



BRIEFING PAPER NO.6

MAY 2012

ESTABLISHING A COMMON FRAMEWORK

THE ROLE OF THE UNITED NATIONALITIES FEDERAL COUNCIL IN THE PEACE PROCESS AND THE NEED FOR AN ALL-INCLUSIVE ETHNIC CONSULTATION

While the Burmese Government continues to seek peace with the various ethnic resistance movements individually at the local levels, the United Nationalities Federal Council – Union of Burma (UNFC) is working in the political process to ensure that any state-level talks are held through a common framework. However, there remain a number of concerns to be addressed by member organisations in recognizing a common policy that will benefit all relevant ethnic actors.

The origins of the UNFC began in November 2010 shortly after the election. Three ceasefire groups, the Kachin Independence Organisation (KIO), the New Mon State Party (NMSP), the Shan State Progress Party (SSPP) together with three non-ceasefire groups, the Karen National Union (KNU), the Karenni National Progressive Party (KNPP) and the Chin National Front (CNF), formally announced the creation of an organising committee, the Committee for the Emergence of a Federal Union (CEFU).

The Committee's purpose was to consolidate a united front at a time when the ceasefire groups faced perceived imminent attacks by the Burma Army. At a conference held from the 12-16 February 2011, CEFU declared its dissolution and the formation of the United Nationalities Federal Council (UNFC). The UNFC, which was at that time comprised of 12 ethnic organisations¹, stated that:

[The strategy we adopt] may be right or wrong. What is important is that we are just one voice. If the strategy is wrong we can adjust it later.

Col. Hkun Okker, UNFC Joint General Secretary 2, March 2012

The goal of the UNFC is to establish the future Federal Union (of Burma) and the Federal Union Army is formed for giving protection to the people of the country.²

Shortly after, wide-scale conflict occurred throughout areas controlled by the SSPP and a number of their bases were lost to the Burma Army. Then, in June, the KIO ceasefire broke down, resulting in the current conflict in Kachin State. The formation of the UNFC had occurred at a time of increasing uncertainty in relation to how the new Burmese Government would settle the ceasefire group issue. Consequently, the creation of a broad-based alliance consisting of both ceasefire and non-ceasefire groups was a reasonable move.

The political leadership of the alliance originally fell on the KNU with KNLA Commander-in-Chief General Mutu announced as Chairman and KIA commander, Lt. Gen. Gauri Zau Seng as Vice Chairman No.1. The KNPP's Khun

Abel Tweed took the position of Vice Chairman No.2 and the NMSP's Nai Hongsa, General Secretary. The creation of the UNFC occurred while a number of other ethnic alliances still remained. The National Democratic Front, formed in 1976, still contained members of armed ethnic groups, the NCUB was still active, as was a five-party military alliance, the existence of the latter was the reason given by the SSA-South for not joining the UNFC.

Despite the fact that Gen. Mutu was ostensibly Chairman, the UNFC's policies were mainly driven by the KIO and the NMSP. The Central Executive Committee was reformed in May and it was announced that Lt. Gen. N'Ban La of the KIA would take over as Chairman and Gen. Mutu would be Commander of the Federal Union Army (FUA). Leadership changes were made once more at a meeting in November 2011, Gen. Mutu was replaced by Maj. Gen. Bee Htoo of the KNPP as Commander-in-Chief and Brig Gen Gun Maw of the KIO was appointed as Deputy#1. It was announced that the Federal Union Army had been formed at a meeting held on the 16-17 December 2011. According to its Circular #1 / 2011, the Federal Union Army's aims and objectives are:

- To defend the Union
- To achieve peace
- To restore democratic rights and fundamental rights of the people
- To struggle for Equality and Right of self Determination
- To oppose human rights violations and war crimes committed by some elements of the Burma Army
- To serve as a rally point for Burma Army members who wish to stand by the people
- To become a part of the armed forces of the future federal union³

The circular also designates the following as allies: the Arakan Liberation Army (ALA), the All Burma Students' Democratic Front (ABSDF), the United Wa State Army (UWSA), the National Democratic Alliance Army (NDAA) and the Shan State Army (SSA) 'South'. All the ethnic groups mentioned have already made peace agreements with the Burmese Government and the future role of the ABSDF, in light of Aung San Suu Kyi's release and the re-registration of the NLD, remains somewhat vague.

