

## EU-Myanmar Relations: Toward Greater Engagement

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*EU-Myanmar relations have come a long way in recent years since sanctions were first imposed on Myanmar in 1990. This paper accordingly provides an overview of the improvement in bilateral relations since 2011 when the civilian government came to power. In recognizing that the EU has an important and ongoing role to play in supporting Myanmar's development and transition to democracy, the author argues for the need for greater engagement with the Tatmadaw, the country's armed forces, so as to assist in military as well as police reform.*

Diplomatic relations between Myanmar and European countries were established as early as 1948, following the independence of Myanmar. However, three decades later, amidst the 1988 events, relations became increasingly strained with the consolidation of military rule in Myanmar. After the State Law and Order Restoration Council (SLORC) failed to hand over power to the National League for Democracy (NLD), which won 80 percent of seats in the May 1990 national elections, the EU adopted its first round of sanctions against Myanmar consisting of an arms embargo as well as the suspension of defense cooperation. Furthermore, the EU Common Position on Myanmar 1996/635/CFSP was adopted in October 1996, according to which the EU reaffirmed the punitive measures already taken as well as introduced entry visa bans on senior government and military officials and their families. An additional measure was the suspension of high-level bilateral governmental visits.<sup>1</sup>

For the next 15 years or so, the EU renewed, modified, and extended the scope of restrictive actions against Myanmar, including asset freezes and investment bans. While the European Union (formerly the EC) and its member countries criticized the authoritarian rule of the SLORC, which after 1997 changed its name to the State Peace and Development Council (SPDC), the latter blamed the West for meddling in its internal affairs and supporting anti-government exile groups. As a result, relations between the two reached a nadir with the country of Myanmar suffering as a result.

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## Turning Tide in Relations

Domestic developments in Myanmar took a turn with the signing of a new constitution in 2008 as part of the country's Seven-Step Roadmap to Democracy that downscaled the role of the military, albeit still reserving 25 percent of seats in Parliament for the Tatmadaw. In the same year, Cyclone Nargis struck the country wreaking widespread devastation. Thereafter, the EU and its member countries became the biggest donor of humanitarian aid and development assistance to Myanmar. Indeed, as of May 2012, the EU aid portfolio for Myanmar amounted to 97 million Euros with 44 percent allocated to livelihoods and food security, 45 percent to health and education, and the remaining 11 percent to civil society programs, human rights, good governance, and so on.<sup>2</sup>

A further turning point in relations came when, on March 30, 2011, the new civilian government was formed. President U Thein Sein, as well as the vice-presidents and Union ministers, were formally sworn into office, during which the president outlined the three phases of reform the new civilian government

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“The EU’s participation and commitment will pave the way for benefiting the Myanmar people who strongly desire democratic reform”

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would carry out: political reform and national reconciliation; economic and social reform; and administrative reform for better governance. While initially having been hesitant and skeptical, the EU and its member states

openly stated their support to Myanmar’s transition process whilst also recognizing that that the country faced many daunting challenges.

The subsequent visits of President U Thein Sein, Speaker of the Pyithu Hluttaw, U Shwe Mann, and NLD leader Daw Aung San Su Kyi to EU countries further helped foster better relations with the EU. On May 14, 2012, the EU adopted Council Regulation (EU) No 409/2012<sup>3</sup> suspending restrictive measures against Myanmar until April 20, 2013. Finally, on April 22, 2013, the EU lifted all sanctions on Myanmar with the exception of an arms embargo. In a statement issued on the same day, Catherine Ashton, the EU’s High Representative for Foreign Affairs and

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**Cover photo:** President U Thein Sein on a visit to London, Foreign and Commonwealth Office

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Security Policy, said: “Today, we closed a very long chapter in our relations with Myanmar/Burma by lifting political and economic sanctions. Only the arms embargo remains in place.”<sup>4</sup>

Whilst the EU states its willingness to open a new chapter in its relations with Myanmar, with it also recognizing that the period leading to the general elections in 2015 is critical for the country’s overall transition, the Council of the EU underlines the importance of coordination and coherence in the EU’s response. The Council continued to express concerns over the need for the government to release remaining political prisoners, to deal with inter-communal violence, to deal with humanitarian risks for all displaced people in Rakhine state, and allow unhindered and full access for humanitarian and development aid workers to areas affected by conflict and sectarian violence.<sup>5</sup>

