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**The Impact of Myanmar's Nationwide
Ceasefire Agreement on the Peace-Building
Environment**

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ABSTRACT

The Nationwide Ceasefire Agreement (NCA) signed in October 2015 did not bring peace to Myanmar but has instead contributed to reconfiguring the peace-building environment of the country. The division of ethnic armed organisations (EAOs) into signatories and non-signatories has become entrenched. There are tensions within and between the members of various EAO alliances, some arising from pre-existing differences, others new issues relating to the NCA-based peace process. Such tensions have been one factor leading some EAOs to explore bilateral negotiations, despite a public commitment to collective negotiation. These changes contribute to an increasingly complex peace-building environment. They highlight the extent to which the EAOs cannot be considered a single constituency and the need for a peace process to engage seriously with their different priorities and interests. The nature of these changes mean that they are likely to remain relevant, despite the further changes to the peace-building environment caused by political disruption beginning 1 February 2021. The long-term impacts of the turmoil are hard to predict. In the short-term, it has resulted in an unsettled and unpredictable situation with many of the actors reconsidering their relationships and repositioning themselves in light of the ascendant events.



1. Background

On 15 October 2015, the government of Myanmar and eight ethnic armed organizations (EAOs) signed the Nationwide Ceasefire Agreement (NCA). The NCA differs from previous ceasefires in two significant ways. Firstly, it is a multilateral rather than bilateral agreement. Secondly, through the arrangements for political negotiation, the NCA includes state- and nation-building processes which aim to address the causes of conflict.¹ Unfortunately, the high hopes that these factors would lead to a lasting peace have not been realised. More than five years later, the country is on the brink of a nationwide clash following the political change and subsequent violent developments.

Before the disruption, the peace process was already facing difficulties. From the outset, the NCA was weakened by the fact that only eight EAOs signed the agreement. Seven other EAOs, including some of the

most powerful groups, refused to sign the NCA and another six EAOs were not invited to sign. Moreover, peace talks with the signatories have not happened regularly or according to the planned schedule, with the result that the peace process has never gained momentum. When talks have occurred, challenges relating to procedural matters and the format of talks as well as the substance have contributed to a failure to reach agreement on key issues. As a result, there have been growing calls for reform of the peace process from all sides—EAOs, State actors, international and local observers.²

By the start of 2021, reform seemed inevitable. However, the February 2021 developments unsettled these efforts. It is unclear what form future peace talks will take. However, to be successful any such negotiations should take into consideration the changes in the peace-building environment and avoid simply returning to the pattern established between 2015 and 2020.

¹ Min Zaw Oo, "Understanding Myanmar's Peace Process: Ceasefire Agreements."

² For example, International Crisis Group (ICG), "Rebooting Myanmar's Stalled Peace Process"; Euro-Burma Office (EBO), "Assessing the

Peace Process"; EBO, "Ethnic Unity"; Min Zaw Oo, Ne Lynn Aung, and Michaels, "Annual Peace & Security Review: 2020"; Federal Law Academy, "New Approaches to the Peace-Seeking Process in Burma/Myanmar."



2. Research Objectives and Methodology

This paper aims to contribute to the discussions around reform of the peace process. It focuses on the relationships among EAOs, which is an oft-neglected aspect of the peace-building environment. The paper is based primarily on the Centre for Diversity and National Harmony's ongoing monitoring of Myanmar's peace process. It draws on extensive informal discussions with EAOs, State actors, local and international observers, and on published reports by civil society, academics and the media.

3. Research Result and Analysis

There are more than 20 EAOs active in Myanmar. These groups have complex and interlocking histories. However, almost all EAOs claim to represent and be fighting for the rights of ethnic minorities. Moreover, they generally share similar grievances against the state. It is therefore tempting to see the EAOs as a single 'constituency' when it comes to peace negotiations. This tendency is reinforced by the public discourse of EAOs themselves. EAO statements regularly stress their

commitment to solidarity and reflect a belief that EAOs have shared political goals. The assumption that these goals can best be achieved through joint action and—in the context of peace talks—collective negotiation with the State actors, has been a driving force behind several EAO alliances. The following sections examine how these assumptions hold up when considered in light of the actions of EAOs since the signing of the NCA.

a. The evolution of EAO alliances since 2015

The alliances formed by EAOs provide an indication of their relationships. Such alliances suggest that the members have similar goals or concerns and are on the same trajectory in their relations with the State. Formal EAO alliances also provide a forum within which EAOs discuss and agree positions. In negotiations, these alliances are a way for a group of EAOs to speak with a single voice. They are thus central to promoting unity among EAOs and allowing collective negotiation.

