

The Suffering of Burma/Myanmar

INTRODUCTION

Burma/Myanmar,¹⁴ a country of about 55 million at the crossroads of South and Southeast Asia, is a multiethnic nation with a long history as a state and an empire, though without a history of successful adaptation to a changing world. There has always been a strong social, cultural, and even political role for the dominant religion of Buddhism. As author Thant Myint-U points out, the Burmese military dictatorship is the longest-lasting military dictatorship in the world.

Brought incrementally under British colonial control in the early 19th Century, Burma/Myanmar became an independent state anew soon after the end of the Second World War, led by General Aung San and his Burma National Army, which turned on the occupying Japanese in 1943. He was assassinated by rivals in July 1947, but achieved his goal of ensuring Burmese independence, which was declared in January 1948. The armed forces – the *Tatmadaw* – had a position of central respect in independent Burma/Myanmar.

Though there were continuing insurgencies by Burma/Myanmar's numerous ethnic minorities, it was hoped that a democratic Burma/Myanmar would be able to develop a peaceful *modus vivendi* for all its citizens. At that point, Burma/Myanmar was seen as having excellent prospects, being the largest rice exporter in the world, rich in minerals, rubber and timber, and possessing a larger educated managerial class than most other new states. The country held democratic elections, became an important founding member in the Non-Aligned Movement in the 1950s, and played an active role on the world stage. In 1960, the Burmese elected U Nu as Prime Minister, and the following year Burmese diplomat U Thant succeeded Dag Hammarskjöld as the Secretary-General of the United Nations.

In 1962, a military coup by General Ne Win brought Burma/Myanmar's fledgling democracy and international engagement to a halt with his "Burmese path to socialism," an isolationist policy intended to be a blend of "Marxist economics, Buddhism, and autocratic, military-dominated political rule." All political parties, unions, and associations were outlawed, protests brutally suppressed, and the Burma Socialist Program Party (BSPP) served as a civilian front for military rule. Military intelligence services became ubiquitous, "producing a sense of fear and foreboding that permeates society." Many of Burma/Myanmar's ethnic minorities – Karen, Shan, Chin, Karenni, Kachin, and scores of others – had never reconciled themselves to the dominance of ethnic Burmans (the dominant and largest single group – "Burmese" usually connotes all peoples of Burma/Myanmar) post-independence, and increasingly saw the *Tatmadaw* as an occupying and oppressive force, increasingly rebelled against central control.

All aspects of governance were brought under the control of the *Tatmadaw*, including, most disastrously, the economy. Rice production began a long downward slide, and economic development began to increasingly lag behind neighboring Thailand and Malaysia, while physical plant decayed. An informal economy emerged to provide what the official economy could not, offering ample opportunity for corruption by the military. The country's professional class and academic institutions suffered greatly from the isolation and the militarization of society.

Not a strategic interest internationally, Burma/Myanmar effectively disappeared from international consciousness for two and a half decades, as the regime resisted all elements of external influence. The

¹⁴ Both Myanmar and Burma are titles the citizens of the country use. After the seizure of power by the military junta, the then-SLORC (State Law and Order Restoration Council) formally changed the name of the country to the more formal of the two, Myanmar. It also renamed the capital, Rangoon, "Yangon." The choice of terminology is often seen to carry a political connotation: most democracy activists continue to call the country Burma and capital Rangoon. The use of "Myanmar" is often seen to confer legitimacy on the regime that formally adopted the name.

insurgencies which had plagued Burma/Myanmar from independence gained ground, exacerbated by the *Tatmadaw's* harsh tactics involving violence against civilians. These insurgent armies sometimes relied on the opium trade to finance their operations. An Ambassador in Rangoon in 1987-1990 speculated that these insurgencies were allowed to continue on a low boil by the regime because they provided a useful justification for the necessity of military rule and prerogatives.

Burma/Myanmar's relative advantage at independence of having an educated stratum of civil servants was squandered from 1962 on, with the stifling of educational exchanges and the chilling effect of dictatorship on intellectual freedom. Well before the 1988 crackdown Burma/Myanmar's educational establishments were in sad decline, both physically and in terms of their ability to develop Burma/Myanmar's next generations. This deterioration has only increased since, stunting Burma/Myanmar's capabilities to adapt to higher-end global economic activity.

In 1987, in an attempt to rein in the black market it had itself created, the regime declared currency in circulation to be worthless. This naturally generated a public outcry, leading to demonstrations in Rangoon and elsewhere. Short-lived in themselves, they represented a crystallization of discontent, and tension with the regime simmered in the months that followed, erupting periodically through mid-1988. Ne Win resigned after 23 years as unelected ruler, transferring power to senior officers handpicked to succeed him. But his successor, General Sein Lwin, known as the "Butcher of Burma" for his brutal suppression of student demonstrations in 1962, was not acceptable to the Burmese street, which began to mobilize in August for what became known as the 8-8-88 movement.

A massacre of students, doctors, and nurses in front of Rangoon's main hospital on August 11 was a turning point. Disbelief that the army would shoot doctors and nurses caused the residual social stock of the *Tatmadaw* to fall precipitously. Protests broadened to include the professional classes and importantly Buddhist monks, and to other cities and towns, including the northern urban center of Mandalay. After street violence driven by the regime killed 112 people in Rangoon, Sein Lwin, in turn, was forced to step aside, and the first civilian leader since 1962, Attorney General U Maung Maung took the helm, but only in title. The *Tatmadaw* remained the power in Burma/Myanmar.

U Maung Maung declared in a national broadcast the need for economic reform and patience on the part of the Burmese, and raising the possibility of – but did not commit to – multiparty elections.

The opposition was not united. Former Prime Minister U Nu pressed for the interim return of the last elected government, overthrown in 1962. Democrats around scholar and UK resident Aung San Suu Kyi, daughter of independence leader Aung San, disagreed, and asserted it was time for more thorough change. Discussions were ongoing to resolve this and announce a joint interim government on September 21. The announcement by U Maung Maung that elections would be held under supervision of the current, and not an interim government, as soon as late October were roundly rejected by all opposition leaders and the situation became increasingly militant. One student group approached the US embassy seeking weapons with which to fight, and Buddhist monks led an armed assault on an army position forcing the surrender of 100 troops. Opposition leaders issued a joint call for restraint.

The army launched a violent crackdown nationwide. Hundreds were killed by the army, including monks and students. Civilians armed themselves and fought pitched street battles with whatever weapons they had at hand – mostly knives and slingshots. Troops fired into the crowd outside the US Embassy, proving the expectations of many demonstrators and diplomats wrong that the location would protect them. Students put up posters calling for "appropriate action" against the army. Aung San Suu Kyi stated that the people "are not prepared to give in, because their resentment and bitterness has reached such

proportions.” By September 24, the army’s control over Rangoon, Mandalay, and the other cities of the country appeared secure to diplomats and journalists. All opposition leaders were jailed or detained.

Estimates of the numbers killed ranged between three and four thousand. The *Tatmadaw*’s new regime was called the State Law and Order Restoration Council (SLORC), which renamed the country Myanmar, and its capital Yangon. They mounted a campaign to resettle forcibly tens of thousands of presumed opposition supporters outside the main cities. Many students and others sought refuge in Thailand, where most languished in a stateless status for years, with little international attention to their plight or efforts to assist on the part of democratic governments.

