



**Does the military misuse
peace talks for the perpetuation
of dictatorship?**

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A brief history of Myanmar politics

Under the 1947 Constitution, Myanmar people were able to enjoy parliamentary democracy since the country gained its independence on January 4, 1948 and up till 1958. Since the handover of power to the caretaker government led by General Ne Win on September 28, 1958, the army has led the country throughout the history of Myanmar politics. Now, it is difficult to think about the country's politics by removing the role of the army.

General Ne Win's caretaker government which promised to conduct the general election within six months could hold the polls only in April, 1960. The caretaker government handed over power to the Union Party led by U Nu who won the election. On March 2, 1962, the army led by General Ne Win seized power over the country. On April 30, 1962, the army declared the Burmese Way to Socialism and then abolished all political parties. On July 4, 1962, the army established the Burma Socialist Programme Party (BSPP). The 1947 Constitution was abolished on January 3, 1974. Then, the new 1974 Constitution was ratified with the referendum. The 8888 Uprising emerged across the country on August 8, 1988. The BSPP government led by General Ne Win and its cohort carried out

violent crackdowns, shootings, arrests, and killings of monks, students, and the public who defied them. Hundreds of civilians were killed in these brutal crackdowns. The result was that the socialist era (or the one-party dictator era) came to an end.

On September 18, 1988, the army led by General Saw Maung seized control of the country. Then, the army formed the State Law and Order Restoration Council (SLORC) and abolished organizations such as the parliament, judiciary body, and administrative body pertaining to the 1974 Constitution. On May 27, 1990, the general election was held with the participation of the National Unity Party (NUP), the National League for Democracy (NLD), and more than 90 political parties.

Despite the NLD's landslide victory in the election, the army did not recognize the election results and instead tried to crush the party with acts of terror such as killing and sentencing NLD leaders and party members, and driving a wedge between them.

On March 27, 1992, General Than Shwe took over control of the country from General Saw Maung. On November 15, 1997, the SLORC was abolished and reconstituted as the State Peace and Development Council (SPDC). On August 30, 2003, Prime Minister General Khin Nyunt declared a seven-step roadmap. On May 29,

2008, the 2008 Constitution which was drafted through the National Convention in Nyaung Hanapin of Hlegu Township in Yangon Region, was ratified. In 2009, the SPDC forced the Ethnic Revolutionary Organizations (EROs) which made the ceasefire, to transform into the People's Militia Forces or the Border Guard Forces (BGF), citing the 2008 Constitution. Some EROs transformed into the People's Militia Forces and the BGF. There were persistent tensions as some EROs such as the Kachin Independence Army (KIA) opposed the army's pressures.

On November 7, 2010, the general election was held. The Union Solidarity and Development Party (USDP) led by the ex-general and Prime Minister U Thein Sein and former generals won the election. On November 13, 2010, NLD leader Daw Aung San Suu Kyi was released from house arrest after the election. On January 31, 2011, the SPDC called the first regular session of the Lower House Parliament according to the 2008 Constitution.

On March 30, 2011, the quasi-civilian government led by U Thein Sein was formed. On August 18, 2011, it announced Notification No.1/2011, extending an olive branch to the Ethnic Armed Organizations (EAOs). On April 1, 2012, the NLD led by Daw Aung San Suu Kyi participated in the by-election in which the NLD secured almost all seats. More than 40 members of parliament

(MPs) from the NLD were elected. On October 15, 2015, eight EROs signed the Nationwide Ceasefire Agreement (NCA) with the government, the Tatmadaw, and parliament. On December 8, 2015, it was ratified by the Union Parliament.

On January 12, 2016, the Union Peace Conference which arose from the NCA was held. On March 30, 2016, control of the country was handed over to the government led by President U Htin Kaw from the NLD which secured the majority of seats in the 2015 general election.

During the tenure of the government led by President U Htin Kyaw, on August 31, 2016, the second Union Peace Conference was held under the name of the 21st Century Panglong Conference. The first 21st Century Panglong Conference was attended by the leaders of the EROs which had not signed the NCA. The speeches delivered by the EROs leaders were broadcast live.

On February 13, 2018, the NCA was signed between the New Mon State Party (NMSP), the Lahu Democratic Union (LDU), the government, Tatmadaw, and parliament. On March 21, 2018, President U Htin Kyaw retired and Lower House Speaker U Win Myint became the new President. The Union Peace Conference-21st Century Panglong Conference was held only four times during the five-year tenure of the NLD government. 71 agreements and three

sections of the Union Accord Part III were approved. These Union Accords were ratified by the Union Parliament.

On January 4, 2019, the Arakan Army (AA) attacked four border police camps in Buthidaung Township. There was intense fighting between the army and the AA in Arakan State and Paletwa of Chin State. Fighting suddenly stopped following the election held on November 8, 2020.

The NLD achieved a landslide victory in the 2020 general election. The USDP secured a smaller number of seats in the election compared to that in 2010 and 2015. The USDP and its allied parties met with regime leader Senior General Min Aung Hlaing. In a meeting with pro-military parties, the regime leader said, "There was nothing I wouldn't dare do".

At dawn, just few hours before the fourth regular session of the Lower House was due to commence on February 1, 2021, the army led by Senior General Min Aung Hlaing attempted a coup by detaining the President, the State Counsellor, cabinet members, the NLD's top leaders, and prominent politicians. On February 2, 2021, the military council formed the State Administration Council (SAC). On August 1, 2021, the military council formed the caretaker government.

On the opposing end, more than 300 elected candidates from the 2020 general election formed a 15-member Committee Representing Pyidaungsu Hluttaw (CRPH) on February 5, 2021 through a Zoom meeting. The total number of the CRPH members increased to 20 when some elected candidates from the Kayah State Democratic Party (KySDP), the Ta'ang National Party (TNP), and the Kachin State People's Party (KSPP) were added to the list, in addition to the NLD candidates.

Since February 6, 2021, anti-coup protests have arisen across the country. Till date, the public is still participating in peaceful protests in various forms. Anti-coup movements such as pot-banging, silent strike, and the 22222 strike were prominent.

On March 31, 2021, the CRPH announced that it abolished the 2008 Constitution and approved the Federal Democratic Charter. Under the Federal Democratic Charter, the National Unity Consultative Council (NUCC) emerged. On April 16, 2021, the formation of an interim National Unity Government (NUG) proposed by the NUCC was declared. As a result of the military council's atrocities, the People's Defense Forces (PDFs) and the Local Defense Forces (LDFs) mushroomed across the country. On September 7, 2021, the NUG's Acting President declared a nationwide revolt against the military council.

1947-1958 (Parliamentary Democracy)

1958-1960 (Caretaker Government)

1960-1962 (End of Parliamentary Democracy)

1962-1988 (Fall of the BSPP or the one-party dictatorship)

1988-2010 (Military rulers in different names and forms)

2011-2015 (Quasi-civilian government)

2016-2020 (Multi-party democracy era under the 2008 Constitution)

2021 - Present (The period of coup attempt)

1947

Myanmar gained independence on January 4, 1948.

1952

From 1948 to 1958, leader of the Anti-Fascist People's Freedom League (AFPFL) U Nu served as Prime Minister.

1957

Although an agreement was reached to hold an election in April, 1959 before the handover of power, the general election was held in April, 1960.

On September 28, 1958, General Ne Win was proposed as Prime Minister at the session of parliament.

On October 28, 1958, U Nu handed over power to General Ne Win, head of the caretaker government.

On April 4, 1960, U Nu, leader of the Union Party which won the election formed the government.

1962

On March 2, 1962, the Tatmadaw led by General Ne Win staged a coup.

On April 30, 1962, the Burmese Way to Socialism was declared.

On July 4, 1962, the BSPP was set up after the abolition of all political parties.

1967

1972

On January 3, 1974, a referendum for the Constitution was held and then the constitution was ratified.

1977

1982

Tatmadaw led by General Saw Maung seized power and formed the SLORC on September 18, 1988, along with the brutal crackdowns on the 8888 Uprising.

The organizations related to the 1974 Constitution and parliament, were abolished.

1987

On August 8, 1988, the 8888 Uprising emerged across the country. Hundreds of civilians were killed in the brutal crackdowns by the government and the Tatmadaw led by General Ne Win.

1992

On May 27, 1990, the general election was held. The BSPP (aka the NUP) secured only 10 seats in the election. The NLD won by a landslide. The army did not recognize the election results and tried to crush the NLD party.

On March 27, 1992, General Than Shwe took over control of the country from General Saw Maung.

On November, 15, 1997, the SLORC was abolished and the SPDC was formed.

1997

2002

On August 30, 2003, Prime Minister General Khin Nyunt declared a seven-step roadmap.

1988-2010 (Military rulers in different names and forms)

On May 29, 2008, the 2008 Constitution was ratified when many people lost their lives to Cyclone Nargis.

In 2009 and 2010, the SPDC forced the EAOs which made a ceasefire to transform into the People's Militia Forces and the BGF under the 2008 Constitution.

2007

On April 1, 2012, the by-election was held. The NLD party secured almost all seats. More than 40 MPs led by Daw Aung San Suu Kyi entered parliament.

2012

On November 7, 2010, the general election was held. The USDP led by ex-General U Thein Sein and other former generals won the election with advance votes.

On November 13, 2010, Daw Aung San Suu Kyi was released from home arrest following the election.

Three parliaments were over whelmed by the majority of MPs from the USDP and a quarter of military representatives. The government led by ex-General U Thein Sein was formed on March 30, 2011.

On August 18, 2011, the quasi-civilian government extended an olive branch to the EAOs with the Notification No.1/2011.

The first round of the Union Peace Conference was held on January 12, 2016.

On March 30, 2016, the U Thein Sein administration handed over power to the government led by President U Htin Kyaw.

From August 31, 2016 to September 3, 2016, the second round of Union Peace Conference (or the first 21st Century Panglong Conference) was held. It was attended by leaders of the non-NCA signatories.

2017

On October 15, 2015, the NCA was signed between eight EAOs, the government, the Tatmadaw, and parliament. On December 8, 2015, it was ratified by the Union Parliament.

The NLD won enough seats in the general election on November 8, 2015 to form government.

During the five-year tenure of the NLD government, the Union Peace Conference-21st Century Panglong Conference was held four times. Union Accord Part-III with 71 union agreements was ratified by the Union Parliament.

The Lower House Parliament for elected candidates from the 2020 election on February 1, 2021 was called.

2022

The Tatmadaw staged a coup attempt by detaining the government leaders including the President and the State Counsellor, and then formed the SAC on February 2, 2021.

On August 1, 2021, the SAC was re-formed as a caretaker government.

On February 6, 2021, anti-coup protests emerged across the country. Till date, the people are participating in various forms of peaceful protests. Pot-banging, silent strike, and the 22222 strike throughout the Spring Revolution were prominent.

On April 16, 2021, the NUG was formed through the Spring Revolution forces such as the CRPH and the NUCC.

PDFs/LDFs emerged across the country due to the military council's atrocities.

On September 7, 2021, the NUG declared a nationwide revolt.

On November 8, 2020, the general election was held. The NLD secured a landslide victory. The USDP led by former generals secured a lesser number of seats than in the previous elections.