It is therefore useful to start by looking at how the major EAO alliances have evolved since the signing of the NCA in 2015.



Particularly, how the division of EAOs into NCA signatories (NCA-S-EAOs) and non-signatories (NCA-NS-EAOs) has resulted in a shift from a single alliance, which represented the majority of EAOs, to a proliferation of smaller groupings.

In 2015, the major EAO alliance was the 16-member Nationwide Ceasefire Coordination Team (NCCT), which had been created for the purpose of negotiating the NCA.³ The core of the NCCT were the 12 members of a pre-existing alliance called the United Nationalities Federal Council (UNFC). Only four powerful EAOs were not members of the NCCT: National Democratic Alliance Army (NDAA); National Socialist Council of Nagaland – Khaplang; Restoration Council of Shan State (RCSS); and United Wa State Party. These four each had their own reasons for remaining outside the broad coalition represented by the UNFC.⁴ Since they did not form an alternative alliance, their presence did not challenge the idea that the UNFC and NCCT represented the mainstream position of EAOs.

³ The NCCT also had one observer, the All Burma Students' Democratic Front.

⁴ BNI, "Deciphering Myanmar's Peace Process: A Reference Guide (2016)."

The final challenge to the NCCT members' commitment to solidarity and collective negotiations was the fact that six NCCT members were not invited to sign the NCA in 2015. This left the EAOs who were invited to sign with an unenviable decision: break their commitment to solidarity by signing; or refuse to sign and risk throwing away all the progress that had been made since 2011. In the event, the NCCT members did not reach a shared position and the alliance was divided with six members (plus an observer) deciding to sign and four deciding not to sign.⁵ As the NCCT was created to negotiate the NCA, the end of these negotiations and the split among its members, meant that the alliance no longer had a clear function and ceased to be operational.

In contrast, the UNFC predated the negotiations around the NCA and continued to exist after the signing of the NCA. In the end, the UNFC position was not to sign the NCA, due to the exclusion of some of its members. However, the UNFC did not completely reject the NCA. Its goal was to continue negotiations, including on allowing all member EAOs to sign. Three UNFC members took a different position

⁵ The remaining six groups were not invited to sign.



and chose to sign the NCA. This led to these three EAOs leaving the alliance.

Despite these departures, the UNFC was still the largest EAO alliance. However, its role as the representative of the mainstream EAO position was challenged by the presence of a second coherent group: the NCA signatories. In 2016, the NCA-S-EAOs formed the Peace Process Steering Team (PPST) to coordinate their engagement in negotiations under the NCA.⁶ EAOs were now divided into two almost equally sized alliances, the eight-member PPST and the ten-member UNFC. Both alliances engaged in collective negotiations with the State actors. However, since the UNFC was negotiating towards signing the NCA, there was a possibility that eventually the two sets of talks and the two alliances would converge

The situation became more complex with the emergence of a third alliance, the Federal Political Negotiation and Consultative Committee (FPNCC) in 2017.

⁶ Keenan, "Securing Agreement: The Peace Process Steering Team's Role in the Peace Process"; Burma News International (BNI), "Deciphering Myanmar's Peace Process: A Reference Guide (2016)."

⁷ For an overview of the FPNCC's positions and statements see ICG, "Building Critical Mass for Peace in Myanmar"; BNI, "Deciphering

Initially, five members of the UNFC joined the FPNCC. However, unlike the UNFC, the FPNCC rejected the NCA and wanted to negotiate an entirely new peace agreement. This made being a member of both alliances problematic. It is therefore not surprising that by the end of 2017 only one EAO remained a member of both alliances.