At the end of May 1990, the SLORC organized elections in which the opposition could participate. Western diplomats, human rights activists and journalists made the logical assumption that the elections would be neither free nor fair, given the continued imprisonment of opposition leaders like Aung San Suu Kyi, who now headed a unified opposition, the National League for Democracy (NLD). Campaigning was essentially nonexistent, there was no free media. “In a free election, the National League for Democracy would win. Even under severe restrictions, it would do well if the votes are counted fairly,” said one diplomat at the time. While voters were afraid, they turned out to cast their votes in a process that was indeed free, delivering a landslide NLD victory— 386 of the 495 seats in parliament. The SLORC apparently had been confident that its puppet party would perform well in the countryside and overwhelm the urban vote. “It showed how positively obtuse and divorced from its own people the military was... They were pretty confident,” noted then-US Ambassador Burton Levin.

As soon as the gravity of its error sank in, the SLORC initiated a rear-guard action to deny the election results, stating that an NLD government would not be “strong” enough. “The military...came up with one regulation and restriction after another...trash(ing) the election results,” according to former Ambassador Levin. Levin noted the military self-justification was that intellectuals and businessmen could not be trusted – “we are the only ones with the requisite patriotism and selflessness to hold the country together.” The regime prioritized establishing territorial control over all of Burma/Myanmar, intensifying efforts to crush ethnic minority efforts at *de facto* or *de jure* independence, even in cases where hostilities had stalled. The regime also began to expel the Muslim minority Rohingyas, from western Burma/Myanmar, into Thailand and Bangladesh. They were deprived of citizenship under a law passed by the Ne Win regime.

The National Convention was established by the SLORC in 1993 to develop a new constitution, but failed to do so. In 1997, the SLORC changed its name to the State Peace and Development Council, or SPDC. But while there were some changes in the personnel lineup, the military’s dominance and the repressive apparatus of the regime was unchanged.

To call the *Tatmadaw* a state within a state is an understatement – as far as they are concerned, the generals *are* the state. A statement made on Armed Forces Day in late March 2010 – the only one in bold print on the English press release – was “the nation will be strong only when the armed forces are strong.” The SPDC is theoretically a collegial body, but Senior General Than Shwe is the *primus inter pares* and has demoted, sidelined or imprisoned former senior officers who he considered insufficiently loyal.

The SLORC/SPDC needed foreign investment to fuel the *Tatmadaw*’s buildup, so the regime began to open up economically – but only to the benefit of the regime and its all-controlling patronage system. There was considerable foreign investment in the 1990s, particularly in the petroleum and gas sectors, logging, mining, and fishing, but also in consumer goods. Few of the benefits have trickled down to the general population. Furthermore, the extraction of these natural resources often entails major environmental degradation.

The opposition was outlawed and heavily restricted, with Aung San Suu Kyi under house arrest with rare exception since 1988. The SPDC announced a “roadmap to disciplined democracy” in 2003, but this was derided as a sham by the NLD, which called for international sanctions and a boycott of tourism to Burma/Myanmar. Fearing popular backlash despite the massive repressive apparatus, SPDC leader and *Tatmadaw* commander Senior General Than Shwe had a purpose-built capital city built in Burma/Myanmar’s northern highlands to isolate the increasingly wealthy leadership further from the general population, and even from civilian members of the government. Reportedly, Than Shwe made the decision after consulting his court astrologer.

In September 2007, rising fuel costs sparked civil unrest anew in Rangoon and elsewhere in Burma/Myanmar. Resistance grew, drawing in thousands of Buddhist monks along with a cross-section of the broad population. The regime initially held off on cracking down, especially on the revered monks, no doubt hoping that the demonstrations would fizzle. But ultimately, the SPDC employed brute force in late September to suppress the peaceful demonstrations, and conducted invasive searches in monasteries in search of those involved. The government claims nine were killed, but the UN Human Rights Council’s Special Rapporteur for Burma/Myanmar Paulo Sérgio Pinheiro estimates the number at 31. Mr. Pinheiro also reported that protestors detained by the Burmese government were subjected to torture and cruel, inhuman, and degrading treatment. He stated, “Since the crackdown there have been an increasing number of reports of deaths in custody as well as beatings, ill-treatment, lack of food, water, or medical treatment in overcrowded unsanitary detention facilities across the country.” Estimates of political prisoners range up to 2,100, including a number of veterans of the 1988 student uprising. The brutality of the crackdown is seen by diplomats and analysts as placing a major damper on popular will to mobilize.

The junta set the date for a national referendum on the new constitution for May 10, 2008, and increased its repressive measures in advance, cracking down on those members of the opposition and civil society apt to be working to generate a “no” vote. The new constitution would give the *Tatmadaw* an automatic 25 percent of seats in both houses of the legislature, grant blanket amnesty to all soldiers for any crimes, and legally disqualify Aung San Suu Kyi, the daughter of the modern state’s first leader, from political office because she had been married to a foreigner.

On the night of May 2, 2008, Tropical Cyclone Nargis hit the Irrawaddy Delta area southwest of the capital, inundating the country’s most agriculturally productive land and killing tens of thousands, mostly due to the storm surge. Over 40 warnings from Indian meteorologists sent to the Burmese regime on the scale and likely impact area of the storm did not lead to a proper warning to Delta residents.

The flooding damage was assessed by external observers to be massively exacerbated by the prior destruction of mangroves in coastal wetlands. British Ambassador Mark Canning said at the time that the scale of the required relief effort was roughly double that of the 2004 Acehese tsunami. The health threat placed 1 to 1.5 million in direct jeopardy. Access to disaster relief experts and those prepared to distribute aid remained severely constrained for more than a month after the cyclone. Foreign journalists reported local anger at the lack of assistance from the military. The estimated death toll was 140,000, with 2.5 million displaced. Following weeks of heavy international diplomatic engagement and pressure, the regime finally allowed some international assistance into the affected areas. Aid agencies are now permitted to operate in the disaster zone, but the initial resistance to external humanitarian assistance has cast a long shadow, dissuading international assistance. One humanitarian aid worker estimated that the assistance devoted to relief for Nargis was a mere 10 percent of that dedicated to relief from the 2004 Aceh tsunami, though the scale of the suffering was comparable. A Johns Hopkins University study, conducted with Burmese volunteers, asserts that the junta sold on aid supplies and used forced labor for reconstruction efforts, and recommends that a case against the regime should be brought before the

International Criminal Court. Transparency International's 2008 report placed Burma/Myanmar in second-to-last place, only ahead of Somalia, in terms of corruption.

Perhaps the only positive by-product of the calamity was that *ad hoc* Burmese "community-based organizations," many of which were organized to deliver assistance to their compatriots in the wake of Cyclone Nargis, seem to be finding a way to operate with increasing confidence in a still very repressive environment. "There is still room to change at the small scale," said one AIDS activist. "People say civil society is dead. But it never dies. Sometimes it takes different forms, under the pretext of religion, under pretext of medicine." Through such tolerated activity, Burmese are trying to expand the space for civic organization, with the hope of applying this organization politically at a stage when this is possible.

The regime pushed ahead with the referendum for May 10. In the wake of Cyclone Nargis, the referendum results were hardly reported in the foreign press. Journalists who reported from the disaster area without permission reported delta residents who said they would vote "no" as a result of the risible response from the junta. Despite some Burmese bravely (though not openly) voting against, the "overwhelming support" for the measure was never really much in doubt given the process before the election and who counted the votes. The official figures reported 99 percent turnout and 92 percent support for the new constitution. A general election to the bodies envisioned in the new constitution will be held sometime in 2010.

The violence meted out against the citizens, including monks beaten and tortured, in the 2007 protests, and the callous indifference to their plight after the 2008 cyclone further diminished the regime's legitimacy in the eyes of the Burmese people. But "the memories of 2007 are still raw," according to a Rangoon-based diplomat.