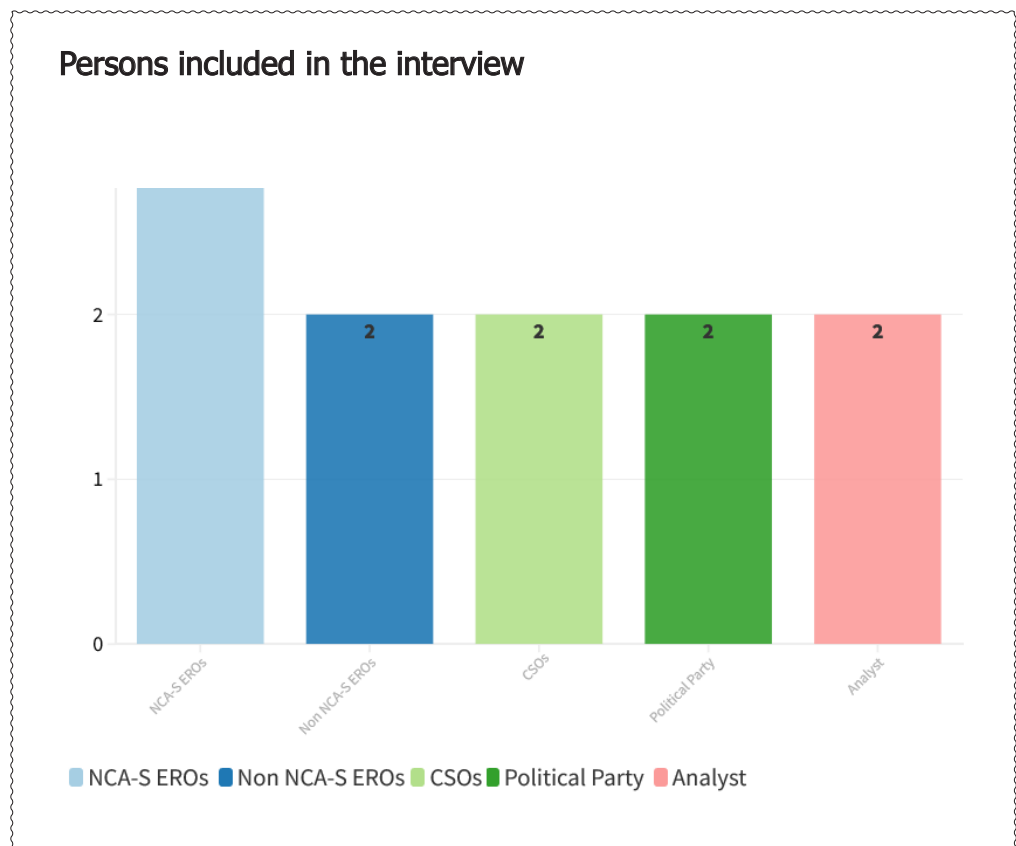
Timeline graph showing a brief history of Myanmar politics

Research objective and methodology

This paper aims to find the closest answer to the question of “Does the military council avail peace talks for the prolonged existence of military dictatorship?”. This paper also covers questions such as “Who leads peace talks and how are they conducted?” and “What is the highest aspiration for the peace talks and the desires of stakeholders who take a leading role in the peace talks?”. We will use the term “military group” for classes, layers, and groups pertaining to the Tatmadaw, the Tatmadaw government, and the quasi-civilian government.

The army usually holds talks and makes agreements in the tenures of successive governments since the post-independence period, using the term “peace”. However, the information and events have borne witness to the fact that the military has not made efforts in setting the goal to end the civil war.

For this paper, we will use the dataset of Burma News International - Myanmar Peace Monitor (BNI-MPM) about the findings, events, and statistics which were recorded throughout the peace process during the tenure of the U Thein Sein administration and the NLD government. We conducted interviews with relevant persons for this paper, and also raised separate questions to the EROs, political parties, civil society organizations (CSOs), and political observers.



For this paper, the following will be used as references: the findings from the interviews; news and interviews sent by our BNI member news agencies; news and interviews from local and foreign news agencies; the information from the Joint Monitoring Committee – Union (JMC-U) meetings; research papers; as well as BNI-MPM’s yearly peace process reference books and weekly news reviews.

Introduction

Taking a look at the successive governments and the period ranging from independence in 1948 through the parliamentary democracy era, the caretaker government era, the BSPP era (aka the one-party system), the military era, the quasi-civilian government era, and the elected president era, Myanmar has been governed by the army in different forms and names for 57 years till 2022.

Even within the 10 years before the military coup in 2021, the army controlled three key ministries – Home Affairs, Border Affairs, and Defense – under the 2008 Constitution. The army has reserved 25 percent of seats in three parliaments. It also attempted to hold onto power in the country since the takeover of power as the caretaker government in 1958.

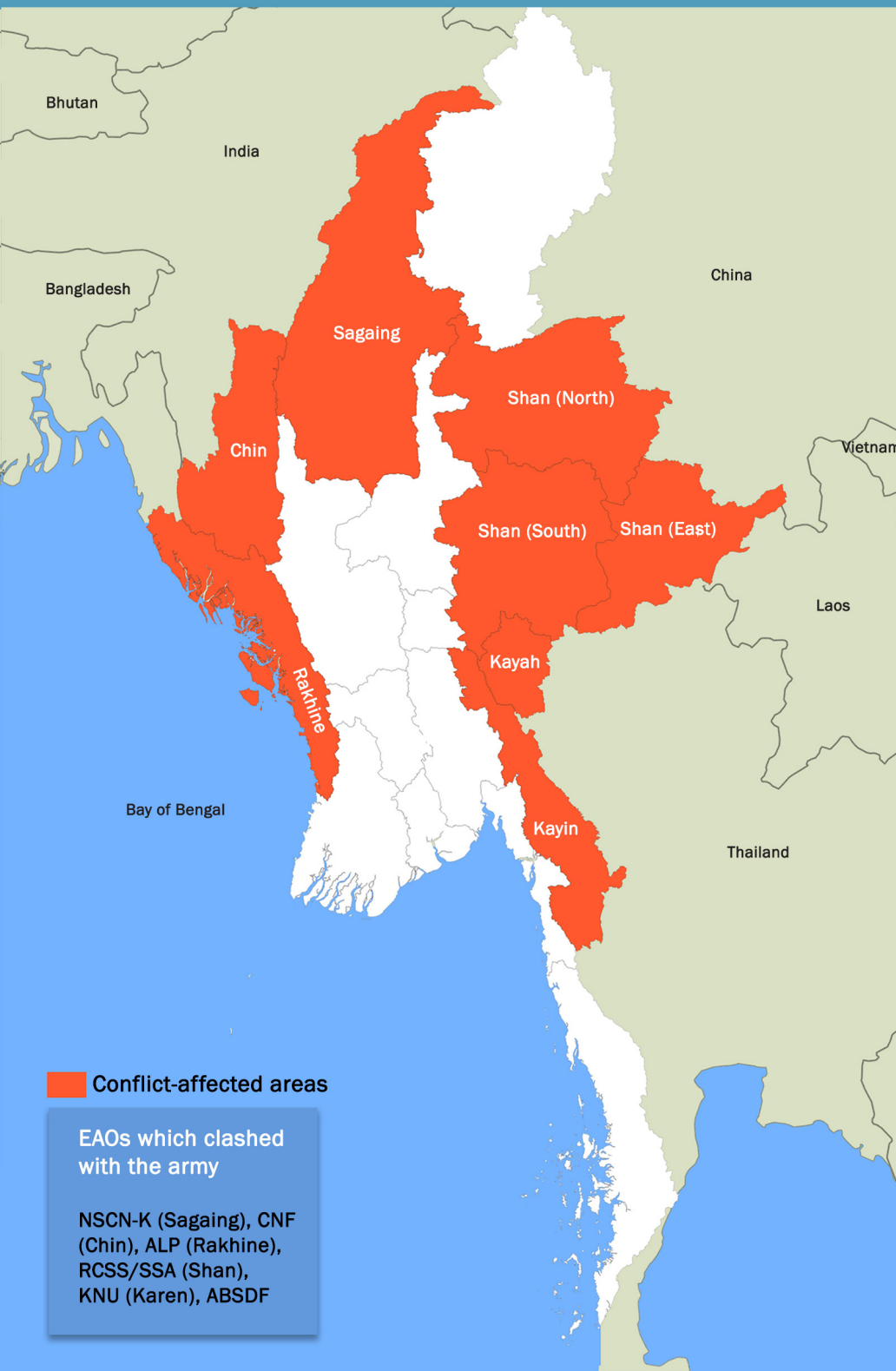
Till date since then, the country has seen the fanning of the flames of the civil war which emerged with independence. During the tenures of the BSPP led by coup leader General Ne Win, the SLORC led by Senior General Than Shwe, and the SPDC, a series of peace talks with the EROs were held but these only reached some form of ceasefire agreements at best. The civil war remains deeply rooted in the country.

The following three maps show the conflict-affected areas before the ratification of the 2008 Constitution, the conflict-affected areas during the 10-year tenure of two successive governments which emerged under the 2008 Constitution, and the conflict-affected areas following the 2021 coup. There are indications that the over 70-year-old civil war has gained momentum and the war is ever wider.¹

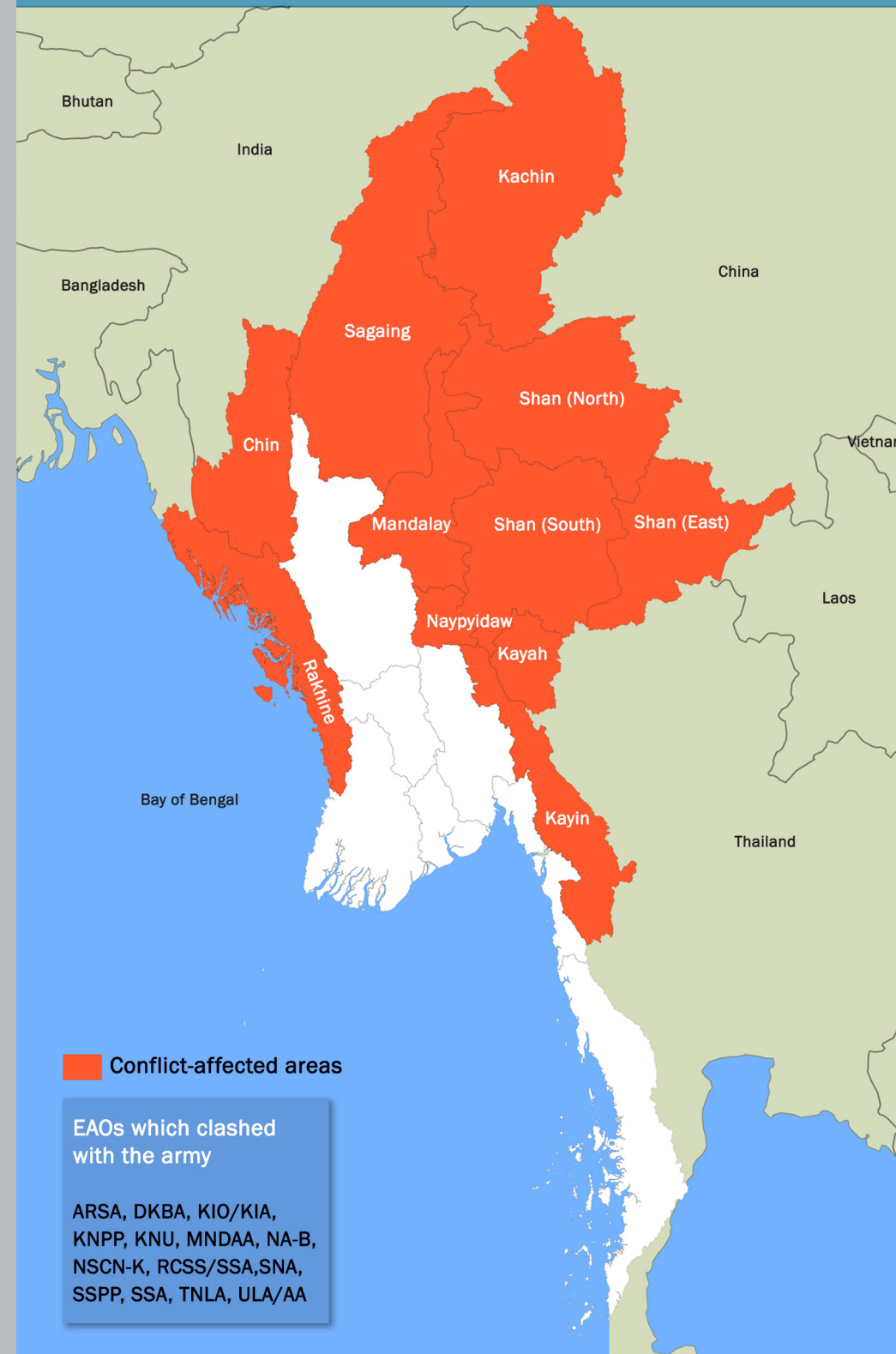
The army does not appear to be alleviating the civil war or the armed conflicts which were born since independence, in good faith. It is questionable whether the army's actions are instead made with the intent to increase military budget, further strengthen its interests, and retain power, citing the civil war.