In spite of ongoing concerns, President U Thein Sein’s visit to five European countries in February-March 2013 saw the issuing of a joint statement on March 5 in Brussels by the presidents of the European Council, European Commission, and the Republic of the Union of Myanmar on “Building a Lasting EU-Myanmar Partnership.”<sup>6</sup> This was followed up in June by the first ever forum held between the EU and Myanmar in Nay Pyi Taw, co-chaired by Myanmar Deputy Foreign Minister U Thant Kyaw and Chief Operating

## Path to Better Relations

### 2011

- April 12 - EU Foreign Affairs Council renews but also amends some restrictive measures which includes the easing of visa restrictions for some personnel including Union Ministers and Deputy Ministers
- November 18 - NLD announces its decision to participate in by-elections, which is welcomed by the EU and which announces that it is reviewing its policy toward Myanmar

### 2012

- April 1 - by-elections are held and Ms. Catherine Ashton congratulates the conduct of the elections, saying that the EU would continue to support the ongoing reforms in Myanmar
- April 28 - EU office is opened in Yangon to advance regular contacts and cooperation between the EU and Myanmar
- June 8 - EU suspends restrictive measures except for an arms embargo. Asset freezes and investment bans affecting more than 1,400 Myanmar entities and persons are lifted
- November 3 - Myanmar Peace Center in Yangon is opened with President of the European Commission Mr. Barroso in attendance

### 2013

- January 17 - EU issues announcement (A 19/13) to open EU Delegations to Myanmar
- March 5 - President U Thein Sein visits Brussels during his visit to five European countries leading to a Joint Statement (MEMO/13/176) on Building a Lasting EU-Myanmar Partnership
- April 22 - EU Foreign Affairs Council lifts all sanctions except arms embargo and the establishment of a joint Task Force is announced
- June 12 - Irish presidency of the EU and the President of the European Parliament sign legislation confirming Myanmar's readmission to the EU's GSP trade preference scheme
- June 17-18 - 1st Myanmar-EU Forum held in Nay Pyi Taw
- November 13-15 - co-Chairs EU High Representative Catherine Ashton and U Soe Thane, Union Minister, meet at the Joint EU-Myanmar Task Force in Yangon and Nay Pyi Taw

Officer of the European External Action Service David O'Sullivan, to discuss priorities and focusing on implementation of the joint statement. Also announced was the setting up of two working groups on trade and investment, and on cooperation.<sup>7</sup> In November 2013, Catherine Ashton visited Myanmar during which the EU-Myanmar Task Force was launched as part of a stronger partnership between the EU and Myanmar, signaling a joint commitment to Myanmar's political and economic transition.<sup>8</sup>

In sum, the Myanmar government has welcomed such developments, stating that the EU's participation and commitment will pave the way for benefiting the Myanmar people who strongly desire democratic reform and have been steadfast behind the government's significant reform process.

## Engaging with the Tatmadaw

The last three years in particular have seen a marked improvement in bilateral relations between the EU and Myanmar. In this regard, it is encouraging that the EU supports the political, social, and economic development of Myanmar. The EU has shown its understanding of the challenges facing Myanmar's transformation, and also recognizes that the period leading to the general elections in 2015 will be important for the country's overall transition. However, in order to ensure free and fair elections in 2015 and to achieve a successful step in the direction of a full transition to democracy, the EU should not neglect to pay attention to one of the key players in the politics of Myanmar—that is, the armed forces, or the Tatmadaw.

Since the country regained its independence, the Tatmadaw has been the only strong institution that has functioned and served to preserve the unity of Myanmar. It follows that it will surely continue to play an important role in Myanmar's politics in the future. At present, 25 percent of representatives in the two Houses of Parliament (Amyotha Hluttaw and Pyithu Hluttaw) are drawn from the Tatmadaw, which is also able to nominate one of the three presidential candidates; the other two presidential candidates are nominated by each Hluttaw. Moreover, the three ministers in Cabinet are nominated by the Commander-in-Chief of the Defense Services (Army, Navy, and Air). The three ministers are from the Ministry of Defense, the



Ministry of Home Affairs, and the Ministry of Border Affairs, respectively. However, it is important to note that the Head of the Union of Myanmar and the Head of the Executive of the Union is the president with the Commander-in-Chief being subordinate to the president.