In May 2009, an American, John Yettaw, swam across a lake to Daw Aung San Suu Kyi's home uninvited; he was arrested on his swim back two days later. The incident struck many long-time Burma/Myanmar watchers as highly implausible, given the tight security around the residence. Yettaw was later released after an August 2009 visit by US Senator Jim Webb, a Virginia Democrat who chairs the Senate Foreign Relations Committee's East Asia and Pacific Affairs Subcommittee, and who has advocated greater engagement with the junta. Webb was the first member of Congress to visit the country in a decade, and the first to meet Senior General Than Shwe. The regime accused the Nobel laureate of breaching the terms of her house arrest, and incarcerated her in Insein Prison before her trial. With varying degrees of difficulty, diplomats were given access to the proceedings. She was convicted in August, and her sentence, initially five years imprisonment, was commuted to 18 months additional house arrest. The British Foreign and Commonwealth Office noted that Than Shwe issued a directive to the court the day before her sentencing. Before the conviction, the NLD had stated it would participate in the election if all political prisoners (estimated in the thousands, including some arrested for distributing cyclone aid) were released, the constitution changed, and international observers were admitted.

But hopes that the elections might allow some element of open competition or result in the *Tatmadaw's* power being checked to some degree have been dashed since. In March 2010, the Burmese government annulled the results of the 1990 election which the NLD won by a landslide, stating that the new election law that it had promulgated invalidated the prior electoral law. This new electoral law greatly expanded the pool of those who could not contest for seats to include those convicted of crimes (to eliminate former opposition and other political prisoners) and those belonging to religious orders (to disallow monks who participated in the attempted "Saffron Revolution" of 2007). The new election law was roundly criticized internationally. Then-Filipino Foreign Minister Alberto Romulo said in March 2010 "Unless they release Aung San Suu Kyi and allow her party to participate in elections, it's a complete farce and therefore contrary to their roadmap to democracy," UN Secretary-General Ban Ki-Moon stated that any election

that didn't allow Aung San Suu Kyi to participate would not be regarded as credible, and US State Department spokesman PJ Crowley stated that the laws were "a mockery of the democratic process and ensure that the upcoming election will be devoid of credibility." Aung San Suu Kyi was reported by NLD spokesperson Nyan Win to have said, "such challenges call for resolute responses and (she) calls on the people and democratic forces to take unanimous action against such unfair laws."

With so many of its leaders disqualified from participating in the elections, the NLD's leadership of roughly 100 decided, after what was apparently spirited internal debate, to not participate for fear of legitimizing an inherently unfair process. Prior to the decision, long-time NLD member Win Tin described the decision to the BBC as a "matter of life and death...If we don't register, we will not have a party and we will be without legs and limbs." But Tin Oo, the NLD deputy leader recently released from prison, stated "There are many peaceful ways to continue our activities." Spokesman Nyan Win told Reuters that "After a vote of the committee of members, the NLD party has decided not to register as a political party because the election laws are unjust."

The stacking of the deck for the election continued with the resignation from the military of Prime Minister Thein Sin and about 20 other senior officers and their formation of a political party, the Union Solidarity and Development Party (to parallel the *Tatmadaw's* ostensibly mass popular organization, the Union Solidarity and Development Association, which claims to have 24 million members). This move was apparently aimed at boosting the *Tatmadaw's* control of the elected legislature, which will be composed of 25% of their own to begin with, and requires more than 75% of votes to amend the constitution that now governs the "disciplined democracy." As of May 2010, the government claimed that 25 groups had applied to participate, twelve of which were authorized at that time, in addition to four already existing parties.

Tomás Ojea Quintana, a UN special envoy for human rights who visited the country three times, stated in a leaked report to the UN Security Council in March 2010 that the junta engages in "gross and systematic violation of human rights...The possibility exists that some of these human rights violations may entail categories of crimes against humanity or war crimes." These abuses were especially pronounced in the border areas, and included the recruitment and use of child soldiers. The junta is estimated to incarcerate roughly 2,100 political prisoners. Quintana's report also noted that "far too many" people in Burma/Myanmar were denied basic food, shelter, health, and education. Minority groups have been particularly persecuted.

The resulting desperation has led to even more violence. Some who had inked ceasefire agreements with the military years before decided that they could no longer accept the violation of their rights and again took up arms. Khun Thurein, head of the 100-man Pao National Liberation Army operating from the eastern border region, explained to the BBC Burmese Service's Ko Ko Aung that he resumed fighting with his small force to resist persistent human rights abuses by the *Tatmadaw* and an effort to establish a "Burmese mono-culture." "Our leaders wanted peace and democracy. They wanted to sort out the political problems by political means. We never had a chance to sort the problems politically, so I thought the Burmese government would eliminate us." When the journalist noted that a single military operation could eliminate his entire force, Khun Thurein replied that he "would rather die fighting than bowing down to the pressure of the Burmese military regime to lay down arms without a political solution." A series of coordinated bombings in a lakeside park in Rangoon in April 2010 killed 9 people and wounded 75, according to state TV. Their perpetrators remain unknown. The bombing sent an ominous signal that not only Burma/Myanmar's ethnic minorities have determined that the path to political change cannot be achieved peacefully.

Rumors of a *Tatmadaw* nuclear weapons development effort began to surface in 2009, and gained credibility in 2010 with the defection of a former officer and his allegations broadcast by the Oslo-based Democratic Voice of Burma (DVB).

INTERNATIONAL POLICY POSTURES

The international reaction to the government's violence towards pro-democracy activists has been almost uniformly negative. Most democratic governments have called for a cessation of government violence against demonstrators and some countries have tightened previous economic sanctions. Global civil society has made Burma/Myanmar a perennial and evocative cause as well, keeping the issue on the agenda of democratic legislatures, and thereby governments.

In general, international policy responses to date have fallen into one of two very general categories:

1. Countries which unequivocally condemn the Burmese military government and have called for reinstatement of the 1990 election results and democratic transition.
2. Countries which call for engagement with the Burmese military government rather than isolation.

Western states, including the US, European Union members, Norway, Canada and Australia, have since the 1990s increasingly pursued a policy of sanctions and have unambiguously called for a democratic transition. The effectiveness of sanctions in promoting beneficial change has long been a subject of debate. Arms embargoes are the least controversial.

But partisans of economic sanctions argue that the revenues from foreign investment and purchase of Burmese exports essentially only redound to the benefit – and repressive capacity – of the *Tatmadaw* by giving it foreign exchange to buy arms from China, Russia, and probably North Korea. While the NLD leader Aung Sang Suu Kyi has called on tourists to not come to Burma/Myanmar, others argue that sustaining activity such as non-official tourism helps to develop Burmese civil society. The relative merits of isolating further an already insular and hence indifferent regime are also debated by the Burmese living outside the country. Some high-profile Burmese abroad advocate an effort to induce the regime to evolve and see a heavily censorious Western approach as counterproductive.

The **US government** applied economic sanctions to Burma/Myanmar immediately after the 1988 military coup and repression of the 8-8-88 pro-democracy demonstrations. Initial economic sanctions included an arms embargo and restrictions on new investments by American companies in Burma/Myanmar. The US also downgraded its relations with Burma/Myanmar, never replacing Ambassador Burton Levin, but leaving the embassy headed by a *charge d' affaires*.

The 2003 Burma/Myanmar Freedom and Democracy Act banned imports, but allowed teak and gems processed outside the country to be imported. Subsequent legislation, the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act in 2008 closed this loophole, banning importation of jadeite or rubies in any form. As a result of the government's September 2007 crackdown, the US tightened economic sanctions, enabling the Treasury Department's Office of Foreign Asset Control (OFAC) to deny entry to the US and freeze the assets of individuals "responsible for human rights abuses as well as public corruption" including "those who provide material and financial backing to these individuals or to the government of Burma." However, California-based Chevron remains invested in a prior joint venture with Burma/Myanmar's state-owned oil firm.