The emergence of the FPNCC complicated the peace-building environment. Its establishment meant that there were three EAO alliances requesting recognition as negotiating partners in peace talks. Moreover, the FPNCC's rejection of the NCA was the first time there had been a collective EAO position that set out an alternative vision for the peace process.⁷ Up to this point, it had been clear that negotiations with NCA-NS-EAOs would be about bringing those groups into the NCA. The FPNCC opened the possibility of an entirely separate peace process. However, in practice, the State actors have refused to negotiate on these terms or with the FPNCC as an alliance. Engagement with FPNCC members, as with other non-signatories, has remained

Myanmar's Peace Process: A Reference Guide (2017-2018)"; Liu Yun, "Building Peace in Myanmar." While subsequent statements seem to have indicated a willingness to revise the NCA rather than outright rejection, the proposed revisions are so far-reaching that it would in practice be a completely new agreement although bearing the same title.



focused on persuading EAOs to sign the NCA. Nonetheless, having adopted a public, shared position may have contributed to solidifying the FPNCC members' opposition to the NCA and reluctance to break with the alliance by signing.

One reason that the FPNCC has had such an impact is the involvement of the United Wa State Party (UWSP), by far the most militarily powerful of the EAOs. Up to this point, the UWSP had remained aloof from the peace talks, which seemed unlikely to offer better terms than its existing bilateral ceasefire. It was one of the four groups which had not joined the NCCT but was nonetheless invited to sign the NCA in 2015. The UWSP declined this offer. The UWSP's leadership of the FPNCC is therefore significant, as it marks a shift towards active engagement with the peace process.

With the establishment of the FPNCC, the UNFC was no longer the sole representative of NCA-NS-EAOs. Moreover, the loss of four members including its chair—the Kachin Independence Organisation (KIO)—left the

UNFC weaker than the FPNCC, both in terms of numbers and the military force of its members.

The events of 2017 also showed the UNFC's inability to prevent members acting against its collective decisions. In the run up to the second Union Peace Conference (UPC) in May 2017, there was debate over participation by NCA-NS-EAOs. Eventually, non-signatories were invited to attend as 'specially invited guests', rather than observers. However, the government refused to invite the FPNCC to attend as an alliance, instead inviting the individual groups. Despite this, the FPNCC decided that its members should attend. In contrast, the UNFC decided not to attend. The KIO left the UNFC meeting and immediately travelled to the UPC; a clear defiance of the UNFC's collective position.⁸

The UNFC's weakness was further emphasised when two of its remaining members signed the NCA in 2018. Unlike in 2015, these two groups did not leave the

⁸ ICG, "Building Critical Mass for Peace in Myanmar."



UNFC, making it the only EAO alliance to include both NCA-S-EAOs and NCA-NS-EAOs. The UNFC has not, however, been able to build on this fact to improve relations or promote cooperation between NCA-S-EAOs and NCA-NS-EAOs.⁹ Completing the UNFC's decline, in 2019 four of the five remaining members announced that they wished to withdraw, and in August that year, the UNFC suspended its activities.