It is also necessary to realize the different roles of the government and the Tatmadaw. The government will be elected every five years while the Tatmadaw is the long-standing defense institution of the country. As was defined in February 1999, the Tatmadaw outlined its mission as “Our 3 Main National Causes”—consisting of the non-disintegration of the Union, non-disintegration of national solidarity, and the perpetuation of national sovereignty. While the Tatmadaw will not be responsible for all the decisions and undertakings of the government, it sees itself as needing to play a stabilizing role in national politics and to prevent politicians from interfering in military affairs. Indeed, Chapter VII of the 2008 Constitution reaffirmed the core role of the military, a provision which has led many observers to believe that this will make the military the most important institution and so secure its future role in the Union. During a press conference in Finland on March 3, 2013,<sup>9</sup> and a VOA live studio audience (VOA Town Hall Event) on May 19, 2013,<sup>10</sup> President U Thein Sein was asked the same question concerning the 25 percent ratio of military representatives in the coming 2015 elections to the Hluttaws. He gave the same answer: “the role of the armed forces (Tatmadaw) cannot be omitted in Myanmar because of the significant part it has taken along the course of the country’s history. The 25% military representation in the Parliament at present is due to the unique historical background of the country. Nonetheless, the ratio *will be reduced gradually*” (author’s emphasis).

What, then, does this mean for the EU? Hitherto, many Western countries have seemed more concerned with what should happen in Myanmar rather than what is really possible. One lesson should be that decades of sanctions failed to achieve the desired outcome. Although there are undeniably many issues to be solved, simply repeating them and calling for change will probably not contribute much to grappling with Myanmar’s challenges. It would be far more pragmatic for the EU to engage with the only strong and well-functioning institution in the country—that

is, the Tatmadaw—and work with what little space for maneuver there is.

The prime goal of the EU is to help a legitimate, civilian government to pursue the social and economic development of the country, respecting human rights and rebuilding relations with the international community. Within the country, the EU has been recognized for its fair and equal treatment of all political parties, which is not the case for the United States, for instance. The EU should take advantage of its credibility within Myanmar and so deal with—and not neglect—the Tatmadaw.

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In thus doing, it should be recognized that the Tatmadaw needs to become a more professional force, which necessitates capacity building, fostering a more global outlook, and other forms of assistance, all of which the EU can help with. The ways of thinking, perceptions, and attitudes are significantly different between the civilian politicians and Tatmadaw leaders. Therefore, the Tatmadaw representatives in the Hluttaws should be regarded as the intermediary forces through whom mutual trust and understanding can be built between the Tatmadaw leadership and civilian politicians. Engagement through dialogue can build mutual understanding and trust and strengthen civil-military relations, which can only have positive ramifications for the 2015 elections.

There are some signs that some EU member states have started to recognize this. For instance, (now former) Chief of the British Armed Forces General Sir David Richards visited Myanmar in June 2013. He was the first British military leader to visit Myanmar after the formation of the new civilian government. As a result of his visit, it was announced that a British defense attaché would be appointed; hitherto, the defense attaché based in Singapore made monthly visits to Yangon. On June 3, Commander-in-Chief of the Defense Services Senior General Min Aung Hlaing met with General Sir David Richards in Nay Pyi Taw. The following day, in an exclusive interview with *The*

*Myanmar Times*, General David Richards stated as follows: “I’m here for a specific reason, which is to see how we might assist the Burmese military in playing their critical role in this vital transition process. Right now is the moment to help them maintain momentum and put our feet on the pedal and assist them. The broad reforms undertaken in the past two years coupled with a ‘sincere determination’ by military officials to reform their own institution indicated that cooperation should be ramped up immediately.”<sup>11</sup> British Ambassador to Myanmar Mr. Andrew Heyn reaffirmed this by saying: “This is engagement across the piece [sic] and a balanced engagement. If you don’t engage on this part (defence) then you are missing a huge part.”<sup>12</sup>

### *Myanmar Police Force*

Allied to the need for engaging with the Tatmadaw is promoting relations and exchanges with the Myanmar Police Force so as to increase its role in security and the rule of law. A member of INTERPOL since 1954 and an ASEANPOL member since 1998, it has recently enhanced cooperation with both organizations, especially in light of Myanmar’s staging of the South-east Asian Games in December 2013 and the ASEAN Summit to be held in Nay Pyi Taw in 2014.

The police force was an independent body up until 1964, after which it came under the authority of the Ministry of Home Affairs. At present, according to the 2008 Constitution, the Minister for Home Affairs must come from the Tatmadaw as nominated by the Commander-in-Chief. Additionally, most high-ranking police officers have been transferred from the Tatmadaw.