In February 2009, new Secretary of State Hillary Clinton announced a policy review on Burma/Myanmar. “Clearly, the path we have taken in imposing sanctions hasn’t influenced the Burmese junta;” adding that the path taken by others, including ASEAN, of “reaching out and trying to engage them has not influenced them, either.” In March 2009, State Department official Stephen Blake met with Burmese Foreign Minister Nyan Win. President Obama renewed the US sanctions in May 2009. US Senator Jim Webb visited Burma/Myanmar in August 2009, meeting with both the generals in Naypyidaw and with Aung San Suu Kyi, after which American John Yettaw was released. Webb, close to Obama, has long advocated a lifting of US sanctions. But following the new election law which has deterred NLD participation, this new approach appears to have hit a wall. The current policy posture is less than clear. After condemning the election law and stating any results from it would lack credibility, the State Department stated “Our engagement with Burma will have to continue until we can make clear that...the results thus far are not what we had expected and that they’re going to have to do better.”

The **European Union** adopted the EU Common Position on Burma/Myanmar in 1996, and also progressively strengthened measures since, extending EU sanctions to include an arms embargo, freeze of assets, visa bans for government officials and their families, and prohibition of financial loans to Burmese state-owned enterprises. In October 2007, a ban on investment in or export of equipment for the timber, mining, and gems industries was added.

The EU continues, however, to provide humanitarian and development assistance to Burma/Myanmar, and its sanctions regime has allowed French oil giant Total to continue its exploration and drilling. Following the conviction of Aung San Suu Kyi in August 2009, the EU added members of the Burmese judiciary who were involved in her trial to a list of over 500 officials who cannot enter the EU and whose assets in the Union are frozen.

While bilateral aid aside from humanitarian has been suspended by all EU members, they vary in terms of their assertiveness on democracy issues. The British in Rangoon have developed a reputation as the most vocal and proactive. The Dutch and Czechs, operating from Bangkok, also have some profile. Following the conviction of Aung San Suu Kyi in August 2009 for violating the terms of her house arrest, Britain and France called for global arms and economic embargoes against the country. The British Foreign Office also proposed EU-wide sanctions “targeting the regime’s economic interests” and urging the UN Security Council to adopt wider sanctions. The Foreign Office also called on Burma/Myanmar’s neighbors in Asia to ratchet up the pressure. Then German Foreign Minister Frank-Walter Steinmeier called the trial a “farce” and called on the regime to free Aung San Suu Kyi immediately.

Norway is a backer of the exiled opposition, and also hosts the Democratic Voice of Burma television and radio.

Canada levied sanctions on Burma/Myanmar in 2007, barring exports to the country, except for humanitarian goods, as well as imports. Regime-linked Burmese had their assets frozen, and financial and technical services were barred.

Australia expanded its personal sanctions of restrictions on arms sales, travel restrictions on senior figures and associates of the regime, and targeted financial sanctions to include 418 “Burmese regime figures and their supporters” in the wake of the September 2007 crackdown, but explicitly excluded “Australians with commercial dealings with regime members in the oil, gas or publishing industries.”

New Zealand has visa bans on the military leaders and their families.

Japan has, in contrast, pursued a softer-line position regarding Burma/Myanmar, asserting that a policy of economic and political engagement can be more productive. During the 1988 military coup and

repression of the 8-8-88 demonstrations, Japan, along with Western states, condemned the human rights violations perpetrated by the Burmese military, but was also the first OECD country to officially recognize the new military government. A senior representative from the Japanese Foreign Ministry stated that Japan's position is for "pressure and dialogue. [The Japanese government tries to] keep a working relationship with the government while maintaining pressure." Consequently, Japan has become Burma/Myanmar's largest official development assistance donor, contributing approximately three-quarters of Burma/Myanmar's entire foreign aid. Japan argues that its closer economic engagement give the Japanese Foreign Ministry greater influence with the Burmese government, though the results are unclear.

However, as a result of the September 2007 protests and the killing of Japanese photojournalist Kenji Nagai by the Burmese military, Japan imposed economic sanctions on the Burmese government, including halting \$4.7 million in funding for Rangoon University. Yet the Japanese government, commenting that it could send observers to some polling stations in May 2009, called it an "improvement in transparency." Japan is also providing technical assistance to the regime for the 2010 elections

China is reputed by diplomats in Rangoon and NGO activists to have the greatest influence and potential leverage on the Burmese junta. Beijing emerged over the 1990s as Burma/Myanmar's most important regional ally, investor, trading partner, arms supplier, and consumer of Burma/Myanmar's resources. China has supported the Burmese status quo, and is also Burma/Myanmar's main defender in international forums such as the UN, vetoing non-punitive, multilateral UN Security resolutions that would have condemned the Burmese government. The Chinese position in favor of the principle of noninterference in Burmese domestic affairs has been supported by Russia and others, even democracies such as **South Africa**. This support has extended to preventing humanitarian access from being placed on the agenda of the UN Security Council in the wake of Cyclone Nargis.

In the aftermath of the September 2007 protests, however, China has used its influence with the Burmese government to negotiate a visit to Burma/Myanmar by UN Special Envoy Ibrahim Gambari. Though China failed to directly condemn the Burmese government's crackdown against democracy activists, Chinese officials have explicitly stated that Burma/Myanmar should "push forward a democracy process that is appropriate for the country." Premier Wen Jiabao has also urged the Burmese government to "achieve democracy and development." On October 11, 2007, China supported a UN Security Council resolution condemning the Burmese government's violence against protestors and calling for the release of political prisoners.

China has continued since the cyclone to cover for the Burmese regime in international forums, preventing joint international sanctions from being levied. It said the international community should respect Burmese law following Aung San Suu Kyi's August 2009 conviction. But a resurgence of ethnic conflict in the northeastern Shan State, bordering China's Yunnan province, between the *Tatmadaw*, local allies, and ethnic Chinese *Kokang* rebels has driven tens of thousands of refugees across the border, putting Beijing in an uncomfortable position. This led to the greatest friction between the junta and Beijing in recent memory. The Chinese government called on the Burmese regime to cease its offensive and restore stability.

India, despite being the largest democracy in the region, also pursues a policy of economic and diplomatic engagement with Burma/Myanmar. India is a major consumer of Burmese oil and gas, as well as a major investor in Burma/Myanmar's economy. Like the Association of Southeast Asian Nations (ASEAN) (see below), India asserts that dialogue, rather than sanctions, is the most effective way to persuade the Burmese government to improve the political and human rights situation in the country, though some observers see India's interest focused as well on access to strategic resources, and the ability

to counter growing Chinese influence in Burma/Myanmar, which Indian strategists believe stole a march on India in the late '80s and early '90s, when it also isolated the regime. During the 2007 crackdown, India declared it had “no desire to interfere in the internal affairs” of Burma/Myanmar. During a visit earlier that year, Indian Foreign Minister Pranab Mukherjee said “India is a democracy and it wants democracy to flourish everywhere. But we are not interested in exporting our own ideology.” In March 2008, India made a \$120 million deal with the junta to “build, operate and use” the port of Sittwe in the Bay of Bengal as part of a growing regional rivalry with China. UN Special Envoy Ibrahim Gambari called on India to employ its growing influence on the Burmese generals to gain the release of Aung San Suu Kyi and other political prisoners. But India backed China and Russia in resisting broader international sanctions against the regime. India’s response to the August 2009 Aung San Suu Kyi verdict was muted.