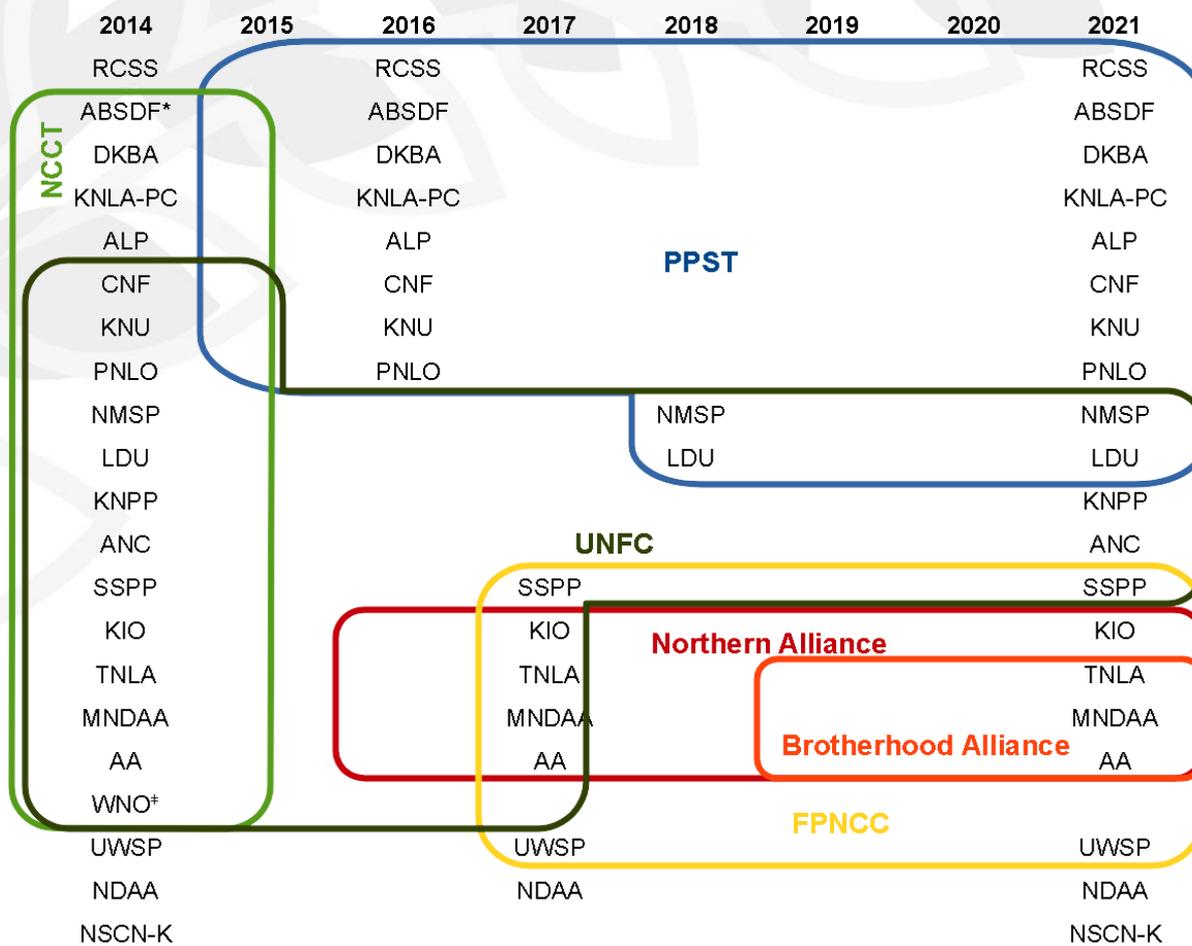
By January 2021, these developments had resulted in a wide-reaching reconfiguration of the landscape of EAO alliances compared to 2015. In place of a single alliance representing the mainstream EAO position, there are now two groupings of roughly equal size. The ten-member PPST represents the EAO signatories and the seven-member FPNCC represents the non-signatories. There is no overlap between these groups and attempts to create a body that would include both signatories and non-signatories have failed. Further deepening the division between the two groups is the fact that the FPNCC is officially opposed to the NCA, while the PPST exists to engage with the NCA.

⁹ Keenan, "A Disturbing Portent: Inter-Ethnic Tensions and the Peace Process" discusses

The presence of two smaller alliances creates further complications. The UNFC has lost much of its influence but continues to act as a group. Meanwhile, the Northern Alliance is a primarily military grouping of four EAOs, all of whom are also members of the FPNCC. Nonetheless, the Northern Alliance engaged in peace talks with State actors between 2018 and 2020.

This fracturing of the EAO landscape has impacted the broader peace-building environment. In particular, it is no longer possible for the State actors to hold a single set of negotiations with all EAOs. Instead, they are engaged in several parallel sets of negotiations, moving at different speeds and with different goals. Moreover, the divergent alliances make it less likely that at some future date these separate talks will converge on a single peace process.

the failure of the UNFC's attempt to mediate between the TNLA and RCSS.



* Technically ABSDF was an observer rather than a full member of either the UNFC or the NCCT, but since the group followed the UNFC/NCCT position it is treated as a member for ease.

‡ The WNO merged with the UWSP in 2017

Figure 1: The evolution of EAO alliances, 2014-2021



b. How has the NCA affected EAO solidarity?

In addition to a shared enemy (the Myanmar Military - the Tatmadaw) the EAOs see themselves as united by shared political goals: the protection of their ethnic populations and the creation of a federal Myanmar. These claims of unity also enable the EAOs to tap into Myanmar's national history, particularly the narrative that all ethnic groups united in a shared struggle for independence. In doing so they delegitimise the Bamar government, which is positioned as a quasi-colonial power oppressing the ethnic minorities. Another part of this narrative is that the Tatmadaw uses 'divide and rule' tactics to maintain its position. This framing helps explain the importance attached to solidarity among the EAOs. It is evocative of the claim to be fighting for liberation and of the history of that struggle. It is also, of course, pragmatic. No EAO individually has the power to stand against the Tatmadaw or negotiate with the State actors on an equal basis.