In order to become a more professional police force, however, it is in need of capacity building and technical assistance, so that it is better able to handle security issues and to gradually assume more power and authority from the Tatmadaw in the relevant areas. In particular, it has been criticized for its performance in handling protests and riots as well as question marks placed against its capability and capacity. In this context, the Myanmar Police Force have already had talks with EU delegations and discussed matters of handling protests and upgrading the capacity of police officers.<sup>13</sup> Although attempts have been made to upgrade its image, it continues to be seen poorly in the eyes of public

opinion, has experienced difficulties in dealing with protests and riots, has at its disposal insufficient or outdated equipment and modus operandi, and is afflicted by bribery and corruption. Undermining its role is the fact of the low number of policemen (there is currently a ratio of approximately one policeman for every 1,000 people) and the low salary and benefits (the salary scale of police is among the lowest out of the government service) on offer, which is a contributing factor to bribery and corruption.

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“The military’s role in the 2015 national elections could determine the future of political and economic reform”

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### **Military Cooperation with Other Countries**

A number of other countries outside of ASEAN, including China, the United States, India, and Japan, among others, have ramped up cooperation with the Tatmadaw in recent years. It follows that the EU could draw some lessons from the examples of cooperation, which are briefly reviewed below.

Military cooperation has been pronounced between China and Myanmar, especially during the SLORC/SPDC period, with there having been reciprocal high-level visits, training of military personnel, and border personnel exchanges, to name but a few activities. On May 12, 2011, Vice Chairman of China’s Central Military Commission Xu Caihou visited Nay Pyi Taw, becoming the first foreign military leader to visit Myanmar after the formation of the new civilian government. During the visit, Xu made a three-point proposal for the development of the two armed forces: enhancement of mutual trust strategically and consolidation of the friendly overall situation; the strengthening of links and coordination and safeguarding of the two countries’ common benefit; and pushing forward practical cooperation and exchanges and deepening friendly ties between the two armed forces.<sup>14</sup> Concrete areas of discussion during Commander-in-Chief Min Aung Haling’s visit to China on November 27, 2011, furthermore, included security cooperation along the Mekong River, border development, and issues concerning the smuggling of narcotics across the border

as well as other illegal activities.<sup>15</sup> China is an important economic and strategic actor vis-à-vis Myanmar, which may affect relations being established with the U.S. and the EU. However, whereas concrete military relations with the U.S. might heighten the worries of Beijing, EU military cooperation in training, capacity building, and technical assistance in non-combatant fields is not likely to raise too much concern in Beijing.

Notwithstanding the above, there have been some contacts between the U.S. military and its Myanmar counterparts. For instance, in October 2012 the Commanding General of U.S. Army Pacific, Lt. General Francis Wiercinski, visited Nay Pyi Taw and participated in a two-day human rights dialogue with Myanmar military officers,<sup>16</sup> which was followed by U.S. President Barack Obama's visit to Yangon in November 2012 and Myanmar President U Thein Sein's reciprocal visit to the U.S. in March 2013. After the bilateral meeting with President Obama, President U Thein Sein included in his remarks that "we discussed about the rule of law in our country, the strengthening of judicial bodies, providing assistance so that our police and military force become professional forces."<sup>17</sup> More specifically, on November 18, 2012, Myanmar Navy Officers visited USS Bonhomme Richard (LHD-6) which was in the Andaman Sea for Obama's visit—the first military visit since 1988.<sup>18</sup> At the Shangri-la Dialogue 2013, moreover, U.S. Defense Secretary Chuck Hagel said that "In Myanmar, we are beginning targeted, carefully calibrated military-to-military engagement aimed at ensuring the military supports ongoing reforms, respects human rights, and a professional force accountable to the country's leadership."<sup>19</sup>

In sum, areas of discussion with U.S. delegations are the 2008 Constitution, 2015 general elections, the internal peace process, the Tatmadaw's role and participation in respective Hluttaws, cooperation between the two armies, and providing training to young Myanmar officers of the armed forces.<sup>20</sup> Some observers supported limited exchanges and training in such areas as human rights, rule of law, democracy, and transparency to help professionalize the military. They said that the U.S. could work with the Tatmadaw via the Shangri-la Dialogue and ASEAN Defence Ministers' Meeting Plus. Moreover, the U.S. Pacific Command might invite some Myanmar military officers for ex-

changes at its Asia-Pacific Center for Security Studies in Hawaii. Many believe it is too early, however, to consider a resumption of U.S. International Military Education and Training (IMET) assistance to Myanmar.<sup>21</sup>