Russia has, along with China, typically vetoed efforts to apply pressure through the UN Security Council against the Burmese junta. It has also been a major arms dealer to the regime, selling it advanced fighter aircraft, and is supplying nuclear technology to build a research reactor, which has generated considerable concern.

ASEAN, the Association of Southeast Asian Nations, which allowed Burma/Myanmar to join in 1997, has many member states which have close relationships with the regime and are strong trading partners. Following the violent crackdown on the Saffron Revolution in 2007, ASEAN did condemn the government’s violent repression. But ASEAN rejected calls from the US Senate to suspend Burma/Myanmar from membership. “Our approach is not to take such a confrontational, drastic action, especially when it doesn’t yield good results,” said ASEAN’s then-Secretary General Ong Keng Yong. Following the August 2009 verdict against Aung San Suu Kyi, the ASEAN Chairman released a statement expressing “deep disappointment” in the ruling and reiterating a call made at its summit the month before for “all those under detention,” including the NLD leader, to be released so they could participate in the 2010 general elections.

Thailand, perhaps the most closely linked with Burma/Myanmar, took the chair of ASEAN in July 2008. Thailand helped keep the Burmese junta afloat financially immediately after the 1988 crackdown by signing business deals that gave the country foreign exchange. Thailand is a major consumer of Burmese gas. There is hope that as Thailand returns to democratic rule, it will be more assertive on behalf of Burma/Myanmar’s democrats, as the Philippines and Indonesia have been. ASEAN’s parliamentarians have also been more supportive of Burmese democrats than their governments. While the site of much political turmoil over recent years, Thai policy toward Burma/Myanmar has been consistent, and heavily influenced by the military, which has strong links with the junta. From the chair of ASEAN, Thailand criticized the verdict against Aung San Suu Kyi. Prime Minister Abhisit Vejjajiva called for “balanced” and “complementary” international approaches toward Burma/Myanmar. Thailand’s own fraught democratic practice makes it less likely to carry the torch for democratic practice in Burma/Myanmar. As noted above, the outgoing Filipino Foreign Minister was quite incredulous about the new election law and its exclusion of Aung San Suu Kyi. But such statements remain an anomaly in the neighborhood.

Burmese ties with the “hermit kingdom” of **North Korea** have resumed, after over 20 years of severed relations, following a 1983 bombing in Rangoon targeted at a South Korean delegation. North Korea is widely suspected of selling arms, including missile and even nuclear technology, to the Burmese junta. Some analysts suspect that the North Koreans, long involved in underworld transactions for hard currency, may be paid in heroin for equipment and expertise. One diplomat posted in Rangoon noted recently that the Naypyidaw-Pyongyang relationship is “the big question mark.” Speculation on whether North Korea was involved in a suspected Burmese nuclear program gained ground in 2010.

The United Nations' level of engagement has varied. At the outbreak of the September 2007 protest and the government's violent reaction, the then-UN High Commissioner for Human Rights, Louise Arbour, singled out Burma/Myanmar for criticism. But, in general, China (and to an increasing extent Russia) has proven itself willing to protect the junta's interests by vetoing resolutions in the Security Council. In contrast, the veto-free General Assembly has issued repeated statements on the violation of human, civil and political rights by the SLORC/SPDC. On September 26, 2007, the Security Council did give the Secretary-General unanimous support to send Special Envoy Ibrahim Gambari to Burma/Myanmar, who visited most recently in January 2009. His series of visits have achieved little from a seemingly indifferent military. Gambari said following Aung San Suu Kyi's August 2009 conviction, that "(she) is absolutely indispensable to the resumption of a political process that can lead to national reconciliation." The UN's human rights envoy, Tomás Ojea Quintana, reported to the Security Council in 2010 on the deplorable state of human rights observance in Burma/Myanmar, at roughly the same time that the Secretary-General stated the new election law made the process non-credible.

There is presently a sense among the democracies that none of these approaches has delivered satisfactory results. "It's not a question of sides," said one Rangoon-based diplomat. "I think this sort of thinking has been a big part of the problem. We should all see what we can do together to help the people of Myanmar. There's no question that the government is underperforming and under-providing for its people – there is common agreement about that. We've got to try and find ways to change that."

RESOURCES AND ASSETS OF DIPLOMATS IN BURMA/MYANMAR

The international diplomatic community's isolation from government decision makers which dates from the Ne Win regime has deepened in the SLORC/SPDC era, especially after the migration of the capital to the closed garrison city of Naypyidaw north of Rangoon, where civilian ministries are cordoned-off from those of the *Tatmadaw*. Diplomats posted in Rangoon bemoan their limited toolbox. But in the absence of countervailing interests and even day-to-day contact with authorities, embassies can concentrate their local missions on supporting civil society's efforts on behalf of human rights and democracy.

Despite the regime's violation of diplomatic premises repeatedly since 1988, rarely if ever does the regime take direct action against diplomatic personnel (as opposed to domestic staff). Diplomats can and do avail themselves of their **immunity** to meet with opposition and make public statements. According to an international NGO worker, "there is theoretically the risk of being expelled, but this never happens." The UN Head of Mission, Charles Petrie, was however made to withdraw in late 2007 for underlining the cruel effects on the population of the regime's destructive economic policies. To date, he remains a solitary example.

Diplomats accredited to Burma/Myanmar can count on the **support of home authorities** as most democratic national governments have been very vocal about the repression in Burma/Myanmar, with the US Secretary of State naming it an "outpost of tyranny" in 2005. EU governments have represented the concern of their publics. Former US President George W. Bush and First Lady Laura Bush were widely reported to be personally engaged on Burma/Myanmar, as was former British Prime Minister Gordon Brown, who has written on the subject and questioned his staff regularly on developments there. Former Czech President Václav Havel mobilized several Nobel Peace Prize winners in favor of concerted action, including in the UN.

Without much access to SPDC officials, diplomats have limited, but occasionally significant, **influence** on the regime. Perhaps with increased friction between Beijing and the generals in Naypyidaw, this influence might increase. Japan claims to have somewhat more influence than either the US or the EU have, but has less than it had, and less than China and India have now, given their economic engagement.

A senior Japanese diplomat working on Burma/Myanmar policy stated that “Our position is for dialogue. We try to keep a working relationship with the government while maintaining pressure. This position is similar to the ASEAN approach, so I believe we can coordinate with them.” A Western diplomat currently posted in Rangoon said that because junta leader Sen. Gen. Than Shwe wants sanctions lifted, the sentence meted out to Aung San Suu Kyi was less than it could have been, and what many expected.

Embassies **fund** civil society development, training programs, and activities to promote open and democratic discussion in Burma/Myanmar. Embassy funds are also available for international exchange programs to connect Burmese activists with politicians and activists in other countries. Most aid is now humanitarian – mainly to the health sector, delivered through embassies, development agencies, and multilaterals – and therefore coordinated with the government. Due to poor government policies and transport restrictions, Burma/Myanmar now imports rice, “perversely,” according to a UN World Food Program official.

The **solidarity** of the western democratic world was clear in 1988. There was already near total disdain for the Ne Win regime, including the ambassadors of the USSR and China in Rangoon. During and after the 1988 crackdown, the EU ambassadors – from France, Great Britain, Italy, the Netherlands and West Germany, delivered a joint *démarche* on behalf of the EU to the regime in protest. After the 1988 crackdown the American and German ambassadors worked to persuade their Japanese colleague to mirror their cut off development aid, and ultimately succeeded. This solidarity continues, with the US, the EU, Australia, and Japan raising democracy and human rights in their (few) meetings with Burmese officials.