¹⁰ For some examples of previous tensions among the EAOs and those surrounding the formation of the NCCT see Min Zaw Oo,

Despite their theoretical commitment to solidarity and belief in shared objectives, tensions among the EAOs are not new.¹⁰ However, events since 2015 have put a particular strain on the ability of EAOs to maintain solidarity. This section will examine how developments related to the signing of the NCA have showcased the limits of the commitment to solidarity. This has caused tensions within the EAO alliances, as the EAOs have shown signs that they no longer trust one another. At the same time, direct conflict between EAOs has increased, in some instances linked explicitly to the NCA.

The fact that some members of the UNFC and NCCT chose to sign the NCA showed the limits of their commitment to solidarity. Neither membership of these alliances nor the commitment to collective action were sufficient to persuade all the EAOs to prioritise solidarity over the (perceived) benefits of signing the NCA. Similarly, the decision of two groups to sign the NCA in 2018 was a direct breach of a renewed commitment that the members of the UNFC would act jointly and only sign when all members were able and willing to do so.¹¹

The KIO's decision to attend the UPC in

"Understanding Myanmar's Peace Process: Ceasefire Agreements."

¹¹ BNI, "Deciphering Myanmar's Peace Process: A Reference Guide (2016)," 78–81.



2017 shows a similar disregard for the joint positions agreed by the UNFC. This move was described as a betrayal by the other UNFC members,¹² illustrating the emotive importance of solidarity.

There are signs that the EAOs are becoming less inclined to trust one another to act in solidarity. This is particularly obvious in the tensions that have arisen in the PPST around the role of the Karen National Union (KNU). The KNU is the most powerful of the NCA-S-EAOs.¹³ Moreover, two of the other NCA-S-EAOs are splinter groups of the KNU. It was therefore almost inevitable that the KNU would take a leading role among the signatories. However, the other groups accuse the KNU of not merely leading, but attempting to dominate them. At the same time, the KNU's internal divisions have impacted its engagement with the peace process. This has added to the tensions, as the internal issues result in inconsistent leadership. In 2019, these internal divisions, and the belief that the other PPST members were too conciliatory, almost led the KNU to leave the PPST.

¹² ICG, "Building Critical Mass for Peace in Myanmar."

It was in this context, that the KNU put forward proposals to replace the PPST with a new body which would unite NCA signatories and non-signatories. The other PPST members objected to the KNU's proposed reforms for a variety of reasons. These included concerns that reflect a lack of trust that the KNU and other EAOs will show solidarity and act in the interests of all. The NCA negotiations have already made it clear that there are differences in priorities and that in some cases solutions which work for the KNU (and other larger groups) will not be viable for the smaller groups and vice versa.

At present, the eight smaller NCA-S-EAOs are the majority in the PPST. This helps limit the dominance of the KNU and RCSS. Increasing the membership would mean that these eight groups do not automatically have a majority. This would inevitably dilute their influence even without other changes to the functioning of the alliance. There was also a concern that reform of the PPST's structures and operating procedures would allow it to be dominated by the more militarily powerful groups and those seen as representing the main ethnic minorities (those with eponymous states). That the

¹³ The only other NCA-S-EAO that is close in terms of power is the RCSS. All the others are much smaller.



KNU had already held a series of meetings with these groups added to these fears.

These concerns reflect a lack of trust in the commitment of EAOs to solidarity. They show that the PPST members were worried what would happen if they lost influence. They seemed to doubt that the more powerful groups would share and aim to address the concerns of smaller groups. At the same time, the PPST members appear to have been reluctant to relinquish the influence they have on negotiations through their representation and power within the existing structures of the PPST. This shows the limits of their own commitment to solidarity. The EAOs recognise the potential benefits of bringing the non-signatories into the discussions but were not prepared to sacrifice their current power to achieve this.

In some ways the FPNCC has been more successful at ensuring solidarity among its members. Despite a range of bilateral talks, none of the members have broken with the FPNCC to sign the NCA. It is particularly telling that two members, the Shan State Progressive Party (SSPP) and NDAA, explicitly said that they were interested in signing the NCA but would not do so without the approval of their allies. In one

respect this shows the strength of the alliance and a commitment to solidarity. However, there are also indications that it has more to do with the dominance of the UWSP.