THE UNFC'S ROLE IN 2012

The last meeting of the UNFC was held in March 2012 after several of its members had already made initial peace agreements with the Government. In an attempt to consolidate a unified ethnic stance, the meeting was able to identify a number of key issues to be presented at the next round of peace talks at the Union level. While the UNFC agreed that members were allowed to hold separate discussions at the state level it was important that all members prepare a single united stance for any future dialogue in anticipation of a new Panglong-style initiative. In its manifesto the UNFC sets forwards two main points that need to be considered prior to Union level talks:

- (a) The Union government is to carry out the cessation of military offensives by its troops in areas of the UNFC member organizations immediately, to announce officially such cessation of the offensives and, at the same time, announce officially a ceasefire covering all the areas where armed conflict is happening. At the same time, the UNFC is to issue such an announcement;
- (b) After the Union government has announced a ceasefire officially, the two sides are to consult and speedily undertake for resolving the political problems peacefully through political dialogue. If political dialogue cannot be held or [there is a] failure to hold political dialogue [it] shall be taken as abrogation of the ceasefire;⁴

For the UNFC, there is a clear distinction between the priorities put forward by the Government through the 2008 Constitution and what UNFC members envisioned as representing the Panglong spirit. The Constitution

makes clear its priority of development over the political rights of ethnic states. This, in itself, negates what ethnic organisations see as their own priorities and this is the reason that the KIO is not prepared to stop fighting until this issue is addressed. The KIO, which has had a ceasefire agreement with the Government since 1994, claims that political dialogue must be held first, prior to the cessation of hostilities.

In addition, one of the main demands that the KIO is making is that such a negotiation take place outside of a parliamentary framework. The KIO position is that a new ethnic conference or dialogue should be convened along Panglong lines⁵. President Thein Sein in a speech before Parliament has already stated that:

We have no trick on the path in the direction of peace . . . we conduct peace talks on spirit of the Panglong agreement.⁶

However, it is unlikely that such an agreement can be created outside the parliamentary process; consequently, one of the main demands of the KIO may already be unachievable. It must be noted that the KIO, and its leadership of the UNFC, is extremely important in deciding UNFC policy and it has been suggested that without the KIO's involvement, the UNFC, and ethnic unity as a whole, may collapse.⁷

There still remain a number of differences within the UNFC's member organisations in regard to an integrated strategy. At least one group is not prepared to accept a non-secession agreement with the Government while another is seeking its own independent arrangements. As one leading UNFC leader noted, however, there is a need within the UNFC membership to recognise the differences in what would be the core member group, and that of smaller groups with less political leverage. That said, however, UNFC leaders are optimistic about being able to persuade other groups to adopt the same strategy but admit it will not be easy. As Col. Hkun Okker, UNFC Joint General Secretary 2 notes:

[The strategy we adopt] may be right or wrong. What is important is that we are just one voice. If the strategy is wrong we can adjust it later.⁸

Although a number of differing views still remain, the UNFC is confident that it will be able to play an important role at the Union level. A number of contacts have already been made between the UNFC as an umbrella organisation and Government peace negotiator Aung Min. However, for the Government to fully recognise the UNFC as wholly representing the aspirations of all the ethnic organisations, all members must adopt a single strategy, even if it means a loss of their own independent goals.

A number of ethnic alliances have come and gone primarily due to the lack of consensus between member organisations. The National Democratic Front, while still active, has become insignificant over the years primarily due to internal differences and the creation of other alliances, not due to a concerted effort by the Burmese Government to divide it. Organisational differences must be addressed before the UNFC will be seen by the Government as fully representing ethnic peoples. Therefore, the failure of UNFC member organisations to compromise could see the UNFC's role diminished and perhaps, more importantly, the future of ethnic solidarity and equality damaged.

THE NEED FOR AN ALL-INCLUSIVE ETHNIC CONSULTATION

As noted earlier, the UNFC has an important role to play in formulating strategy at the State level with ethnic armed groups. Nonetheless, a much more broad-ranging strategy needs to evolve for any future Panglong-style conference to be successful, and this needs to take into account a wide ranging number of ethnic actors already in Burmese politics.

Since the 1990 elections, a number of ethnic parties have appeared on the Burmese political stage and have continued to play an important role. These Groups, the United Nationalities League for Democracy (UNLD), the United Nationalities Alliance (UNA), and, most recently, the Nationalities Brotherhood Forum needs to be

included in any future ethnic conference. These groups have had much more experience working within a Burmese political framework and can contribute a great deal to any future ethnic agreement.