¹ BNI-MPM Dataset, Monthly Dashboard on Peace and Conflict, <https://bit.ly/3VTJNwK>

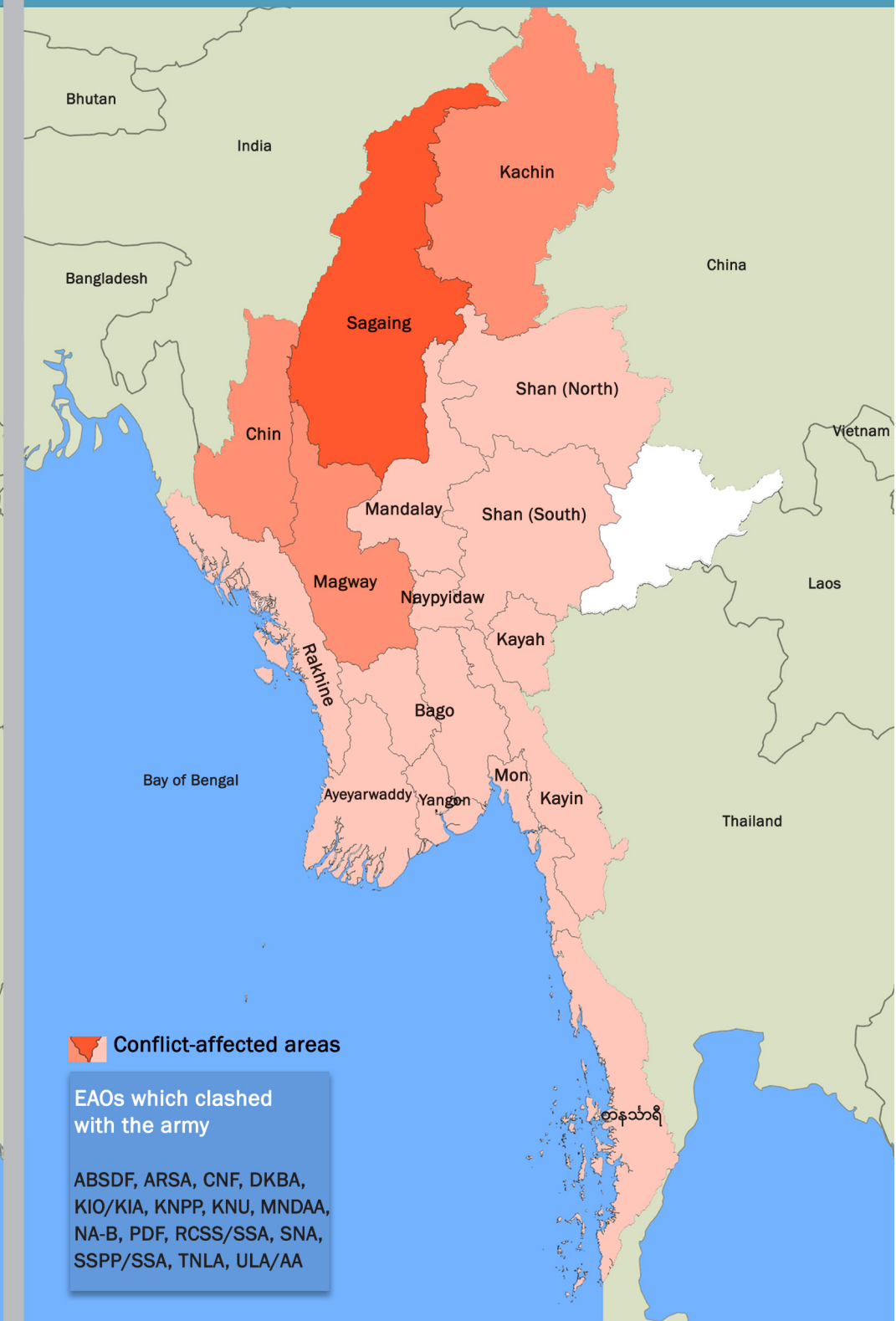
Conflict-affected areas before the ratification of the 2008 Constitution



Conflict-affected areas during the 10-year tenure of two successive governments which emerged under the 2008 Constitution

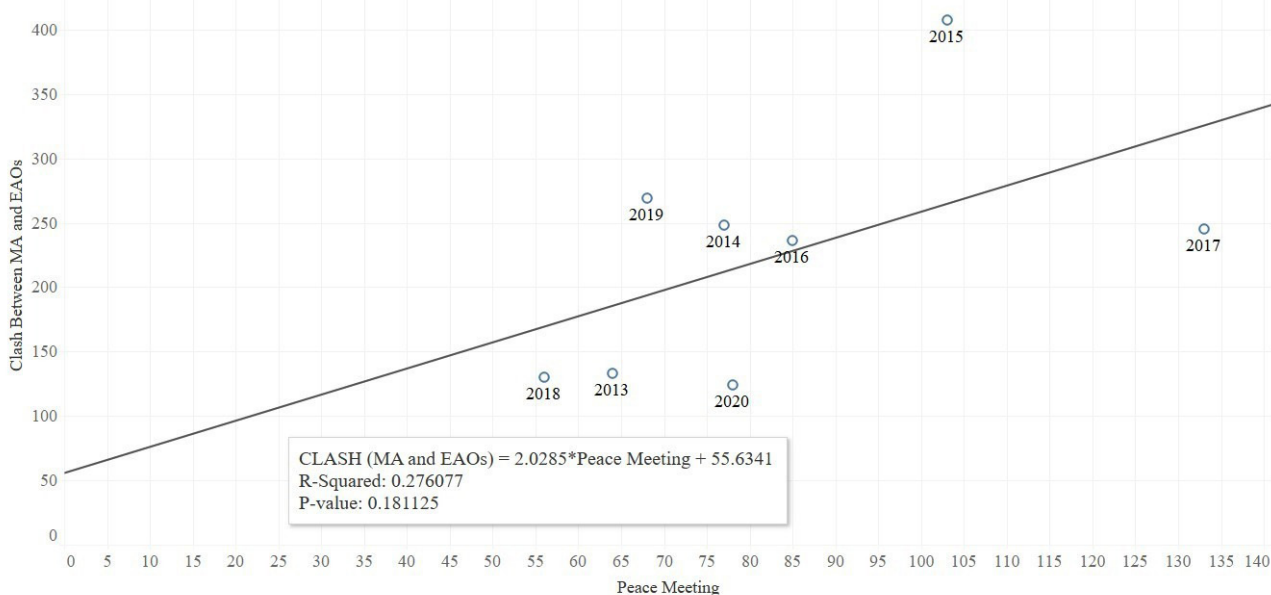


Conflict-affected areas following the 2021 coup



According to the map showing the period before 2010, the army agreed on a ceasefire with some EROs and clashed with other EROs. It can be said that the period beyond 2010, and in particular the period from 2011 to 2020, the elected government and non-elected army jointly governed the country. Wars and peace talks emerged in parallel. Despite some big successes like the NCA, hundreds of thousands of civilians were displaced by years-long armed conflicts in Arakan State and Paletwa of Chin State.

If the peace meeting increase, then the number of clash tend to increase, since the clash is positively related to peace meeting before coup



According to the records monitored by BNI-MPM since 2013, there is a positive correlation between the days of clashes and the days of meetings until the 2021 coup. If the peace meeting is held one time, the number of clashes increases by two days. It means that the number of clashes between the army and the EROs increases by two days when the elected government holds a meeting once. The army has adhered to the 2008 Constitution, controlled three key ministries, and reserved 25 percent of

parliamentary seats in three parliaments. It is found that the army makes effective use of fighting and dialogues during the local peace making process.

At the fourth session of the 21st Century Panglong Conference which was held before the coup, State Counsellor Daw Aung San Suu Kyi talked about the direction of the peace process beyond 2020, "The first peace process beyond 2020 is the joint implementation of national reconciliation and local peace process. The second process is the joint implementation of democratic transition and building the federal union. The third process is to implement the charter amendment process based on the agreements which emerge from the first and second processes."²

The charter amendment process included in the excerpt may have been a phrase which alarmed the army. It is difficult for the army to anticipate the civilian government's plan to amend the 2008 Constitution with the agreements from national reconciliation, domestic peace, democratic transition, and the building of federal union. The impact of the peace process which started in 2011, on the army's power sharing and interests became a challenge for the army.

The outcome was that the army did not recognize the results of the 2020 general election and staged a coup attempt like the 1962 coup, citing voter list frauds and irregularities. The regime followed in the steps of General Ne Win who took over power from Chief Minister U Nu in 1958. Yet, the recent coup can also be said to be totally different from others. The regime attempted a coup on February 1, 2021, violating the provisions of the military-drafted 2008 Constitution.

² Direction of 21st Century Panglong Conference, <https://mmpeacemonitor.org/314596/>

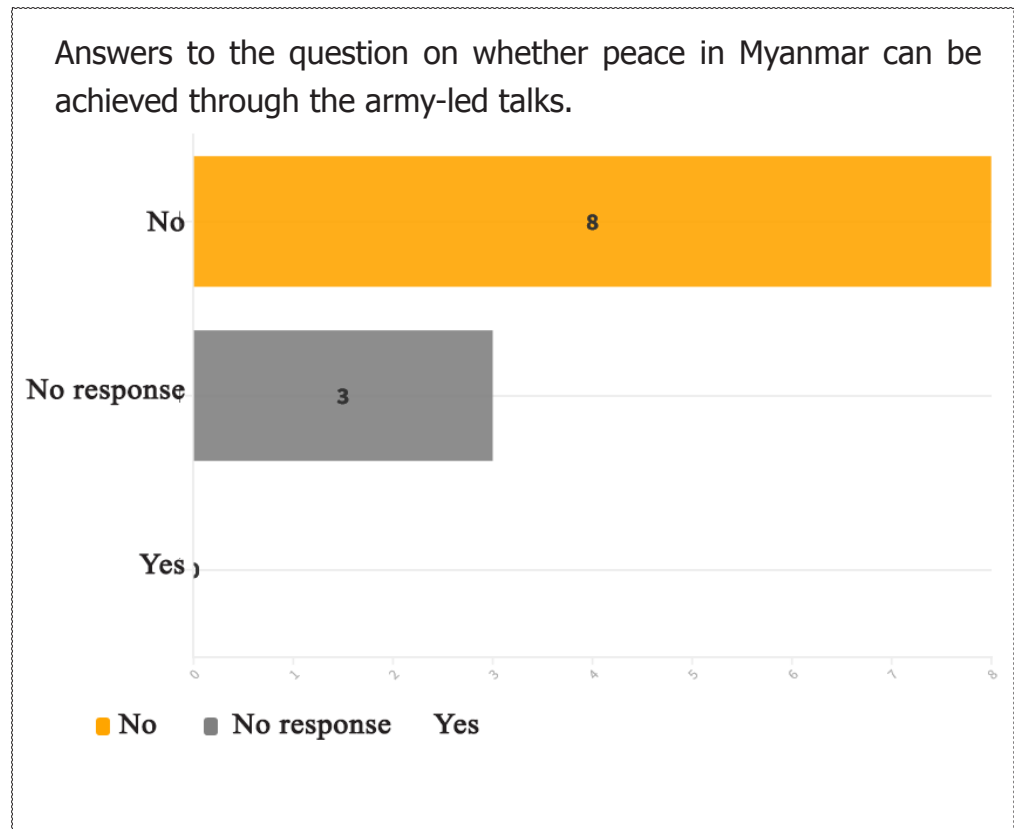
As a result of the coup, the public has launched anti-coup protests which continue even till now, 22 months on. A number of PDFs and LDFs have emerged across the country. Taking a look at the aforementioned maps showing the conflict-affected areas, the civil war or armed conflicts have become wider and more intense. The regime is in a position to destroy the peace process and violate ceasefire agreements. Similarly, the regime is capable of staging a coup whenever its power and interests are affected. The words such as “eternal peace”, “dialogue”, “democracy”, “federal union”, and “election” are merely deceitful or superficial words used when it is seeking an exit for a crisis.