The position of the SSPP is particularly interesting to consider in this respect. The SSPP's area of operations neighbours the Wa Self-Administered Division which is controlled by the UWSP. In the circumstances, it is clearly to the SSPP's advantage to remain on good terms with the much more powerful UWSP. It is therefore unsurprising that the SSPP joined the FPNCC in 2017. Nonetheless, the group has given repeated indications that it is interested in signing the NCA. The SSPP is also the only EAO that is a member of both the FPNCC and the UNFC. The decision not to leave the UNFC may be a further indication that the SSPP is not fully committed to the FPNCC position, in particular the rejection of the NCA. Considered in this light, the hesitation about signing the NCA may be more about the relationship between the SSPP and UWSP than a commitment to solidarity. Moreover, the SSPP seems reluctant to trust the UWSP's fellow feelings for other EAOs or commitment to solidarity. Despite a public statement by the UWSP that it would not oppose other EAOs signing the NCA, the SSPP continued to express reservations



about signing without agreement from the UWSP.

There have also been signs that the KIO feels the UWSP is attempting to dominate the other FPNCC members. In June 2019 the UWSP indicated that it was unhappy with the KIO's leadership of the Northern Alliance's negotiations with the State actors. Meanwhile the KIO objected to the UWSP (which is not a member of the Northern Alliance) intervening with advice on how the Northern Alliance should proceed. The KIO suggested that if the UWSP wished to see a particular outcome, the UWSP should engage in negotiations itself. The same month, the KIO opposed a proposal that China ensure the security of the EAOs in a meeting with the Tatmadaw. Tellingly, the reason given for this objection was that it would make it seem that the KIO was subordinate to the UWSP.

As with the SSPP, the tensions between the KIO and the UWSP suggest that the other EAOs do not fully trust the UWSP. Rather than acting in solidarity with the other EAOs, it is seen as pushing them directions and positioning itself as their leader. This parallels the tensions in the PPST around

¹⁴ For example, the FPNCC has not made a joint statement on the February turmoil.

whether more powerful EAOs can be trusted to promote and protect the interests of their less powerful allies.

If the power of the UWSP has ensured that the FPNCC holds together as an alliance, it has not led to positive demonstrations of solidarity and unity.¹⁴ An example of the failure of the FPNCC to show such solidarity occurred in August 2020. The government invited all FPNCC members except the Arakan Army (AA) to attend the much-delayed fourth Union Peace Conference (UPC). The FPNCC members declined, but oddly did not say this was because the AA was not invited. Instead of using this opportunity to reiterate the commitment to inclusivity and make a show of solidarity, the EAOs used COVID-19 as an excuse for not attending the UPC.

The tensions within the various alliances suggest a decrease in trust among EAOs. This loss of trust is shown more vividly by the increase in fighting between EAOs. Such conflict was not unheard of before 2015 but was not common in the years immediately preceding the signing of the NCA. The Myanmar Peace Monitor did not explicitly identify any clashes between EAOs between 2012 (when its data starts) and September 2015 but has recorded multiple clashes in every subsequent year.¹⁵

¹⁵ "Peace Monitoring Dashboard."



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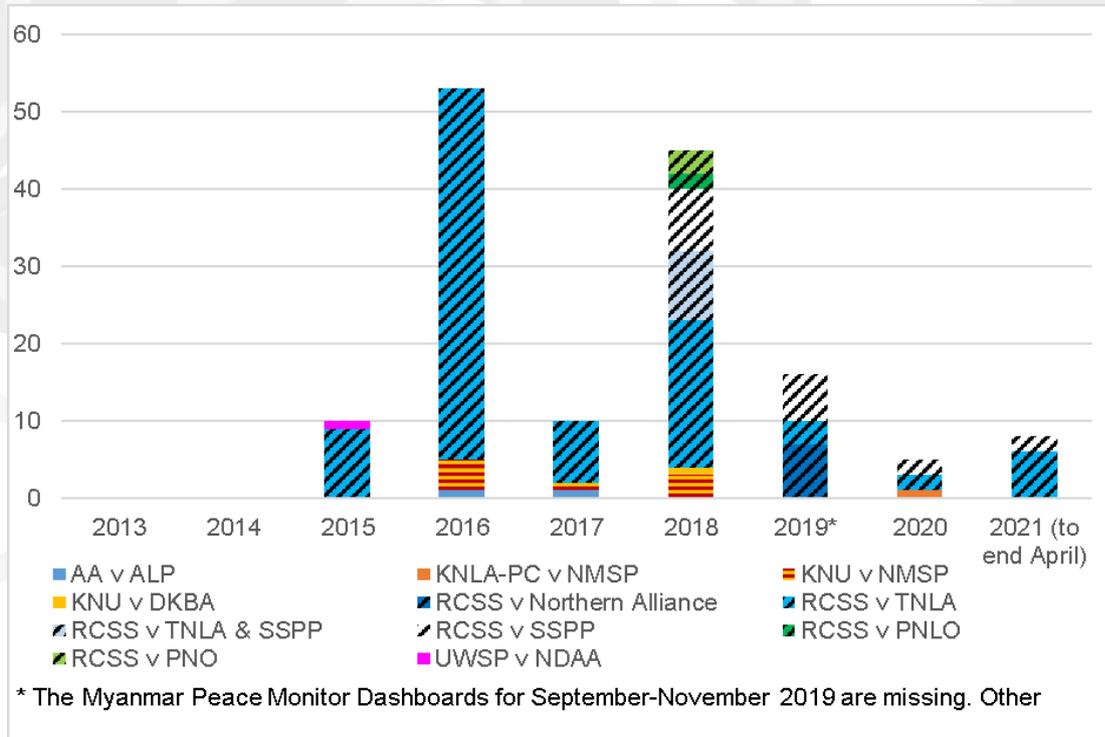