There are significantly different approaches among democratic embassies at present, as discussed above in *International Policy Postures*. However, in the greatest adversity the Burmese people have faced since 1988, Cyclone Nargis, one diplomat says that democracies, and even some non-democracies, showed “extraordinary solidarity” in trying to get the door opened for humanitarian aid.

The democratic world’s diplomats can refer back to UN General Assembly, Security Council and other UN bodies’ statements on the human rights situation in Burma/Myanmar for **legitimacy**. This unfortunately cuts little ice with the regime. But the UN has deep reservoirs of legitimacy with the Burmese people. In addition, countries have specific resources to draw upon – Burmese demonstrators in 1988 believed that the US and France, as symbols of democracy and leaders of the “free world,” would rally to their side.

WAYS DIPLOMATIC ASSETS WERE APPLIED IN BURMA/MYANMAR

The Golden Rules

Diplomats assigned to Burma/Myanmar operate within an extremely constrained public and diplomatic space, but several, especially the Norwegian embassy operating from Bangkok, have earned plaudits for **listening** to a wide range of groups and individuals involved in the democracy movement. Glen Hill, the former Executive Director of SwissAid, asserted that the Norwegians “gave the impression that they were there to learn.” Seasoned Burma/Myanmar human rights activist Benedict Rogers of Christian Solidarity Worldwide said of the democratic embassies, the British and American were “by far the most robust, forward, and accessible.”

While embassies, and especially the Australian today, have tried to be approachable, all are under regular surveillance by the regime, and fear of questioning or worse inhibits the civil population from coming, especially to the US Embassy. One Burmese activist noted that embassies lack “good human intelligence” on the situation in the country, and rarely speak the language(s), limiting their **understanding**. Making an effort to recognize a country’s best value added is another important element of understanding the

situation. The Czech Ambassador, Jiří Šitler, operating from Bangkok, noted that the Czechs' experience of having lived under a repressive regime was something that his democratic colleagues did not have, and centered his country's approach to the Burmese around that core.

But the situation in Burma/Myanmar has been beneficial in promoting **sharing** among missions, both of information and of tasks, in a way which avoids competition and promotes comparative advantage, as detailed in Chapter 3. The US, EU, Australian and Japanese embassies in Rangoon meet regularly to coordinate strategy in pursuit of supporting peaceful democratic change.

In the immediate aftermath of Cyclone Nargis, the differences among diplomatic approaches were set aside in light of the scale of the calamity. One Western diplomat states that "there was a common sense of urgency...we felt more common ground than previously... It was a different focus than usual; getting aid to the delta was paramount."

Truth in Communications

Reporting on the situation in Burma/Myanmar by diplomats has long been a crucial source of information, given the lack of international media access and independent media within Burma/Myanmar. Yet freedom of movement for diplomats is restricted and the *Tatmadaw's* pervasive police state deters many Burmese from actively providing information.

Diplomats in embassies can be misled if their only sources of information are from Rangoon circles. But even under constraints, embassies do provide crucial information on the situation and their reports are read at high levels, including at 10 Downing Street and in the White House, for example. The UN Development Program office in Rangoon was well-situated to witness the demonstrations of the 2007 "Saffron Revolution" and the subsequent crackdown, and had an independent satellite communications system that allowed for internet access as well, so provided an important information conduit.

In the absence of objective news gathering – the regime has expelled most foreign journalists and blacked-out web sites – diplomats have a long history of informing media outlets of the internal situation. In 1988, Dutch Ambassador Peter van Walsum, based out of Bangkok, gave extensive interviews to the press reporting on the nature of the crackdown and its brutality. US Ambassador Burton Levin released reports that the embassy had received "credible, first hand reports" of beatings, torture and executions of pro-democracy activists and others, thousands of whom were arrested.

Burma/Myanmar's government has long controlled public access to information, and to the means of communication. Mobile phone costs are prohibitive. Land lines are primitive. Internet servers are frequently jammed. In such a closed society, rumors are rife and travel quickly. The mobile phone cameras and video uploads of protests and violence in 2007, made from outside the country, were so devastating to the regime – it hadn't foreseen them. Once broadcast outside the country, it could boomerang back into Burma/Myanmar.

Former British Ambassador Mark Canning was perhaps the most vocal diplomat posted to Rangoon, and is rated by one international Burma/Myanmar watcher as having been "absolutely superb...a great example of doing the right thing. He made himself accessible to human rights NGOs." He was quoted regularly in the international press, and even had a regular blog where he wrote on developments in Burma/Myanmar, through the Aung San Suu Kyi trial in the grim Insein Prison. American *chargé* Shari Villarosa was also a regular in the international media, particularly important in the aftermath of Cyclone Nargis. Human rights advocates sing the praises of both in their efforts to inform the world, noting that they also help inform Burmese indirectly.

Embassies play a key role in **informing** the Burmese public and the international community about activities and events occurring in Burma/Myanmar. Embassies have committed resources to support media and journalism trainings for young Burmese journalists. While independent media sources are starting to develop in Burma/Myanmar, training is not readily available and the quality of reporting tends to be varied. Embassies support training programs, both in Rangoon and in Thailand, to help Burmese journalists learn how to write, develop, edit, and market pieces for a wide-range of audiences. The Czech Embassy provided a basic video and journalism course in Burma/Myanmar: how to use a camera, how to edit, and how to produce a story. This was not explicitly political, but proved extremely useful in providing imagery of the 2007 crackdown.

Embassies also support the actual dissemination of information to the Burmese public. Both the American Center and the British Council provide important access to information to Burmese citizens, such as English medium newspapers and materials published by exile groups. The information available at the centers provide Burmese users a vital link to the outside world as well as a better understanding of what exactly is occurring in Burma/Myanmar itself. The centers also invite speakers from outside to present – and some have spoken both about the international policy toward Burma/Myanmar and the situation with the insurgencies and in refugee areas in Thailand.

The Japanese Embassy, which enjoys greater access to the regime than other embassies, has often conveyed information between the SPDC and the NLD. “I think the NLD appreciates our activities. We can give them information. Unfortunately, the NLD has no contact with the government.”

Diplomats and politicians remain active today in getting information about pro-democracy events and human rights violations out to the international community. The UK and Australian Ambassadors and the US *Chargé d’ Affaires* are very present in international media, discussing Burma/Myanmar’s political situation and abuses in the country. These reports are beamed back into Burma/Myanmar by Radio Free Asia, Voice of America, the BBC, the Democratic Voice of Burma/Myanmar, and exile information organs in Thailand.

In the wake of tropical Cyclone Nargis in May 2008, diplomats were among the most quoted information sources in Burma/Myanmar on the scale of the devastation, the shocking inactivity of the Burmese military to the humanitarian need, and the scale of the aid effort required. In the aftermath of both the cyclone disaster and earlier, during the protests in September 2007, British Ambassador Canning and American Chargé Villarosa were oft-quoted in the media, both setting baselines for international response. When Aung San Suu Kyi was imprisoned in Insein Prison facing trial, Ambassador Canning visited her in jail and reported to the press that she was “composed” and “crackling with energy.”

Working with the Government

Given the insular nature of the regime, it is a challenge for diplomats to **dialogue** with government on a regular basis, especially with the move of the capital to the purpose-built garrison city of Naypyidaw.

Yet the extraordinary nature of Cyclone Nargis brought a string of international dignitaries to Burma/Myanmar to offer assistance and press the regime to allow urgent humanitarian assistance to be brought directly to the Irrawaddy Delta. UN Secretary-General Ban Ki-Moon came to press for an opening to external aid. Britain alone sent two key ministers, Deputy Foreign Minister Lord Mark Malloch-Brown and Secretary of State for International Development Douglas Alexander, in as many weeks.