The UNLD is perhaps one of the most important ethnic political alliances formed. Created in 1988 to contest the 1990 elections the UNLD's stated aim was to:

. . . adopt a policy aimed at the establishment of a genuine federal union based on democratic rights for all citizens, political equality for all nationalities and the rights of self-determination for all member states of the Union.

The UNLD contested the 1990 general election under the slogan of "democracy and equality" and won 35% of the popular vote and 16% of parliamentary seats (67 seats) in the national parliament of the Union of Burma. The election results established the UNLD as the second largest political party in Burma.⁹ After the election, the UNLD adopted some policies to be applied during the transition of power from an authoritarian military junta to what it believed would be a democratically elected government. Among these were tripartite dialogue, national reconciliation, and a national convention.¹⁰

Similarly the United Nationalities Alliance (UNA), also formed after the 1990 election, sought to establish itself as a major representative of ethnic aspirations. Formed by eight ethnic political parties the UNA consisted of Arakan League for Democracy (ALD); Chin National League for Democracy (CNLD); Kachin State National Congress for Democracy (KNCD); Karen National Congress for Democracy (KNC); Kayah State all Nationalities League for Democracy (KNLD); Mon National Democratic Front (MNDF), the Zomi National Congress (ZNC) and, perhaps more importantly, the Shan Nationalities League for Democracy (SNLD) which primarily steered the group. The UNA had taken a negative stance in relation to the Burmese Government's National Convention stating that:

...we, the United Nationalities Alliance-UNA, regard those attempts of resuming the adjourned National Convention, which was composed with government's hand-picks neglecting democratic principles and United Nations's General Assembly resolution, as an insulting act of the will of Myanmar people and civilized international community.

While both the UNLD and the UNA have gradually seen their significance wane, they still continue to have a part to play in ethnic politics. Years of experience working within the Burmese political system should not be casually dismissed by more recent political actors and for any substantive ethnic dialogue to take place their views must also be included.

While the UNLD and the UNA may be able to add experience to any future ethnic consultation perhaps the most essential role is that of the Nationalities Brotherhood Forum. The Brotherhood was formed after the 2010 election by five of the winning parties: the Phalon-Sawaw, the Chin National Party (CNP), the All Mon Region Democracy Party (AMDP), the Rakhine Nationalities Development Party, and the Shan Nationalities Democratic Party (SNDP). In total, the five members of the group were able to secure 127 seats over all three levels of parliament. In contrast to those ethnic groups who have functioned outside of Burma's political system, the Brotherhood is prepared to try and change the system from within, even though it acknowledges that, 'The November 7, 2010 elections were neither free nor fair.' That said, however the Brotherhood also notes:

But we saw that the recent by-elections on 1st April 2012 were relatively much freer and fairer. We now hope that the next elections in 2015 will be fully free and fair.¹¹

It is important to note the tone that the Brotherhood uses. Considering its members' current positions in Parliament, its last statement, which praises the success of the NLD in the recent by-election, quite strongly states that:

We consider any system of government that dismisses the rights of minorities to be a bully and a system that lacks basic democratic norms. Members of the Nationalities Brotherhood Forum will steadfastly and collectively oppose such a system. . . Loyalty to, and love for one's own ethnic identity, homeland, language, literature and culture are innate qualities inherent in all ethnic nationalities. We therefore oppose any attempts to subjugate the ethnic nationalities by trying to dismantle and undermine their spirit and unity.¹²

The main difference between the Brotherhood and the UNFC is its working experience. The UNFC is primarily composed of parties who have relied on military defiance to achieve their goals. And, in an approach that is not that dissimilar from the Burmese Government, ethnic armies have taken a major role in formulating political doctrine even if they have not controlled it absolutely. The Brotherhood, while recognising the fact that the situation is far from perfect, understands that for changes to be made, they must be done so from within the political system – an idea that is further supported by the NLD.