It is therefore questionable whether the army-led peace talks are just for the prolonged existence of dictatorship, and whether peace can be achieved from the army-led talks.

Can peace be achieved through the army-led talks?

Yebaw Mi Sue Pwint, member of the Central Committee of the All Burma Students’ Democratic Front (ABSDF) believes that the army has a chance to show its importance due to the prevalence of the over seven-decade-long civil war. The army has described the resistance launched by the EROs for building the federal democratic union which can guarantee equality and self-determination, as the violence movement. Discussions and coordination which cannot go beyond ceasefire should not be considered as “political dialogue and peace talk,” Yebaw Mi Sue Pwint claims.³

³ Interview (9) | Interview with Yebaw Mi Sue Pwint, Central Committee member of the ABSDF, BNI-MPM



Eight respondents to this paper answered “No” for the first question prepared by BNI-MPM on whether peace can be really achieved from the army-led talks, while three other respondents abstained. There is no one who indicated “Yes”. Even Colonel Khun Okkar, Pa-O ethnic leader and the leading committee member of the Peace Process Steering Team (PPST), who did not directly answer the question, did not say “Yes” assertively. He compares the difference between the genuine army and retired generals.

“The genuine army does not allow the parties to hold political dialogues. It doesn’t like it. However, in the tenure of quasi-civilian government led by U Thein Sein, the talks held under the name of retired generals are said to achieve success to a certain extent.”⁴

⁴ Interview (3) | Interview with Colonel Khun Okkar, Patron of the PNLO, BNI-MPM

Naw Hser Hser, General Secretary of the Women's League of Burma (WLB), who herself participated in peace talks, said the leadership and participation of the army either in peace talks or political dialogue should not allowed. The army itself violated its agreements and pledges.

"The army is duty-bound for defense and security under the civilian government. It is not right to participate in politics. It should not play in a leadership role. The army's leadership role in our country is totally wrong. The army always attracts the groups with the give-and-take policy for retaining its power however the army builds peace. Then, the army attacks the groups. The army will invite the groups to the peace talks when they are weak," Naw Hser Hser says.⁵

The Karen National Union (KNU) is the strongest among the eight EROs which signed the NCA during the tenure of the U Thein Sein administration. Established in 1948, the KNU has a lot of experiences with the regime's actions and strategies during the political process and peace process. There are a lot of violations of agreements and pledges by the army, said KNU spokesperson Padoh Saw Taw Nee. In addition to the violations of pledges, there were many signs that the army provoked clashes by sending its troops to the KNU-controlled territory.

"The peace process is really in an awkward position as the army has no dignity and doesn't keep its promises. We urged the army to stop the situation of the coup. But we could not prevent the

⁵ Interview (5) | Interview with Naw Hser Hser, General Secretary of the WLB, BNI-MPM

army from doing it. The army staged a coup insistently. Following the coup, the army continues to walk on the path of peace process. We cannot accept it totally.”

“In the past, we accepted the really-crucial matter for the army. We made efforts whatever the situation was. However, it is crystal-clear that we cannot accept the army-involved peace at all when we come to know it will not be okay,” said Padoh Saw Taw Nee, spokesperson of the KNU ⁶

Ethnic affairs expert Dr. Pyin Nyar Mon said as the former army and army-led dialogue processes do not lead to the peace path, it cannot reach the stage for the establishment of the future democratic country. Dr. Pyin Nyar Mon says, “The army will not amend all the provisions of the 2008 Constitution. I think the army will amend the Constitution to a certain extent. As the new players of the Spring Revolution such as the CRPH, the NUG, the PDF and other players have emerged and the over 70-year-long civil war has gained momentum following the 2021 coup, the inclusion of relevant organizations is of great importance in making an approach to Myanmar political problems and peace processes.”

Dr. Pyin Nyar Mon says, “They become new actors in the armed conflict in Myanmar. Political problems and military problems are also crucial. We cannot ignore the role of new actors in the talks. They all should participate in the talks to solve the problem and to achieve peace in Myanmar. We need to think about the inclusion of international organizations and the SAC. If not, our country will not achieve peace easily.” ⁷

⁶ Interview (6) | Interview with Padoh Saw Taw Nee, spokesperson of the KNU, BNI-MPM

⁷ Interview (1) | Interview with Dr. Pyinnyar Mon, ethnic affairs expert, BNI-MPM

The Kachin Independence Organization/Army (KIO/KIA) declined the regime's peace invitations on April 22, 2022, the Karenni National Progressive Party/Karenni Army (KNPP/KA) on May 5, the Chin National Front (CNF) on May 6, the ABSDF on May 8, and the Karen National Union/Karen National Liberation Army (KNU/KNLA) on May 9, citing various reasons.

The northern alliance of the Myanmar National Democratic Alliance Army (MNDAA), the Ta'ang National Liberation Army (TNLA), and the United League of Arakan/Arakan Army (ULA/AA) responded via media that they would not attend peace talks separately. They would do it according to the Federal Political Negotiation and Consultative Committee (FPNCC) decision.⁸

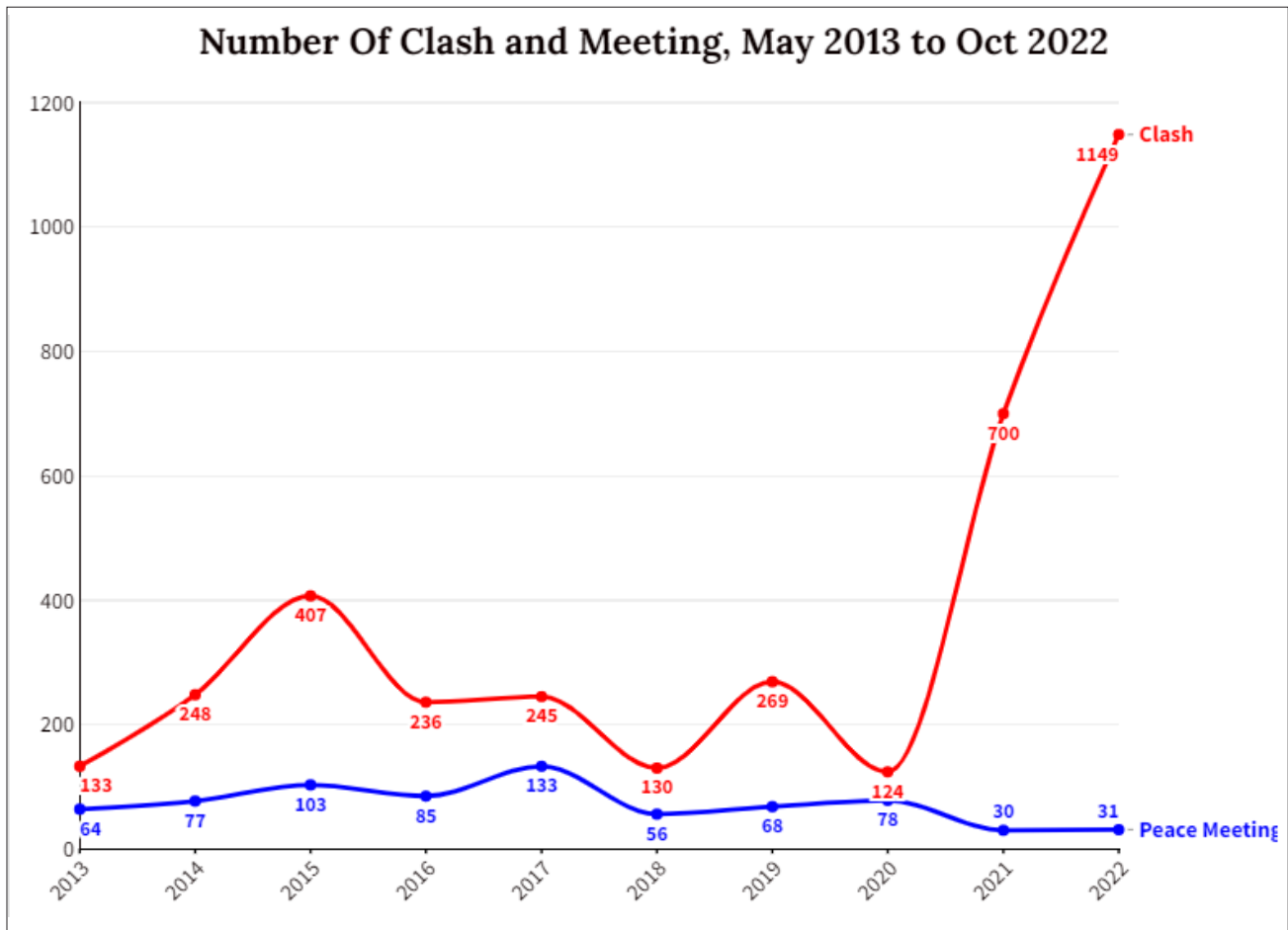
Colonel Naw Bu, spokesperson of the KIO/KIA says, "Our KIO will not attend this talk as we don't regard it as peace".⁹

Daw Hnin Hnin Hmwe, Joint-Secretary of the Democratic Party for New Society (DPNS) which is a member of the NUCC, said Myanmar's civil war would not prolong like that if the army wants genuine peace. The army would not make efforts to stage a coup by committing atrocities with the use of weapons. Senior General Min Aung Hlaing's peace invitation is aimed at getting a good image at the international stage and reducing wider military fronts in the country."

⁸ Can Peace-Branded Divide and Rule Strategy Work? Weekly News Review, Issue 53, May 2022, BNI-MPM, <https://bit.ly/3UD5mk4>

⁹ Interview (7) | Interview with Colonel Naw Bu, spokesperson of the KIO, BNI-MPM

“The army invites EROs to peace talks due to the two above-mentioned facts. I mainly view it as a fake peace talk. There is an expectation that peace talks shall not bring about genuine peace,” she says.¹⁰



The statistics about clashes and talks included in the above chart are taken from BNI-MPM’s primary data, and the monthly peace and conflict dashboards.¹¹

¹⁰ Interview (8) | Interview with Daw Hnin Hnin Hmwe, Joint-Secretary of the DPNS, BNI-MPM

¹¹ BNI-MPM Dataset, Monthly Dashboards on Peace and Conflict, <https://bit.ly/3VTJNwK>

Taking a look at the years which recorded the highest number of clash days, it is found that there is significant variation in the number of clash days and the number of meetings in 2015. During that period, there was a tug of war between the U Thein Sein administration and the army. The army used tactics to drive a wedge in order that all EROs can sign the NCA. Finally, the United Nationalities Federal Council (UNFC) which is said to be the front of the EROs split into two groups – the EROs which will sign the NCA, and the EROs which adhere to the all-inclusive principle and will not sign the NCA. The situation led to increased conflict despite the peace talks, and the momentum of the civil war had grown.

In 2019 which is the second peak period of civil war, there were contestations between the army and the NLD government in terms of politics. There was intense fighting between the army and the AA in Arakan State and Paletwa of Chin State. As the NLD government received one-sided information from the army at that time, it declared the AA a “terrorist organization”. This resulted in the decline of the EROs’ trust in the NLD government. It is found that the army could time its actions to coincide with the competition between military and politics.