A representative in the US Embassy in Rangoon stated that officials from the US, European, Australian, and Japanese embassies regularly raise issues of democracy and human rights when they have opportunity

to meet with Burmese officials. However, human rights and democracy concerns raised by western diplomats are dismissed by government officials; they, instead, prefer to focus on their roadmap to democracy plan.

Diplomats have on occasion tried to **advise** the Burmese government, but to no discernable effect. In 1989, Ambassador Levin met with SLORC intelligence chief General Khin Nyunt in an attempt to see if the regime could be convinced to enter into an effort for national reconciliation and to bring in Burmese expatriate technocrats to return vibrancy to the economy. His effort elicited an earful of invective about “communists” and “traitors” straight out of the regime phrasebook. He determined such efforts were useless at that point.

Civil society in Burma/Myanmar has survived suppression and is a beneficiary of advice by diplomats. Ambassador Šitler determined early on in his tenure that his approach should be to concentrate on transferring applicable know-how to Burmese. “We discovered that our experience from transformation to democracy was exactly what they (the Burmese dissidents) needed and wanted. The old EU members who were heavily engaged (the Dutch, Danes, British and the US) could give more money, but just didn’t have this experience.”

Discussions between Czech diplomats and Burmese dissidents in refugee communities in Thailand include:

- The role of returned exiles in the society after democratic transition.
- How to obtain justice for crimes committed by the regime.
- How to promote economic reforms.

The American Center “pushed the limits” by providing journalism, human rights and democracy training. The Australian Embassy rather controversially provided human rights training to *Tatmadaw* officers.

The Chinese and Indian embassies have frequent contact with the Burmese government. Mr. Ichiro Maruyama stated that the Japanese embassy, in meetings with Indian diplomats, have asked the Indian and Chinese embassies to convey the Japanese embassy’s interests and concerns to the Burmese government.

Reaching Out

While easier to do in refugee communities outside Burma/Myanmar, efforts to link Burmese with the outside world and with each other need to be undertaken within Burma/Myanmar. Diplomatic immunity gives diplomats in Rangoon the ability to do what local and foreign NGOs would normally be doing, but cannot, given the pervasive repressive apparatus of the state.

Diplomats can play a role in **connecting** Burmese activists to other democracy players outside of Burma/Myanmar, including Burmese activists in exile as well as activists in the diplomat’s home country.

In coordination with an ongoing Dutch foreign policy training program aimed at promising young refugees, the Czech embassy organizes a three-month study segment in the Czech Republic; during the visit, participants attend three months of trainings and meetings.

The Norwegian embassy transmitted information from exiled groups residing in Thailand to groups within Burma/Myanmar, with the objective of promoting linkages and common ground.

The American Center, located in Rangoon, helped Burmese activists establish a peer network for those who had been imprisoned and tortured by the Burmese government. One of the goals of the peer network

was to decrease the isolation of those who had experienced torture and are likely suffering from post-traumatic stress disorder and to connect them with other survivors and activists.

Embassies and cultural centers have provided essential space for Burmese activists and others to **convene** and exchange information, sometimes with government officials included, and other times without them. The Australian, Japanese, EU, US and UN missions in Rangoon all engage in this sort of activity.

Given the heavy regime surveillance of the embassies, *Alliance Francaise*, the British Council, and the American Center have all played critical roles in providing space for Burmese to meet and discuss a wide array of social and political issues, particularly for youth. While these were not packaged as “democracy courses,” they offered young people an opportunity to explore issues of human rights, democracy, and globalization in a safe space and without drawing undue attention from the Burmese government. However, most of those attending knowingly assume a certain amount of risk.

Cultural people-to-people contacts also come into play. In May 2009, the US State Department financed the Burmese performances of a Los Angeles-based alternative rock/hip-hop band, Ozomatli. As part of a wider Southeast Asian tour, the band visited music schools, performed with a local metal band of blind musicians, “Blind Reality,” and held a performance at the American Center in Rangoon. Despite the fact that the government’s “Scrutiny Board” monitors Facebook, the only social networking site, through servers it controls, the band has garnered many Burmese “friends.” Ulises Bella, the band’s saxophonist, said after the trip “I think that for me one of the things that struck me about Myanmar in particular was the strength of the people...And the hospitality and love people felt for us just being there was really eye-opening.” He continued that at the American Center “we jammed with a local rapper who came onstage and did his thing with us. He’s a big deal out there. Interesting interpretations and perceptions of what hip-hop is. They’re getting it from magazines and movies but also trying to incorporate their own things.”

The US embassy has been one of the most vocal advocates for a democratic transition, **showcasing** democracy in practice through the programs offered by the American Center. Programs include lectures covering many sensitive topics, including the situation in the ethnic minority areas, the United Nations Security Council, sanctions, and genocide. SwissAid’s Glen Hill asserted, “The American Center...didn’t shy away from difficult subjects.” France’s *Alliance Francaise*, in collaboration with the Czech Embassy, projected films of interest that otherwise would not be seen by Burmese activists.

The American Center is also a prime example of how embassies can **facilitate** discussion among Burmese civic and opposition members. The American Center not only offered resources not readily available in Rangoon, the Center offered a safe space where democracy activists could participate in trainings and workshops that would strengthen their ability to participate and direct the pro-democracy movement. It is certainly easier to facilitate dialogue among Burmese opposition and minority groups outside the restrictions in Burma/Myanmar itself, either among refugee communities or further afield, and a number of embassies in Thailand work on this front.

Embassies finance assistance projects for Burmese civil society, though the restrictions by the regime make doing so complex. Embassy support for the democracy movement in Burma/Myanmar ranges from funding training (both short and long-term) to financing civil society projects. Some of the funding comes directly from embassy operating budgets, while funding is also available from development funding agencies, including the Japanese International Cooperation Agency (JICA) and the UK Department for International Development (DFID).

Human rights activist Benedict Rogers, when asked what sort of diplomatic activity he would wish for, said “the main thing is if embassies can provide a space for ordinary Burmese, as well as dissidents and activists, to meet, learn, develop skills, and debate.” He said the American and British Embassies, along

with the American Center and British Council, were doing this. “I would like to see more (democratic embassies) acting the same way.”

“We support civic activists...by trying to help them develop better knowledge, better analysis, to help them better strategize. We want to help them broaden their ways to get at democracy, good governance. We want to help break down this “us vs. them” split between the government and the people,” one diplomat stated in mid-2009.

Former Czech Ambassador Šitler notes that small, well-targeted grants for projects can evade regime strictures and accomplish a great deal. Some NGOs which received embassy funding managed to find ways through the bureaucratic morass by cultivating relationships with officials who helped them navigate the regulatory maze.

A variety of training and “capacity building” programs have been provided to democracy activists, including:

- English language and other educational courses funded by the British Council.
- English language courses; journalism and media training; human rights training; transitional justice workshop; and organizational and communication trainings funded by the American Center.
- Film and media training funded by the Czech Republic (which showed its utility in documenting the 2007 protests and crackdown).
- Foreign policy training seminar funded by the Netherlands.

Embassies also financed library resources, increasing access to books and magazines either difficult or illegal to obtain in Burma/Myanmar. The American Center and the British Council offered extensive library resources to Burmese members, including extensive offerings on democracy and Burma/Myanmar. The Czech embassy had Czech authors’ books translated to Burmese as well as collecting and translating volumes of articles on the Czech democratic transformation. The US, UK, and Czech embassies have also provided direct support to local Burmese NGOs to fund environmental, social, and education projects to assist community development.

