclaimed. The United Nations called it a "historic and significant achievement" providing a foundation for "genuine and lasting peace in the country." Cautious optimism surrounds the event, yet the effectiveness of the draft ceasefire agreement—and its durability—is questionable, as a number of fundamental issues remain unresolved. Not least, the issues of federalism and equitable resource sharing will constitute contentious obstacles on the road to peace.

## National Ceasefire Agreement

The government team, represented by the Union Peace Working Committee (UPWC), and the Nationwide Ceasefire Coordination Team (NCCT), which negotiates on behalf of the ethnic armed groups (EAGs), signed a declaration of support for a draft NCA, a three-page document outlining the major points about the peace dialogue that is to follow the cessation of hostilities. The government negotiating team now has to obtain approval for the draft agreement from the Union Peace Central Committee (UPCC), which is the central committee tasked with making policies related to ceasefire negotiations.

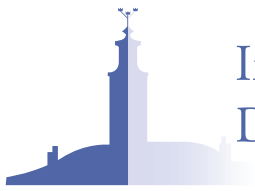
Considering President U Thein Sein's involvement throughout the process, and the fact that he is chairman

of the UPCC, it is likely that the draft agreement in its present form will get the go ahead. However, the NCCT will also have to submit the draft to the United Nationalities Federal Council (UNFC), a coalition of EAGs, and the draft must also be accepted by all the leaders of the EAGs. Thus, whether or not the government will approve the NCA depends on whether the UNFC or other groups will demand amendments to the current draft. The most contentious of the points concern halting the recruitment of soldiers by EAGs, the confirmation and status of EAG territory, and the nature and sequencing of the political dialogue that is to follow.

It is as complicated as it seems. This is amplified by the fact that the preliminary negotiations did not involve the Kokang ethnic Chinese rebels in northern Shan state or the Arakan Army, who are currently embroiled in fighting with the MDS. Added to this, at the meeting in Panghsang, the ethnic Wa group demanded an autonomous state of their own within a federal Myanmar, and have not yet declared their support for the draft NCA. Furthermore, a contentious issue between the NCCT and the government is that the government does not recognize all EAGs as legitimate signatories of the NCA. Notwithstanding the lack of inclusion of all stakeholders, core issues still need to be resolved if a final NCA is to prove sustainable.

## Federalism and Resource Sharing

Ethnic groups who seek greater regional autonomy will not sign an NCA which does not guarantee a federal system, or at least some devolution of power. The draft NCA in this regard remains hazy with no firm promises given. A stumbling block is that the 2008 constitution does not allow for the self-determination of ethnic nationalities.



Moreover, the constitution can be amended only with the prior approval of more than 75 percent of all the representatives of the Pyidaungsu Hluttaw (Union Parliament), after which a national referendum would follow. This is a difficult task, considering that the army holds 25 percent of the seats in both the Amyotha Hluttaw (House of Nationalities) and the Pyithu Hluttaw (House of Representatives), as well as in the regional parliaments. Throughout the half century of conflict, the MDS has resisted such steps towards federalism, and although the present government is a democratic one and has overseen the opening up of the country, it remains only a quasi-civilian one. The military is firmly embedded in the political structure and is unlikely to relinquish its remaining power or entertain a federal structure. Adding more fuel to the fire is the fact that different ethnic groups have different understandings and definitions of federalism. In fact, the term seems to have become a catch-all slogan for the solutions to Myanmar's ethnic dilemma without much thought as to what it actually entails or what is actually viable in the current political environment.

This is further linked to the resource-sharing dispute, which is perhaps the most divisive factor in Myanmar's long-running civil war. The central plain of Myanmar is dominated by the Irrawaddy Valley, which the ethnic Burman majority call home. The ethnic areas adjoining the country's borders meanwhile contain nearly all of Myanmar's natural resources, such as copper, silver, timber, and precious minerals, as well as all of its important trade routes. The EAGs take issue with the division of these resources, as they are disproportionately split in favor of the government. This is being further exacerbated by China and India who are courting Myanmar for influence, something which is having destabilizing effects in the country. Chinese and Indian-led projects such as the Kunming-Kyaukpkyu railway, the China-Myanmar gas pipeline, the Kaladan transport project, as well as hydropower projects have proved highly controversial, engendering much local opposition in ethnic areas due to little or no local consultation.

Unless the NCA and ensuing political dialogue leads to a more equitable resource-sharing agreement as well as provisions for federalism, the talks are destined to fail. Achieving a consensus which satisfies the Burman-dominated military, the ethnic groups that are part of the negotiations, and the groups that are still fighting will be a complex task. Considering how long the draft NCA negotiations have already dragged on for, it is unlikely that such an agreement can be finalized this year.

## Conclusion

With general elections due later in the year, the most likely scenario going forward is that President U Thein Sein will try to stay away from controversial issues while maintaining the present air of reconciliation which has brought him great acclaim within the country and internationally. This means that while the negotiations will continue between the government and the EAGs, achieving real progress on the issues identified above will be much more difficult. Furthermore, given that past ceasefire agreements have failed and that the preliminary NCA only exercises a dubious hold over troops on the ground on both sides, it is still too early to view the current situation as a historic turning-point in Myanmar's protracted civil war.

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