Ko Nay Phone Latt, a NLD member, doubted whether the military has a genuine desire for peace in its leading of peace talks. Since the leadership of General Ne Win, the army is totally different from the Tatmadaw set up by General Aung San.

“The army itself has confessed to its atrocities during the Spring Revolution. Myanmar army itself has proofed that they [are] rude and inhumane and becomes like war demons and extremist killers not only for Myanmar people but also for humanity.”¹²

Sai Lake, General Secretary of the Shan Nationalities League for Democracy (SNLD) said peacebuilding is impossible as the regime has no honesty and genuine desires about the EROs. About the regime’s frequently used term “Peace Year”, he says, “the junta shows no sign of peace about resistance forces”.¹³

The army and its political will

The SNLD’s General Secretary believes that it is impossible to reach a settlement as long as the army regards the public as enemy, continues to commit arrest and torture of civilians, lawlessly metes out death sentences to political prisoners, and fails to make an apology for its atrocities.

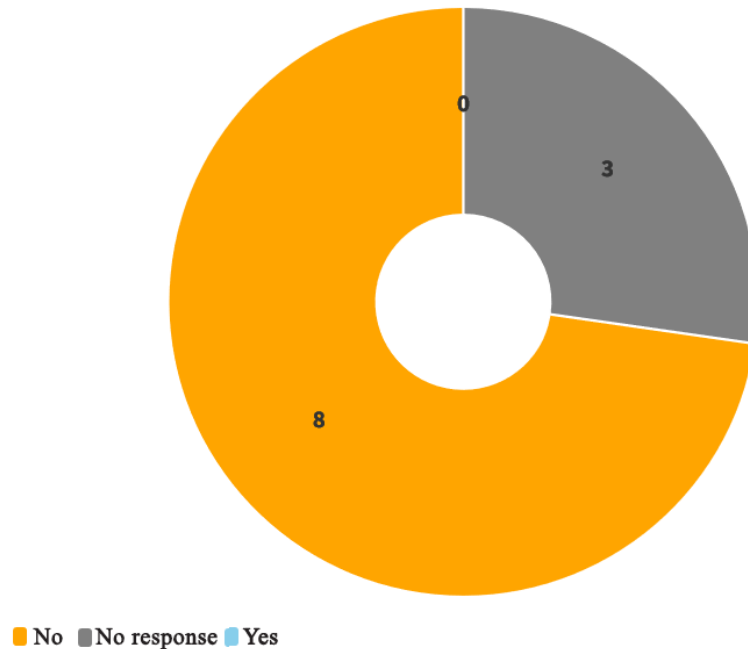
“The army is making a hegemony approach used in the olden days. Now they practically see that orders and threats are not workable in the long run,” he continues.¹⁴

¹² Interview (11) | Interview with Ko Nay Phone Latt, a member of the NLD, BNI-MPM

¹³ An interview with Sai Lake, General Secretary of the SNLD, CNI, <https://bit.ly/3g6w0D>.

¹⁴ An interview with Sai Lake, General Secretary of the SNLD, CNI, <https://bit.ly/3g6w0D>.

Answers to the question on whether the army has the genuine political will for peace.



The question “Does the army have the genuine political will for peace?” is one of the questions for this research paper. A total of 11 people were questioned for the paper. Eight people responded that the army shows no sign of genuine political will for peace, while three respondents gave no answer.

Colonel Khun Okkar did not directly answer that question. However, he recounted his experience about the army’s stance and actions during the peace process.

Colonel Khun Okkar said: “When newly-blooded major generals get higher ranks, talks become one-sided. They put pressure on the dissidents for the political result they want. The give-and-take practice becomes weak. The practice of one-sided talks has weakened progress. No progress is achieved.”¹⁵

¹⁵ Interview (3) | Interview with Colonel Khun Okkar, PNLO leader, BNI-MPM

Colonel Khun Okkar believes that retired majors and generals, who were included in peace talks and political talks during the tenure of the U Thein Sein administration, gradually have a desire to achieve peace and reach a political settlement.

Padoh Saw Taw Nee, spokesperson of the KNU criticized that the army needs to show practical actions if it has a genuine desire for the betterment of the country and peace. "On the one hand, the army extends an olive branch. On the other hand, the army is carrying out big military operations. The army carries out increased deployments of troops to the area. Due to the clashes, it is impossible for both sides to sit face-to-face."¹⁶

According to his experience and findings, the military group has a desire to win over the dissident groups by enfeebling the dissidents, creating disunity, and driving a wedge between them. During its attempted coup period, the junta is inviting them to the peace talks as an exit strategy due to mounting international pressures, having no prospects of becoming a legitimate government, economic sanctions, and no favor in terms of politics, Padoh Saw Taw Nee says.

"The junta is doing it with a single hope that it can get an exit from all crises and recognition. What the junta is doing is not for peace. It shows that the junta has no genuine desire as what he is doing is aimed only for his exit [sic]."¹⁷

The view of Colonel Naw Bu, spokesperson of the KIO, is similar to that of Padoh Saw Taw Nee. Colonel Naw Bu said the junta has no genuine desire to achieve peace. The junta extends an olive branch to the EROs as it faces a crisis at the height of the Spring Revolution across the country. "The junta doesn't invite other

¹⁶ Interview (6) | Interview with Padoh Saw Taw Nee, spokesperson of the KNU, BNI-MPM

¹⁷ Interview (6) | Interview with Padoh Saw Taw Nee, spokesperson of the KNU, BNI-MPM

political organizations like the NUG and the CRPH to the peace talks. I think this talk will not become a genuine political dialogue just by looking at its invitation to the EROs only.”¹⁸

During the current period of the coup, it is found that the junta commits more intense violence against the public rather than showcase its desire for peace, political analyst U Than Soe Naing explains. “So, the military council cannot be viewed as a force working for peace,” he says.¹⁹

Regarding the junta’s political will and genuine desire for peace, Daw Hnin Hnin Hmwe from the DPNS says, “In my view, the junta’s political will is not for the betterment of the country. It aims to perpetuate its tenure and power.”²⁰

Nai Han Thar, Chair of the NMSP which signed the NCA with the government and the army in 2018 said the biggest difficulty and challenge for the EROs throughout the peace process is the six-point peace policy upheld by the junta. The junta’s six-point peace policy comprises: (1) to have a keen desire to reach eternal peace, (2) to keep promises agreed to in peace deals, (3) to avoid capitalizing on the peace agreement, (4) to avoid placing a heavy burden on local people, (5) to strictly abide by the existing laws, and (6) to march towards a democratic country in accord with the 2008 Constitution by accepting our three main national causes and the essence of democracy.

“Tatmadaw’s stance remains unchanged. There will be blockages if the Tatmadaw continues to adhere to that six-point policy,” Nai Han Thar, says.²¹

¹⁸ Interview (7) | Interview with Colonel Naw Bu, spokesperson of the KIO, BNI-MPM

¹⁹ Interview (10) | Interview with U Than Soe Naing, political analyst, BNI-MPM

²⁰ Interview (8) | Interview with Daw Hnin Hnin Hmwe, Joint-Secretary of the DPNS, BNI-MPM

²¹ Tatmadaw’s six-point policy is the biggest difficulty for the EAOs, BNI-MPM, <https://bit.ly/3Fk5EGX>

The army will not get out of politics as long as the EAOs continue to exist. As long as the army continues to participate in politics, the country will not see a genuine democracy," Nai Tala Nyi, member of the Central Executive Committee of the Mon Unity Party (MUP) says.²²

The army's approaches to peace

According to the views from news sources interviewees, the military usually adopts various patterns and means in the so-called peace process, utilizing discrimination to create disunity and to drive a wedge between the EROs. The military's primary target is to reach a temporary ceasefire by using a give-and-take method and giving economic rights to the EROs. The military typically uses these as a tactic for the long-term existence of its power and interests.

Based on his experience, Padoh Saw Taw Nee, spokesperson of the KNU says, "What they [army] are doing consistently is to create disunity by causing division. The army takes advantage of it. It is important for the army to get an upper hand whenever peace talks are held. The army never holds the talks if it doesn't get an upper hand. The army always makes efforts until it gets an upper hand."²³

Naw Hser Hser, General Secretary of the WLB shared her experience that the discussion patterns at the Union Peace Conference were not interactive. "Although the army plays a leading role in the peace process, in fact, military officials have to follow orders. Coordination cannot be made. They had to abide by the orders."²⁴

²² the State Counsellor, the future union dream and prolonged peace, BNI-MPM <https://bit.ly/3uMOE7c>

²³ Interviews (6), interview with Padoh Saw Taw Nee, Spokesperson of the KNU, BNI-MPM

²⁴ Interviews (5), Naw Hser Hser, General Secretary of the Women's League of Burma (WLB), BNI-MPM

The participation of the army in politics and the peace process aims to get legitimacy and work on the plans to protect their interests. Genuine peace cannot be achieved, Naw Hser Hser says.

Looking at the army's approaches to peace, the army usually enters a temporary ceasefire since the 1962 coup only when it faces combat fatigue and political pressures, Yebaw Mi Sue Pwint, Central Committee member of the ABSDF says.

The army has restricted discussions in terms of politics. It did not reach the stage of solving the political problems by political means, she says. The NCA signing process which started in October, 2015, was not initiated by the army, Yebaw Mi Sue Pwint recounts.

"It is a process strenuously implemented by 16 EROs as they want to see political dialogue and go beyond ceasefire. It is assumed that the army agreed to the NCA path through a series of reciprocal coordination in the hope that it expected to win the 2015 election. However, there were big disparities at the beginning as the army did not agree to the inclusion of all stakeholders. At the same time, there were disparities and disunity among the EROs," she says.²⁵

Of the 21 EROs, the Nationwide Ceasefire Coordination Team (NCCT) formed with delegates from the EROs proposed 16 EROs to sign the NCA. The U Thein Sein administration refused to accept six EROs.²⁶ The AA, Arakan National Council (ANC), LDU, MNDAA, Wa National Organization (WNO), and TNLA were omitted from the list. Later, the U Thein Sein administration offered the TNLA to sign the NCA only after the ceasefire agreement was signed.

The NLD government, which tried to amend the 2008 Constitution through the parliamentary route and the outside-of-

²⁵ Interview (9), Interview with Yebaw Mi Sue Pwint, Central Committee member of the ABSDF, BNI-MPM

²⁶ Pathway to Peace, Aung Naing Oo, Page-129

parliamentary route, agreed to not approve the political dialogue framework in an attempt to open the door to non-NCA signatories. Yebaw Mi Sue Pwint says, "The NLD was not in a position to prioritize ethnic affairs or federal affairs. Although a group which represents three bodies – the government, parliament and Tatmadaw – emerged, the Tatmadaw's stance lied at the core."²⁷

Daw Hnin Hnin Hmwe, Joint-Secretary of the DPNS questioned that the local peacemaking path has no good prospects as the regime has no genuine desire for peace. Taking a look at the peace process including the NCA, how effective it was for the public as well as for the peace in the tenures of former general U Thein Sein and the NLD government.

"Military officials even got out of the meeting room by hitting the chairs with their hands if the discussions were not within their frame. They did not allow delegates to use the term "Ethnic Revolutionary Organizations (EROs)". We had to use the term "Ethnic Armed Organizations (EAOs)". As a matter of fact, the army's use of the term "peace" either bilateral [sic] or the NCA is not equitable."²⁸

Since December 21, 2018, the army led by coup leader Senior General Min Aung Hlaing declared unilateral ceasefire in respective military areas except some military divisions, citing ceasefire and eternal peace. The army issued ceasefire statements on April 30, 2019; June 30, 2019; August 31, 2019; May 9, 2020; August 24, 2020; and October 30, 2020 respectively. The army's stance towards peace remains unchanged across the years.