Defending Democrats

Diplomats regularly **demonstrate** their support for democracy and human rights in Burma/Myanmar, and have done so for two decades. In 1988, US Ambassador Levin made a point of driving to observe demonstrations with his car’s flag flying. British and American diplomats regularly meet with NLD officials, and when British Ambassador Mark Canning visits the NLD office he arrives in his official car flying the British flag. Embassies as a matter of course declare public support for Burmese demands that fundamental human rights and freedoms be respected.

There are reports that diplomats have on occasion **protected** individuals who feared imprisonment or other retaliation from the Burmese government. Assistance has included financial and logistical support for these individuals to reach the Thai-Burmese border. In 1989 and 1990, embassies of the democracies protested in solidarity against aggressive interrogation and other repressive measures against their local staff, including one member of the British Embassy staff who was sentenced to three years in prison by the regime. In 1988, Ambassador Levin agreed with Aung San Suu Kyi to limit their contact so as to reduce the potential for the regime to paint her as an American stooge.

Diplomatic protection has also been given in other, less obvious, ways. By disseminating information about human and political rights violations by the Burmese government, diplomats have been able to

direct international scrutiny and criticism on the government. The Burmese government's reluctance to draw negative international attention constrains its actions, at least as regards the internationally known face of Burmese opposition, Aung San Suu Kyi. But the junta does not appear to feel such constraints regarding other less visible opposition figures.

It was also reported that during the September 2007 protests, the UNDP allowed demonstrators to seek refuge within its building as well preventing the Burmese security officers from forcibly entering the premises. Even when diplomats are not able to directly protect activists, by **witnessing** and **verifying** anti-democratic activities and human rights violations committed by the Burmese government, diplomats play an integral part in collecting and disseminating information (See "Getting to the Truth").

By publicly witnessing and verifying abuses by the government, key embassies are also able to send a message to the Burmese government, by regularly sending officers to witness demonstrations and court trials, and by supportively attending prayer services, various holiday celebrations, and commemorations. As noted earlier, many diplomats attended the long trial of Aung San Suu Kyi in summer 2009. These reportedly included European, American, Russian, South Korean, Japanese, Thai, and Chinese diplomats. On July 31, 2009, as the trial neared its close, a European quoted by a journalist noted that most were ambassadors. Aung San Suu Kyi thanked the diplomats for attending. She is merely the most prominent of an estimated 2,100 political prisoners in Burma/Myanmar.

In an exit interview with the Burmese exile internet publication, *The Irrawaddy*, Ambassador Mark Canning noted the counterproductive effect the SPDC's trial of Aung San Suu Kyi had. "It's ironic that a trial which is intended to marginalize her from playing a political role is having precisely the opposite effect – illustrating what a towering figure she is. If she wasn't relevant, none of this would be happening. She would be the first to recognize that many others, not least the ethnic minorities, need a voice, but there is no doubt she remains central to a meaningful process of reconciliation and that's why the international community has been united in calling for her release."

CONCLUSION

The ability to influence the inward-directed and wholly self-interested military regime remains a massive hurdle for most democracies, especially now with new revenue streams coming to the military from natural gas, along with the continued destructive clear-cutting of old growth forests and trade in gemstones, and diversion of agricultural land to cultivate jatropha for bio-fuels. The *Financial Times* reported in July 2009 that a *nouveau riche* of connected urban traders is increasingly visible in Rangoon, but some question whether the conspicuous consumption is a sign of economic health and durable progress. "You can't put it in the bank, so you put your money in cars or a nice new house to keep the value of the money," one business person told the reporter.

Burma/Myanmar's major trading partners, its fellow members of ASEAN, China, and India, have still not exerted serious pressure on the SPDC to allow greater civic space and to make a genuine turn toward establishing democracy. Benedict Rogers cited specifically Japan, India, and Thailand as potentially having a positive impact. "If they stood up to the regime more, there might be progress. They seem completely unwilling to say anything negative."

Ultimately, the key will be with the Burmese population and the diaspora of exiles, who have been developing their capacities to reclaim the rights denied them by successive generations of self-serving military officers. If Burma/Myanmar's commercial partners can persuade the regime of the inevitability of change, it may arrive sooner rather than later. It will arrive in a country whose institutions have atrophied under a military which lives apart from the people, and it will be up to supporters of democratic transition to support the people in their efforts to re-build the country.

Some encouraging signs can be discerned in the wake of the cyclone disaster. Most hopefully, networks of ordinary Burmese citizens themselves formed volunteer relief teams to try to compensate for the inability of the regime to safeguard its own citizens. Despite the hardships placed upon them, Burmese civil society seems to have emerged strengthened and determined. It remains to be seen how this will manifest itself in the upcoming, and sure to be flawed, 2010 elections.

More ominously, the renewed conflict in Shan State, which is only the latest area in which the army has sought to tighten its grip before next year's elections, shows the cost of lack of democracy in Burma/Myanmar. Undemocratic Burma/Myanmar, even with massive revenues from sales of its considerable resources, shows no sign of being able to crush the will of the country's numerous minorities for autonomy or independence. Ironically, the *Tatmadaw's* iron grip on power may force it to fail in its stated *raison d'être*: maintaining the unity of the state.

Many democratic embassies in Rangoon and Bangkok remain engaged in assisting Burmese civil society and opposition within and outside the country, and will no doubt continue to develop new innovative avenues to assist and circumvent regime restrictions. When asked what more could be done, a seasoned NGO activist dealing with Burma/Myanmar and its border areas said "more of the same: providing space, enabling visitors to meet dissidents." Additional funding for these activities would also help. So would greater language ability on the part of diplomats posted to deal with Burma/Myanmar. Given the harsh repressive nature of the regime and the pervasive fear of informers, citizens are more likely to trust a foreigner who speaks their language than his or her interpreter.

Clearly, the environment for democracy assistance to Burma/Myanmar is constrained, and has been getting more so. "The impact of Western measures and policies is less because of the neighbors' approach," said one diplomat. Diplomats on the ground and activists who follow events in Burma/Myanmar closely have a wide spectrum of views on how best to assist the Burmese in gaining popular control of their destiny. A legitimate debate is ongoing about whether the current Western policies can deliver the change for which they were devised, with the corresponding questioning of what the engagement policies of neighboring countries have achieved for the Burmese people. This is the ultimate question that must be answered.

Despite the transparently ham-fisted effort by the military to legitimize its political dominance, one Western diplomat believes that the 2010 elections hold an opportunity for Burmese civil society to mobilize ("not in a 'color revolution' way"), and that it should be seized, despite the clear determination of the generals to leave nothing to chance. "(This will be) the first time in 20 years for Burmese to engage in politics. Many (Burmese) think of 'politics' as a dirty word. But this is an opportunity of engaging people, and changing the regime dynamic. There will be a generational shift as well. There will be a new parliament. There will be new ways to influence policy in a positive way. It's a long shot, but the opportunities are there, both because there will be new structures and elements that are impossible to predict because of the shifting dynamics."

Others, both outside Burma/Myanmar and within, are far more skeptical of the prospects for change, though not against engagement in principle. According to human rights activist Benedict Rogers, "it's not a question of engagement or not – we've advocated dialogue among the regime, Aung Sang Suu Kyi and the ethnic groups...The question is what you talk about and how you do it." The NLD had made clear it was willing to participate if Aung San Suu Kyi and others were released and could participate; the fact that they cannot and that the NLD will not participate without them was roundly criticized internationally. Whenever the elections are called, unless this policy is reversed, it is difficult to envision the opening that looked like it might come to pass as recently as a year ago. How the Burmese react to this loaded electoral process remains to be seen. But with so many of democracy's champions excluded, and others having

determined that participation is counterproductive, it seems unlikely they will see the electoral process as an avenue for change.