The UNFC, primarily due to the Kachin Independence Organisation's control of it and also the inclusion of a number of hardliners from other ethnic groups, is opposed to working within the current political system. The UNFC requires that the constitution be amended and a Panglong-style conference be convened outside of the current political framework. This in itself puts the UNFC in opposition to ethnic political parties working inside the country and also to Aung San Suu Kyi's NLD, a point that the UNFC is fully aware of noting that, ' . . . We may be taking a parallel position to that of The Lady.'¹³ The fact that the NLD's support may even be greater than that of local ethnic parties should cause the UNFC to perhaps rethink its position. There is little to suggest that in the next election ethnic political parties, especially any supported by the UNFC, would be able to gain more support than the NLD. Consequently, for the UNFC to be able to secure a role for itself in the future of the country, and best represent ethnic aspirations, it needs to be able to work with those parties who already have a strong political position within the country.

The recent announcement by the Burmese Government that its peace negotiating teams will be combined into one and led by U Aung Min is a positive sign in relation to solving the Kachin conflict. While the Kachin requests are still opposite to what other ethnic groups have already agreed to, the fact that U Aung Min will now be responsible for negotiations with the KIO could see a possible resolution to the war at least. Should this happen the UNFC will see its position further weakened.

The UNFC, if it wishes to remain relevant, needs to openly embrace other ethnic political actors in a reformed strategy and incorporate their ideas. While previous ethnic alliances, especially those created by armed ethnic groups outside of the country, have distanced themselves from above ground ethnic actors, the current environment should be taken into account. The current government's strategy so far has been to engage armed groups primarily on the basis of solving armed conflict, rather than finding a political solution to the ethnic issue. While this has largely been effective at the State level, for Union level negotiations to be successful all parties must recognise that only an all-inclusive political dialogue can solve what is essentially a political problem.

All parties must be involved in such a dialogue including the NDF and the Ethnic Nationalities Council. The latter, especially, has been involved in formulating political strategy and stressing the need for political dialogue and a negotiated settlement. The UNFC, like all ethnic political groups, needs to constantly adapt to this frequently changing political landscape, failure to do so may result in its own obsolescence.

Notes

¹ Chin National Front, Kachin Independence Organisation, Kachin National Organisation, Karen National Union, Karenni National Progressive Party, Lahu Democratic Union, National Unity Party of Arakan, New Mon State Party, Palaung State Liberation Front, Pa-O National Liberation Organisation, Shan State Progress Party/Shan State Army, Wa National Organisation. There are currently 11 members due to the fact that the KNO was absorbed into the KIO.

² 'Statement of Expanded Meeting of the Political Leading Board and Central Executive Committee of UNFC', 14 May 2011

³ 'UNFC: Federal Army formed, better late than never', SHAN, 23 December 2011

⁴ The Draft Manifesto of the United Nationalities Federal Council (UNFC)

⁵ Personal Interview with Dr La Ja, , 22 March 2012

⁶ 'Ethnic Peace is my priority', Saw Yan Naing, The Irrawaddy, 1 March 2012

⁷ Personal Interview Dr Khin Maung, 21 March 2012

⁸ Personal Interview with Col. Hkun Okker, UNFC Joint-General Secretary 2, 22 March 2012

⁹ There were 21 ethnic parties included in the UNLD: Arakan League for Democracy(ALD), Mon National Democratic Front (MNDF), Ta-ang (Palaung) National League for Democracy, Karen State National Organization, Chin National League for Democracy(CNLD), Kayah State All Nationalities League for Democracy, Democratic League for National Races of Shan State, Zomi National Congress, Farmer,Gadu ,Ganan and Shan National Unity Democratic Headquarters, Kachin National Congress(KNC), Mro or Khami national solidarity Organization, Democratic Organization for Kayan National Unity(DOKNU), Kachin State National Democratic Party, Inn-Tha National Organization, Rakhine National Humanitarian Development Organization (Marama Gyi), Union Pa Oh National Organization, Karen National Congress for Democracy, Mara people's party, Lisu National Solidarity, Wa National Development Party, Lahu National Development Party(LNDP)

¹⁰ See 'The Role of UNLD in the Struggle for Democracy and Federalism in Burma' in the 'The New Panglong Initiative: Rebuilding the Union of Burma' edited by Chao Tzang Yawng hwe and Lian H. Sakhong, UNLD Press, 2004

¹¹ 'The 9th Position Statement of Nationalities Brotherhood Forum', NBF, Yangon, 7 April 2012

¹² Ibid.

¹³ 'Ethnic Alliance ready to meet Government Negotiator', SHAN, 20 April 2012