²⁷ Interview (9) | Interview with Yebaw Mi Sue Pwint, Central Committee member of the ABSDF, BNI-MPM

²⁸ Interview (8) | Interview with Daw Hnin Hnin Hmwe, Joint-Secretary of the DPNS, BNI-MPM

According to the first statement ²⁹, the army isolated its role from the peace process led by the NLD government. The army formed an eight-member National Solidarity and Peace Negotiation Committee composed of respective commanders led by Lieutenant-General Yar Pyae.

That coordination team will hold talks with 10 EROs which signed the NCA as per the provisions of the NCA. If necessary, the coordination team will hold discussions with each organization.

The military has called on all EROs to follow four of the six-point peace policy: (a) to keep promises agreed to in peace deals, (b) to avoid capitalizing on the peace agreement, (c) to avoid placing a heavy burden on local people, and (d) to strictly abide by the existing laws.

"All they want is for us to give up our arms and surrender. That is the approach they have held to all along. An ethnic person who is armed also works for his people. They will never convince him to surrender. So their approach has been proven wrong."³⁰

NMSP Chairman Nai Hongsar also states that the military regime never considered the EROs, as follows:

"In our experience, we armed ethnic groups also need a guarantee. We want our troops to be a state security force. And we also made a proposal, but the military did not accept it. We were told that the discussion on military reform would only be between the military itself and the government, and that this was not a matter that concerned armed ethnic groups."³¹

²⁹ Statement on ceasefire and eternal peace, 21 December 2018, the Office of the Commander-in-Chief

³⁰ Interview (4): Interview with Khu Daniel, Secretary-1 of the KNPP, for this paper, BNI-MPM

³¹ Interview with Nai Hongsar, Chairman NMSP, for this paper, BNI-MPM

Observer Experience in the Joint Monitoring Committee – Union Level (JMC-U)

On July 7-8, 2022, BNI-MPM attended the 19th meeting of the JMC-U held at Horizon Lake View in Nay Pyi Taw to observe, obtain information, and conduct interviews.

Lieutenant-General Yar Pyae of the military is the Chairman of the JMC-U. General Saw Isaac Po of the KNU is the Vice-Chairman-1 of the JMC-U. The committee is composed of 10 government representatives, 10 representatives of the EAOs that signed the Nationwide Ceasefire Agreement (NCA-S EAO), and 6 civilian representatives.

During the meeting, all media representatives had to stay outside the meeting room, except during the welcoming speech. They had to wait outside and were only allowed to receive information when they held a press conference.

Security around the hotel was tight, with some of the security personnel in civilian clothes. I happened to check on the state of physical and psychological security of the ERO leaders who attended the meeting. During the observer visit, BNI-MPM had the opportunity to interview General Saw Isaac Po; U Ko Ko Gyi, former Vice-President of JMC-U; and Dr. Sui Khar of the CNF.



U Ko Ko Gyi explains the terminological disputes in the NCA as follows:

"The main issue is the definition of territories, and we cannot find some terms such as "controlled territory", "ceasefire territory" in a dictionary. There are issues that need to be clarified through political negotiations. There are also some terminological differences between the two sides when they translate the terms as they are understood and discussed. For example, the clause on "provisional measures" was quite controversial. It was included as a chapter in the NCA, negotiations and implementation cannot be done properly." ³²

In addition, U Ko Ko Gyi drew a comparison between the government's role and the military regime's involvement in the JMC.

"In fact, the JMC uses terms such as civilian representatives, EAO representatives, and government representatives. We cannot count only the participation of the Minister of Interior and the

³² Interview with U Ko Ko Gyi, civilian representative of JMC-U, BNI-MPM, <https://bit.ly//3VXnuWK>

Minister of Defense as government participation. I think the government representatives of the winning party should also participate so that the government knows what is being discussed and debated and what information needs to be considered."



General Saw Isaac Po, Vice-Chairman-1 of JMC-U, explains the situation of NLD government and military participation in JMC as follows:

"After the NLD took office, it was separated in a way. Since the military wanted to participate in its own way, the ruling NLD government is no longer involved. If the JMC can include someone representing the ruling party, it will be more competitive. This can help improve the understanding between the government and the military. It would be better if this could actually happen." ³³

General Saw Isaac Po points out the need for oversight mechanisms and programs within the JMC:

"When we talk about JMC, we need to work mainly at the state level. There should be communication mechanisms between the

³³ Interview with Major General Saw Isaac Pho , Vice Chairman (1) of JMC-U, BNI-MPM, <https://bit.ly/3VC3YiS>

forces to set up separate meetings. The JMC should be formed only under this communication mechanism for the purpose of observation. I mean, only when there is an agreement on military matters, observation will follow. If not, what would the observers observe?

For example, if the Tatmadaw (military) is building a road in Hpapun, they should have tried to reach an agreement between the two sides.

Even though the civilian representatives are currently between the two sides, there is still a suspicion that they are biased. There will still need to be specific plans or mechanisms for implementation."

"We do not know if they will change the system. But they do not seem to like the fact that it has to be changed based on a political agreement that results from equal talks. I have said that quite frankly."

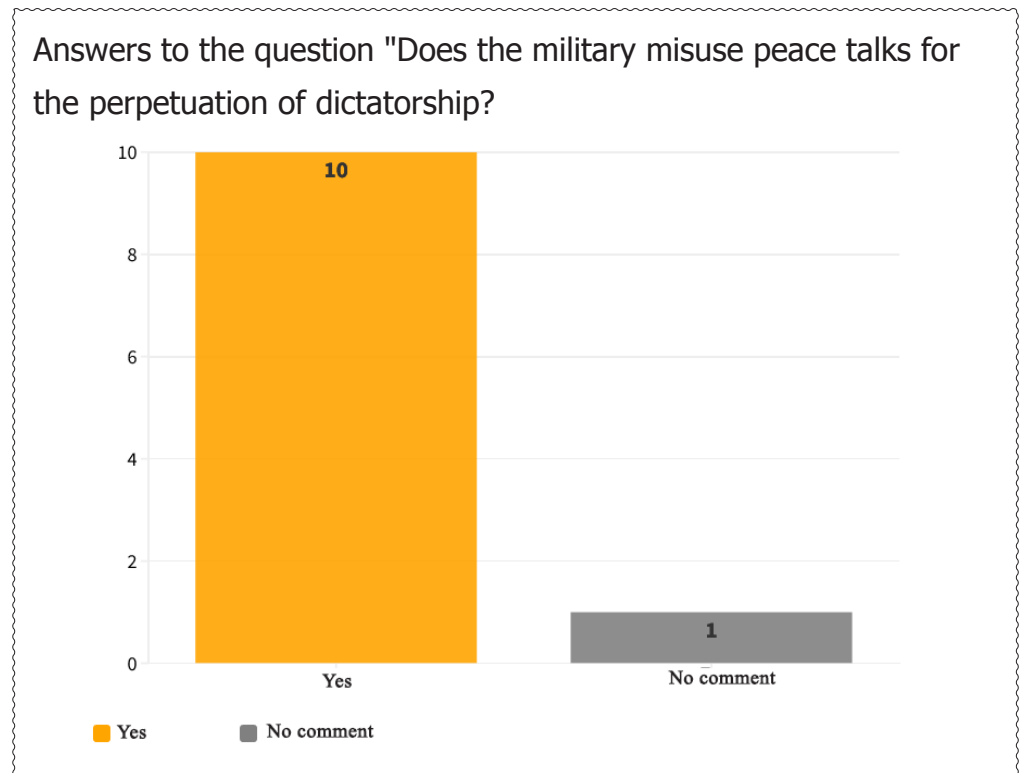
Does the military misuse peace talks for the perpetuation of dictatorship?

It is widely recognized that peace talks can help make the transition from dictatorship to democracy if they are conducted in the right way with equality and mutual respect. However, if the peace talks are conducted in bad faith to gain the upper hand while holding onto national politics and trying not to relinquish power, it should rather be said that the peace talks are being used to maintain the military dictatorship, according to Pa-O National Liberation Organization (PNLO) leader Colonel Khun Okkar.

"We do not know if they will change the system. But they do not seem to like the fact that it has to be changed based on a political agreement that results from equal talks. I have said that quite frankly."³⁴

³⁴ Interview (3): Interview with Colonel Khun Okkar, PNLO leader, for this paper, BNI-MPM

The question of whether the military dictatorship is using the peace talks as a survival strategy is the core issue of this paper. As shown in the table below, all respondents believe that the military regime is using the peace talks to perpetuate the military dictatorship.



Although not a political analyst himself, from his experience the Myanmar military has often used the term "peace" in every era of military rule, says Colonel Naw Bu, spokesperson of the KIO. "We can say from experience that when they get into a crisis, they call for peace to perpetuate the military dictatorship."³⁵

During the military rule (SLORC period), the KIO was the only ceasefire signatory to enter into a written agreement with the military in the 21 years between 1989 and 2010. The February 24, 1994 ceasefire agreement was violated by the military and fighting

³⁵ Interview (7): Interview with Colonel Naw Bu, KIO spokesperson, for this paper, BNI-MPM

between the two sides resumed. As a result, any regional progress that had been achieved during the 17-year ceasefire was completely destroyed.³⁶

Fighting between the KIO and KIA flared up again when the military pressured the Ethnic Resistance Organizations (EROs) to transform themselves into People's Militia Forces or BGF subordinate to them after the adoption of the 2008 Constitution, which they had drafted as they saw fit. As both elected governments that took office since 2011 had to operate only on the basis of the 2008 Constitution, the peace process during this period was controlled only by the military regime led by Senior General Min Aung Hlaing.

"What they are saying is clear: If you want peace, you cannot fight this government, you cannot replace this government with another government. Peace processes will only be based on the 2008 Constitution. That is what they are saying. That means that the 2008 Constitution is in favor of maintaining the military dictatorship," said KNU spokesperson Padoh Saw Taw Nee.³⁷

The 2008 Constitution allows military leader Senior General Min Aung Hlaing to control three key ministries within the elected government: the Ministry of Home Affairs, the Ministry of Border Affairs, and the Ministry of Defense, including the Department of General Administration. Military representatives selected by Min Aung Hlaing comprise 25 percent in all three parliaments. Moreover, the military regime often interprets at will each and every provision of the 2008 Constitution, which it drafted and enacted as it saw fit.

Referring to Article 338 of the 2008 Constitution which states that "all armed organizations in the country must be subordinate to the Tatmadaw (the military), despite advocating the creation of

³⁶ Peace Survey, U Aung Htoo (Human Rights Lawyer), Page – 165

³⁷ Interview (6): Interview with Padoh Saw Taw Nee, KNU spokesperson, for this paper, BNI-MPM

a unified military, has often expressed a desire to keep EROs, who have been fighting for equality and self-determination for more than 70 years, subordinate.

"The main reason we are not getting anywhere is that the military is holding onto the 2008 Constitution. And the military does not want to give up its power. In addition, the military has also formulated the six principles of peace. That means they control the Constitution as if they were changing it through parliament," says NMSP Chairman Nai Hongsar, while attributing all the stalemates during the NLD government to these factors.³⁸

The Northern Brotherhood Alliance – MNDAA, TNLA, and ULA/AA – responded through the media that they will not attend peace talks individually, but only with the decision of the FPNCC.

U Aung Htoo, human rights lawyer and head of the Federal Law Academy and founder of the Legal Aid Network (LAN) warns, "The NCA is a political trap that will abrogate the ethnic groups' right to self-determination" and "The NCA is a graveyard of peace because it only revolves around the 2008 Constitution, which is the military dictatorship".³⁹ If the resolutions and agreements that came out of the highest meeting of the peace process, the Union Peace Conference-21st Century Panglong Conference, are to be annulled, it must be done only on the basis of Article 436 of the 2008 Constitution, which legitimizes the participation of the military in politics.

³⁸ Interview with Nai Hongsar, Chairman NMSP, BNI-MPM

³⁹ Peace Survey, U Aung Htoo (Human Rights Lawyer), Page – 162

Although the current military regime led by Senior General Min Aung Hlaing has violated the 2008 Constitution, despite clinging to it as if it is its last bastion, the regime is itself attempting to reactivate the NCA. Ma Zu Padonmar, a member of the Karenni State Consultative Council (KSCC), believes that by clinging to the NCA, the military regime wants to create the illusion on the international stage that they are the ones who want peace.

