



SAME OLD REGIME, SAME OLD SANCTIONS

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On the 31st of January, the Burmese parliament convened for the first time in over 20 years. However, little has changed from before. The outcome of the election only slightly altered the political landscape; the military junta, which has been in power since 1962, was already guaranteed a quarter of the seats and not only that - 77 percent of the contested seats were won by the Union Solidarity and Development Party (USDP), the party backed by the junta. Naturally, the election was deemed as rigged and nothing but a poorly performed stage production in democracy.

Since 1993, when the U.S. imposed an arms embargo, a number of countries have followed suit and together tried to put pressure on the regime by implementing sanctions on trade, arms, investments, financial transactions, and travelling. As the sanctions have been widened and altered, the Burmese military junta has refused to make any broad concessions, but the response has been to retreat into isolation. Illustratively, when the new parliament opened it was not in the city of Yangon but in the newly built capital of Naypyidaw, isolated between 2 mountain ranges north of Yangon.

It is a no-brainer to argue that the sanctions imposed on Burma have, up to this point, not served their purpose. Recently, 25 European diplomats held talks with Burmese activists. After the meeting, the leader of the National Democratic Force, the biggest pro-democracy party in the parliament, said that the European Union will decide in April whether to modify or lift sanctions against Myanmar or not. Let us therefore assess the pros and cons of the sanctions and try to sort out the arguments as we are moving into a phase where we must ask ourselves: Has the time come to lift the sanctions? Or is a case to be made that, although their poor track record, they fill an important function?

The Case for Sanctions

Sanctions can be justified on two grounds: the symbolical and the practical. A common argument for keeping the sanctions in place is that, although they might not have lead to a democratic transition, they send signals not only to the junta in Burma but to every oppressive regime that oppressive and authoritarian rule is not accepted by the international community. National League for Democracy (NLD) expressed such a viewpoint recently by stating in a report that “targeted sanctions serve as a warning that acts contrary to basic norms of

justice and human rights cannot be committed with impunity even by authoritarian governments.” More importantly, just knowing that the official stance of the NLD and its iconic leader Aung San Suu Kyi are against lifting the sanctions is a justification in itself for many.

Apart from the symbolic ground, there are practical implications of lifting the sanctions. According to Human Rights Watch, the only types of substantial investments that are being held back by the sanctions are those related to gas and oil. Such investments would hardly generate many jobs, transfer intellectual capital, or promote democracy. Hence, a decision to lift the sanctions would hardly benefit the ordinary Burmese. On the other hand, those who would be the figures constituting the inner circle of the junta. Today the sanctions put a restriction on their ability to transfer their resources overseas and to travel abroad. In a situation where the sanctions were removed the Burmese leadership would have more incentives to cling on to power.

The Case against Sanctions

The lifting or the revising of sanctions can be argued for by looking at a number of considerations. Firstly, sanctions are not always effective. In fact, since 1970 unilateral sanctions by the USA have failed to bring about the desired change in 87 per cent of the cases. In the remaining cases, sanctions were not actually the deciding factor that determined the desired outcome. For example, in Haiti, sanctions were only successful after military force was threatened. In Iraq, where sanctions failed, Saddam Hussein was forced out of power only by a justified military campaign. Only in South Africa did sanctions have the desired effect, but that situation is not comparable to Burma. In South Africa, sanctions were multilaterally imposed and South Africa’s most important trading partners supported



the sanctions, something which will not occur in Burma, with current Chinese and Indian strategic interests.

On this note, Myanmar has been effectively gifted to China and others leaving little room for European or US investment or input. ASEAN also voices this concern and observes a drifting towards China, who is their largest arms supplier. This seems to be an unintended consequence where moral concerns reign above practical considerations. However, this way of developing foreign policy can only be respected if all foreign policy is developed this way, and it is not. Examples of this hypocrisy can be seen in states where there are no U.S. sanctions. For example, Saudi Arabia is one of the most abusive regimes in the world, China imprisons pro-democracy activists and does not have a great human rights track record, and the list goes on. Myanmar seems to be a country where the international community can flex its moral muscle every now and again, but sanctions really do not serve any other purpose.

This is strange considering the wealth of natural and human resources in Burma. Despite this, it is ranked 132 out of 169 countries in the UN's Human Development Index for 2010, eight places below Cambodia, the second-lowest ranking Southeast Asian nation. The sanctions have clearly driven a wedge between Western investments in Myanmar. American- and European-owned investments would potentially bring higher wages, new technology, and Western-style labour practices to workers in Myanmar. Outside investment strengthens private institutions while exerting influence on the government to liberalize its economic policies. The same influence has been at work in China, where foreign direct investment, even when in partnership with state-owned enterprises, has profoundly and positively affected the lives of Chinese workers.

Finally, one must face up to the fact; sanctions have failed to dislodge the junta and they are in no threat of losing power anytime soon. The Myanmar military's "siege mentality" has only become more imbedded and will continue to do so after

the international community's response to the recent election outcome. Not only is Myanmar isolated from the world, but now the leaders have isolated themselves far in the mountains only accessed by the aptly named "highway of death". This isolation is not only self imposed but is also a reaction to a lack of international engagement.

Conclusions and Predictions

An examination of the pros and cons of sanctions reveals that the sanctions are largely a moral effort. More and more research on the sanctions is beginning to show that they are in fact flawed in many ways and do not help in attaining the intended goal of dislodging the current regime. The European Union will revise the sanctions in April and there are many different voices in Europe now arguing for more engagement and a lifting of the sanctions. One wonders if there will be any change at all, and if so, to what extent? Perhaps there will be some revisions of the visa bans on the military junta, which will be a significant step towards increasing engagement, but one doubts that there will be a complete lifting of the sanctions. It seems that the stance of Aung San Suu Kyi and the NLD will be a deciding factor in how Europe decides. It can be political suicide to suggest alternatives to what she says or even question how representative she is of the people, but we will have to wait and see. One can only hope that the revision will stem from a pragmatic stance rather than from a hypocritical moral one.

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