India, for its part, has pursued closer ties with the Myanmar military partly because of its own insurgencies in the northeast, and to offset China's growing influence. In this respect, India has engaged in joint military exercises and anti-insurgent operations together with the Myanmar military and provided military hardware. Further, in March 2013, Myanmar and India naval forces conducted a joint exercise near the boundary between Myanmar's Coco Island and India's Landfall Island, the first of its kind in 50 years.<sup>22</sup> There have also been high-level reciprocal visits. Areas of discussion have included the bilateral relationship, peace and stability in border areas, regional development, greater interaction between their respective armed forces, among other defense and security matters, and the exchange of sports teams of both armed forces.<sup>23</sup> Starting in 2012, Japan, too, has shown interest in discussing military affairs. Chairman of the Nippon Foundation Mr. Yokei Sasakawa is the Special Envoy of the Japanese Government to National Reconciliation in Myanmar. Additionally, former member of the House of Councilors Mr. Hideo Watanabe is the President of the Japan-Myanmar Friendship Association, which is working to promote not only government-to-government relations but also military relations between the two countries.<sup>24</sup>

## Steps for EU Engagement

Following on from the above, below are suggested a number of specific means by which engagement between the EU and the Tatmadaw can be carried out:

- Organize meetings with Tatmadaw generals whenever EU delegations visit Myanmar
- Offer to give visiting lectures at the General Staff College in Kalaw and National Defence College in Nay Pyi Taw
- Include a number of military personnel when inviting Myanmar delegations to EU countries
- Invite high-ranking military officers to visit or attend seminars at the European Defence Agency

(EDA) and the EU Institute for Security Studies (EUISS) in order to study the role of the military in EU countries and how to observe democratic practices in the military

- Offer to give training to young military officers from Myanmar in EU countries so that European-trained military officers will be included among the Tatmadaw's ranks in the future.
- Conduct trainings which are designed to enhance capacity building and provide a more global perspective.
- Find areas of possible cooperation between the EDA/EUISS and the Tatmadaw (e.g. in non-combatant fields such as medical services, military law, engineering in road and bridge construction). It should be recognized in this context that in far-flung and remote areas, only the Tatmadaw are able to provide medical services and build roads and bridges for local populations.

In short, engaging with the Tatmadaw is a pragmatic step that recognizes the military as an actor that cannot simply be ignored. Importantly, the military's role in the 2015 national elections could determine the future of political and economic reform. Reforming the military will take time, but it is important for the EU—as well as the U.S.—to start engaging with the next generation of officers now.

## Conclusion

Political stability, economic development, and internal peace are all interdependent: one cannot occur without the other. Furthermore, real progress toward democracy and respect for human rights are also important if Myanmar is to experience a successful transition. However, if progress is to be made in democratizing the country and achieving lasting peace, difficult talks will need to be had and hard compromises made. In the internal peace process, for example, it cannot be ignored that the Tatmadaw is one of the most important actors to be considered. Similarly, the transition from military rule to democracy requires the participation and not exclusion of the security sectors, including the Tatmadaw. Indeed, strengthening civil-military relations is crucial for the success of the political transition underway. The Myanmar government welcomes con-

structive international assistance in helping Myanmar to move forward. The Myanmar Peace Center, which receives substantial funds from the EU and its member states, has already played a role in helping to facilitate peace. The opening of the EU Delegation in Myanmar is a further significant achievement in EU-Myanmar bilateral relations. To conclude, therefore, the EU can play an important role in Myanmar's future if it chooses to do so.

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## KEY POINTS

- The last three years in particular have seen a marked improvement in bilateral relations between the EU and Myanmar, during which time the EU has shown an understanding of and commitment to overcoming the challenges facing Myanmar’s transformation.
- The prime goal of the EU is to help a legitimate, civilian government to pursue the social and economic development of the country, respecting human rights and rebuilding relations with the international community.
- The transition from military rule to democracy requires the participation and not exclusion of the security sectors, including the Tatmadaw. Indeed, strengthening civil-military relations is crucial for the success of the political transition underway.
- The military’s role in the 2015 national elections could determine the future of political and economic reform. Reforming the military will take time. But it is important for the EU to start engaging with the next generation of officers now.
- By engaging with the Tatmadaw, the EU can assist it in capacity building, fostering a more global outlook, as well as providing training and education in non-combat fields.
- The Myanmar Police Force is also in need of assistance in order to become a more professional force that can better handle security issues and assume greater responsibilities from the Tatmadaw.

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