"They want to make the international community believe that they want peace and that peace is their main concern, no matter how much violence is committed on one side. I think they are using the peace talks to maintain their power."⁴⁰

U Than Soe Naing, a political analyst, says the military regime's actions during the military coup made it clear that it was using the peace process to perpetuate its dictatorship.

"The most important thing is that they call the NUG and the PDF terrorist organizations, but it is quite obvious that they are using all kinds of military force on one side. Why is the military using different methods of violence after declaring these groups terrorist organizations? For one thing, these forces are just a trial against the terrorist activities of the military council after the unconstitutional coup of February 1."⁴¹

U Than Soe Naing believes that the military council's actions are hindering the construction of a genuine federal democratic union and are only trying to prevent the implementation of democratic activities. "The military has staged a military coup to rule Burma forever. This is the greatest proof."⁴²

⁴⁰ Interview (2): Interview with Ma Zu Padonmar, member of the KSCC, for this paper, BNI-MPM

⁴¹ Interview (10): Interview with U Than Soe Naing, political analyst, for this paper, BNI-MPM

⁴² Interview (10): Interview with U Than Soe Naing, political analyst, for this paper, BNI-MPM



Among the various methods that the military regime has used over the to perpetuate military dictatorship, the above illustration is an excerpt of some of its activities that have been seen over the decades.

In short, the junta remains in a position where it can conjure up civil war itself, and often unashamedly calls for a ceasefire when it grows tired of fighting. When it finds itself in a political or economic crisis, it tries to pass laws, such as the 2008 Constitution, and look for reforms to find a way out. From there, it pushes superficial peace reforms to gain international recognition by proclaiming to the world that it is pursuing peace. However, it tends to take power through a military coup when it sees the possibility of its existence, power, and interests being compromised, as evidenced by the military coups of 1962, 1988, and 2021.

Now, the regime leader has also publicly announced that he would continue parts of the 2008 Constitution that were to be amended again and call for peace talks. They have scheduled an election for 2023 and taken further reform steps for their eventual exit. There is no guarantee that the military will not again seize power in the face of possible damage to its reputation, power, and interests.

Khu Daniel, Secretary-1 of the KNPP, believes that the peace talks the military council is now calling for are only to overcome the current crisis and maintain military rule.⁴³

Is it possible to exclude the military regime from the peace process?

It is a contentious issue whether the main actors in the civil war that has raged for more than 70 years can be excluded from peace talks to end the conflict. In the words of Myanmar writer Maung Suu San, "military-sponsored democracy"⁴⁴ ended with a military coup on February 1, 2021, and the military regime has sought to shift its involvement in politics through its so-called "reforms, democracy, and elections". The military regime-sponsored democracy from 2011 to 2020 was ended by the momentum of efforts to amend the 2008 Constitution, achieve internal peace, and eventually establish a federal democratic union.

Therefore, the dialogues for internal peace promoted by the military regime focus only on the military regime, as it is the main

⁴³ Interview (4): Interview with Khu Daniel, Secretary-1 of the KNPP, for this paper, BNI-MPM

⁴⁴ Elections and Politics, Maung Suu San, Page –18

actor in the civil war. The junta has long sided with "ether truth" while trying to gain the upper hand and discriminate against participants in the peace dialogues, often with an air of arrogance. Without allowing the negotiations on the six principles of peace, the military regime's persistent attempt to impose its will on the opponents eventually led to war even in the midst of the peace talks.

Individuals and groups revolving around the military regime will not find an answer to the question, "Is it possible to exclude the military regime from the peace processes?".

It can be said that the military regime cannot be excluded from the peace dialogue, but it should be under the direction of the elected government and the military should not interfere in politics in any way.

"Without telling them to leave, they have to understand that they are employees of the government and then withdraw from politics. There is no reason for them to get involved in politics. Their job is to protect the country and take primary responsibility for the security of the country. They should work as a ministry under the government's policy. Without being told to leave politics, they need to understand their position and then leave."⁴⁵

KNU spokesperson Padoh Saw Taw Nee also says that the future peace process will only go smoothly if all forms of military dictatorship in Myanmar can be eliminated. "The military should definitely not be involved in the upcoming talks. Even if we exclude the military, there are still many aspects to be negotiated ethnically and politically. So before we can fix that, we have to get rid of the military first," he says.⁴⁶

⁴⁵ Interview (4): Interview with Khu Daniel, Secretary-1 of the KNPP, for this paper, BNI-MPM

⁴⁶ Interview (6): Interview with Padoh Saw Taw Nee, KNU spokesperson, for this paper, BNI-MPM

The present era is different from the past eras because military affairs and politics are changing continuously and harmoniously. So, if there is a strong political and military leadership, we can hope to keep the military regime out of politics, says Yebaw Mi Sue Pwint of the ABSDF. "We can keep the military out of the peace process and politics if we can defeat them militarily."⁴⁷

Dr. Pyinnyar Mon, in assessing the current situation, says that federal democracy will succeed only if the military regime can be defeated in the Spring Revolution and kept out of politics. He also says that there are some groups that want to join forces with the regime and try to achieve federal democracy.

"The military can do a lot if they really want to. The current power is in their hands. They can still do a lot. That's what they want."⁴⁸

Colonel Khun Okkar says that the current military regime can only do what is necessary for peace and is prepared to reject any proposal it deems unacceptable or that curtails its authority. "They have no desire to retreat. Nor do they want democracy to flourish on a large scale," he says, referring to the situation of the current military group.

The ongoing Spring Revolution, which is on track to overthrow the military dictatorship, abolish the 2008 Constitution, and build a federal democratic union, aims to exclude the military regime from both the peace process and politics. "They are fighting a revolution to stop the perpetuation of the military and to fight the military with military means. Establishing a federal democratic system in the future Myanmar will not be possible with this military.

⁴⁷ Interview (9): Interview with Yebaw Mi Sue Pwint, Central Committee member of the ABSDF, BNI-MPM

⁴⁸ Interview (1): Interview with Dr. Pyinnyar Mon, ethnic affairs expert, for this paper, BNI-MPM

We are carrying out the Spring Revolution because we must be able to defeat this military," he says.⁴⁹

Although some groups believe that it is not unrealistic to exclude the military from the future politics and peace process in Myanmar, the involvement of the military regime in the country's politics and peace process should be reviewed. The degree of reliability of the military-sponsored peace process should be weighed against the military-sponsored democracy.

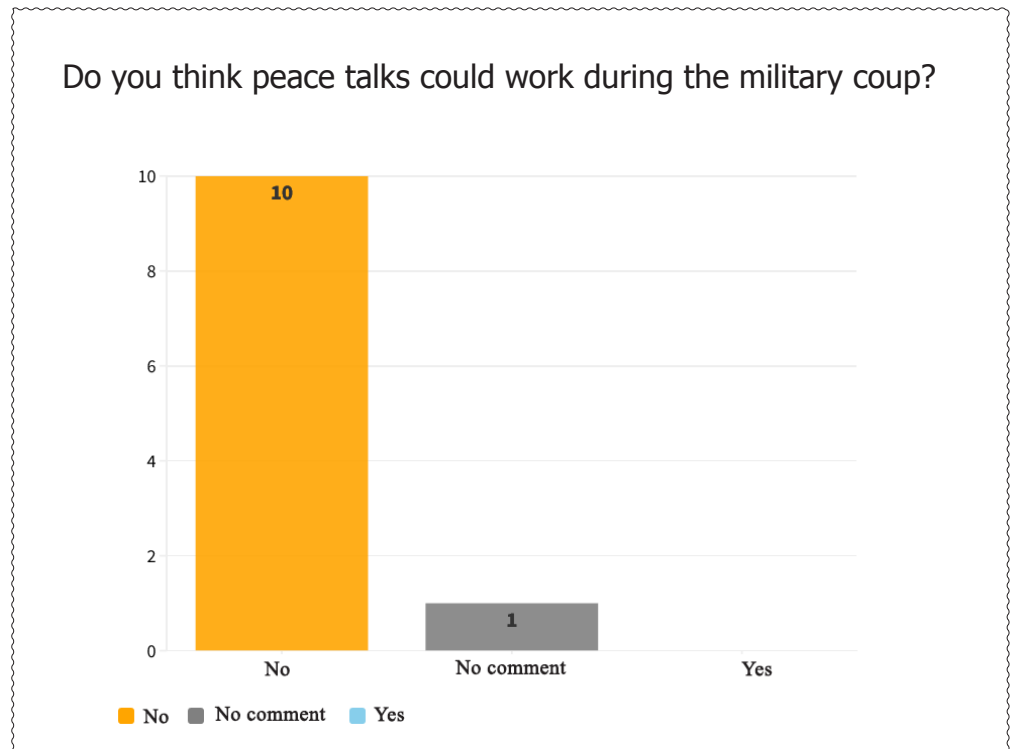
Can peace talks work during military coup?

"Hitler often spoke of peace. But it was more about submitting to his wishes than achieving real peace. The word "peace" that comes from the mouths of dictators is nothing more than peace in a prison or a cemetery.". Dictators cannot continue to rule indefinitely without becoming the legitimate government they wish to be. Therefore, we should not encourage dictators to attain the status of legitimate government just because we pay attention to what they say about peace, warned Dr. Gene Sharp, a leading thinker on nonviolent struggle and founder of the Albert Einstein Institution, in his book.⁵⁰

When a total of 11 people were asked the question, "Can peace talks work during the military coup?", 10 of them answered no.

⁴⁹ Interview (10): Interview with U Than Soe Naing, political analyst, for this paper, BNI-MPM

⁵⁰ From Dictatorship to Democracy, Gene Sharp, Page – 15



"An ongoing negotiation is better than getting into a fight. But there is still no progress," says Colonel Khun Okkar, a Pa-O leader and member of the PPST. The PNLO, whose leaders include Colonel Khun Okkar, also held talks with military council leader Senior General Min Aung Hlaing.

On April 22, 2022, ten ethnic armed groups – the United Wa State Party/United Wa State Army (UWSP/UWSA), National Democratic Alliance Army-Eastern Shan State (NDAA/ ESS), Shan State Progress Party/Shan State Army (SSPP/SSA), Restoration Council of Shan State/Shan State Army (RCSS/SSA), New Mon State Party (NMSP), Pa-O National Liberation Organization (PNLO), Karen National Liberation Army (Peace Council) (KNU/KNLA PC), Democratic Karen Benevolent Army (DKBA), Arakan Liberation Party/Arakan Liberation Army (ALP/ALA), and Lahu Democratic Union (LDU) –accepted the coup leader's invitation for peace talks and attended the meeting.

Eight groups – the Karen National Union/Karen National Liberation Army (KNU/KNLA), Kachin Independence Organization/Kachin Independence Army (KIO/KIA), Karenni National Progressive Party/Karenni Army (KNPP/KA), Chin National Front/Chin National Army (CNF/CNA), Palaung State Liberation Front/Ta'ang National Liberation Army (PSLF/TNLA), Myanmar National Democratic Alliance Army (MNDAA), United League of Arakan/Arakan Army (ULA/AA), and All Burma Students' Democratic Front (ABSDF) – rejected the military leader's invitation for peace for their own reasons. Arakan National Council/Arakan Army (ANC/AA) and National Socialist Council of Nagaland – Khaplang (NSCN-K) did not publicly decline the invitation, though they did not meet with the military council leader.⁵¹

KNU spokesperson Padoh Saw Taw Nee describes the regime chief's peace talks with each of the 10 EROs in turn as "last straw peace talks". "The regime is not doing this with good intentions. They are calling for peace talks to get out of the crisis they are in now. Then they want to force an election that cannot even take place. All of this is not good for the country," he says.⁵²

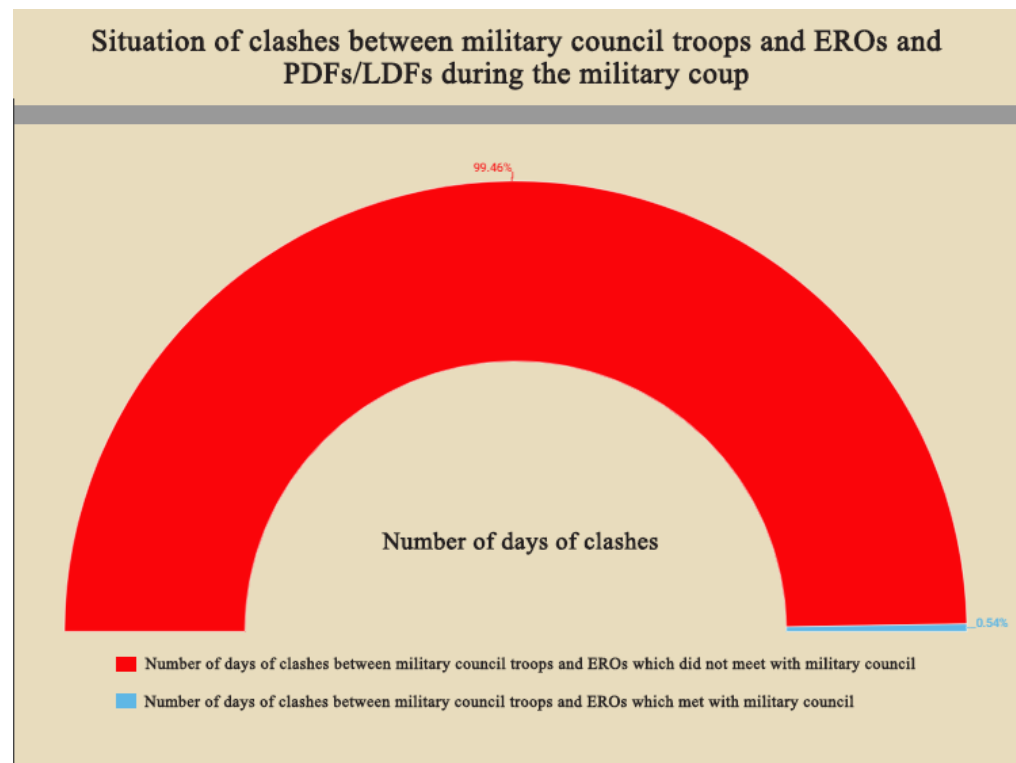
Political analyst U Than Soe Naing says, "The peace movement that the military council is conducting today has nothing to do with the current conflict in Myanmar. It is just a discussion that cannot solve anything.". He says the regime's peace offer is superficial and serves to prevent EROs from uniting with the Spring Revolution forces and to reduce international pressure.

According to data collected by BNI-MPM, there have been 2,039 days of armed clashes between military council troops and EROs and the PDFs/LDFs as of December 21, 2021.

⁵¹ Is the Junta Exploiting Peace for the Success of the Coup Attempt?, Weekly News Review, Issue 69, BNI-MPM

⁵² Interview (6): Interview with Padoh Saw Taw Nee, KNU spokesperson, for this paper, BNI-MPM

Of the 10 ethnic armed groups that met with the coup plotter, there were some clashes only between the SSPP/SSA, RCSS/SSA, DKBA, and the Myanmar military, but there were hundreds of days of clashes between military council troops and the KNU/KNLA, KIO/KIA, ULA /AA, and MNDAA.⁵³



In addition, there have been more than 1,400 days of clashes between military council troops and PDFs/LDFs as the intensity of the resistance continues to increase. However, it is unlikely that the military council will seek dialogue with the forces of the Spring Revolution, including the PDFs/LDFs. Instead, the regime continues to try to destroy the consolidation between the Spring Revolution forces and the EROs.

The junta still holds to the 2008 Constitution. It still holds to the 25 percent seats of the three parliaments. It also has the ability to manipulate the Ministry of Interior, the Ministry of Border Affairs,

⁵³ BNI-MPM Dataset, Monthly Dashboards on Peace and Conflict, 16 December 2022

and the Ministry of Defense. The regime's continued attempt to coup by force and call for a peace dialogue that is not inclusive will not help peace, says Dr. Pyinnyar Mon.

"The way to peace that we want to go is to establish a federal democratic union. The path that the SAC is taking now will not lead to the establishment of a federal democratic union. Because the military council will not change all parts of the 2008 Constitution. It will only change it as much as it suits it." ⁵⁴

Military council chairman Senior General Min Aung Hlaing himself said at a meeting on September 27, 2022, that "only a reasonable degree of federal rights will be granted". Moreover, he reiterated that the 2008 Constitution and the NCA cannot be ignored. ⁵⁵

On August 22, 2022, the regime chief stated that EROs who signed the NCA would be allowed to serve in their subordinate BGF if they wish to remain armed. ⁵⁶

This means that the peace talks between the coup leader and his loyal supporters who are trying to take power in the country cannot be more than a show, and it remains questionable how strong the agreements and commitments between the military council and each ERO are. Moreover, it is especially important to be careful not to be used as an interlocutor by the military group, which is using the peace talks as a tactic to maintain the military dictatorship.

Whether genuine peace can be achieved through talks with the military regime, which has been using various terrorist methods to

⁵⁴ Interview (7): Interview with Dr. Pyinnyar Mon, ethnic affairs expert, for this paper, BNI-MPM

⁵⁵ Coup leader says worthy federal system will be granted, September 28, 2022, RFA <https://bit.ly/3Wbjt1t>

⁵⁶ Military leader says EAOs can join BGF if they want to be armed, September 8, 2022, RFA <https://bit.ly/3v4Cg2S>

try to seize power in the 22 months since February 1, 2021, should be reconsidered. Moreover, the question of why some groups are negotiating with the military regime as dialogue partners has become a matter of speculation.

Why are they holding talks with the military regime?

Those who have chosen to negotiate with the junta, even though they are involved in resistance to authoritarianism, including military dictatorship, are still in good spirits. People tend to achieve peace through political discussions by soft means, especially after fighting against a brutal dictatorial regime for a long time.

"Even if a negotiation cannot bring results, it can prevent both sides from fighting each other. If we fight a war, there can be no winner. We cannot win anyone over either," says Colonel Khun Okkar. "It does not work at this time. If there is fighting again, it will be ten times worse than the death and destruction now," he said of the dialogue with the military council.⁵⁷

The leaders of the EROs and the political parties who negotiate with the leaders of the military council are exploited by the military regime. They have chosen the path of dialogue only because they had no other choice, says Naw Hser Hser, General Secretary of the WLB.

"But some of them may have done it for the benefit of their organization. What we see is that there is no possibility of peace. Not only that, I think they have put themselves in a situation where they are being exploited. But we do not have anything special to

⁵⁷ Interview (3): Interview with Colonel Khun Okkar, PNLO leader, for this paper, BNI-MPM

say, because that is the position and attitude of their organization,"⁵⁸ says Naw Hser Hser.

The KNU has rejected the military coup since the similar events of 1962 and 1988. It rejected the military coup of 2021 and actively participated in the revolution by accommodating those who joined the Civil Disobedience Movement (CDM) and supporting the forces of the Spring Revolution.

"Before the military coup, we warned them not to do it. They did not care about anything, and eventually the whole peace process was ruined. Now they are asking for help. They are desperate for peace negotiations. After they seized power, they had become an illegitimate government. There is absolutely no reason to talk to a person who is illegitimate himself," KNU spokesperson Padoh Saw Taw Nee comments on the regime leader's peace offer. He also says that there is absolutely no reason for the military regime to participate in the future political talks.

The final question for the paper addresses whether the military regime's peace dialogue should be considered "a genuine peace dialogue," the military council, and reasons for participating or not participating in the military council's peace dialogue.

Some of the EROs which met with the military council leader were either in good faith that they did not want the war to continue or they approached the regime because they hoped for a different story, says Dr. Pyinnyar Mon. "Currently, EROs are vulnerable to political risks. They should be wary of the tricks of SAC. If we want to have a real dialogue, we have to find another way," he cautions.

⁵⁸ Interview (5): Interview with Naw Hser Hser, General Secretary of the WLB, for this paper, BNI-MPM

Analysis

In Myanmar, the fire of the civil war that emerged with independence still burns today. During the era of the BSPP under General Ne Win, the SLORC, and the SPDC, there were peace talks with the EROs, with the most significant agreement at the time being a ceasefire. However, since there was no guarantee that there would be no "war" between the two sides, the civil war took its course and continues to this day.

Even the invitation for peace dialogue under the U Thein Sein government, which introduced a military-sponsored democracy, could only expect a ceasefire. Since the idea of the NCA was proposed by the EROs, it is not the original idea of the military regime.

Under the U Thein Sein government, it took 1,450 days between the invitation for peace to the signing of the NCA, and a total of 5,000 meetings were held.⁵⁹ In any case, due to the military regime's restrictions, not all parties involved in the NCA were able to sign the agreement. As a result, the civil war raged on and the entire year of 2019 was the height of the war in Arakan State. After the military coup on February 1, 2021, the civil war spread to the entire country.

According to data collected by BNI-MPM since 2013, a close examination of the ratio between the number of days of clashes and the number of days of peace talks found that for every day of peace talks, there were two days of clashes. This means that for every day of peace talks held by the elected government, there were two days of clashes between the military regime and the EROs. Although the military regime holds three key ministries and

⁵⁹ The New Democratic State and President U Thein Sein, U Soe Thein, Page – 43

25 percent of the seats in three parliaments, it manipulated the events of the armed clashes and the peace talks in the internal peace process.

Even though the military regime keeps talking about "peace," it has never seriously considered ways to end the civil war. Moreover, it is safe to say that the military regime was overly concerned about the amendments to the 2008 Constitution, which aimed to build a federal democratic union through peace agreements. It is possible that the regime conspired to take over the political leadership of the country forever by interweaving the NCA and the 2008 Constitution.

Despite the attempted military coup since February 1, 2021, the military regime continues to adhere to the NCA and the 2008 Constitution, and is now preparing to hold an election in 2023 and restore its status quo, military-backed democracy. For this reason, the military regime has even used the word "peace" again and presented unity between the EROs and the Spring Revolution forces as an obstacle.

Thus, for the question of whether the peace talks are being exploited to maintain the military dictatorship, it can be assumed that they are being exploited to this day.

The invitation of the leader of the military council to the peace talks on April 22, 2022, led to a split in the position and orientation of the individual EROs, as the PDFs/LDFs were left out. The EROs were divided into two groups, one that accepted the military council

leader's invitation to peace talks and the other that did not, which ended up disrupting unity among the EROs. This allowed the military council to avoid the risk of being opposed by the EROs at the same time they were facing opposition from hundreds of PDFs/LDFs nationwide.

The Spring Revolution aims to end all forms of authoritarianism, including military dictatorship. It seeks the creation of a federal democratic union that guarantees equality. Therefore, the role of the military regime in future nation-building has been ruled out. The military, which is considered essential to a country, must be subordinate to the government. The military council, which tries to dominate the people of Myanmar by suppressing them through various acts of terrorism, has no chance to participate in the building of the future federal democracy.

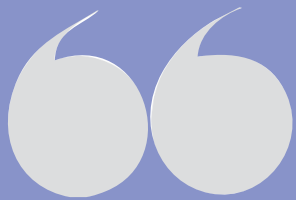
These are important considerations for any ERO that intends to meet and negotiate with the regime. Serious thought should be given to the extent to which the pledges of the coup leader are reliable. It should be noted that the military regime is taking advantage of the EROs that did not participate in the Spring Revolution and is reviving the peace processes to maintain its power.

Just as military-sponsored democracy ended with a military coup within a decade, military-centered or military-sponsored peace talks will not be able to achieve a federal democratic union that guarantees equality and self-determination for all.

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