Figure 2: Clashes between EAOs according to Myanmar Peace Monitor Dashboards 2013-2021

Much of this conflict has been between NCA-S-EAOs and NCA-NS-EAOs and in some instances blamed on the NCA. The RCSS has been accused by both EAOs and the Tatmadaw of taking advantage of its status as an NCA-S-EAO to try and expand its territory. It is this expansion that has brought the RCSS into conflict with the Ta'ang National Liberation Army (TNLA)

and SSPP. These two groups even allege that the Tatmadaw has supported and fought alongside the RCSS, something that would not have been possible before the RCSS signed the NCA.¹⁶ In reality, this seems unlikely, not least because the Tatmadaw distrusts the RCSS. However, the fact that such an allegation can be made shows the breakdown in trust between EAOs and the erosion of the narrative that EAOs are united in opposition to the Tatmadaw.

¹⁶ Bynum, "Understanding Inter-Ethnic Conflict in Myanmar"; Keenan, "A Disturbing Portent: Inter-Ethnic Tensions and the Peace Process."



It should be noted that the NCA is not always seen as a driver of conflict. A counterexample is provided by the New Mon State Party, which signed the NCA in part because it hoped the NCA mechanisms would help end its conflict with the KNU and other NCA-S-EAOs. However, the need for a mechanism such as the NCA to resolve the dispute suggests a lack of trust among the EAOs. The mediation does not come through an EAO alliance nor is it based on ideas of solidarity. Instead, the EAOs are seen to be relying on a formal treaty.

This last example suggests the NCA may help to address problems arising from the lack of trust among EAOs. However, the other examples show that the NCA itself and developments relating to the NCA have contributed to this lack of trust. In these circumstances, the NCA is not necessarily a good tool for mediating between EAOs. Moreover, this section has shown that the decreasing reliance on solidarity makes it essential for the peace process to engage with the different priorities and objectives of EAOs rather than treating them as a single constituency. As with the evolution of EAO alliances, this suggests a growing

complexity to the peace-building environment.

c. How has the NCA affected whether negotiations occur bilaterally or multilaterally?

In line with their commitment to solidarity, the EAOs are theoretically in favour of multilateral negotiation. However, further evidence of the fracturing of the EAO landscape and growing tensions are provided by the way this commitment breaks down in practice.

Before considering the EAO positions, it should be noted that the conduct of collective negotiations relies on the cooperation of the State actors. Prior to the NCA negotiations, the State actors had consistently refused to negotiate with EAO alliances, preferring to reach bilateral agreements with individual groups. The recognition of the UNFC and NCCT as negotiating partners during the drafting of the NCA was therefore a major change. Moreover, the NCA's character as a multilateral agreement ensured ongoing collective negotiations. However, these developments do not seem to have marked a general shift in approach by the State actors. The FPNCC has not been recognised as a negotiating partner, although it has a mandate from its members to conduct



negotiations. Moreover, one concern about reforming the PPST was that a new body might not be given the same status as the PPST.

Among the EAOs, the limits of the commitment to collective negotiation are shown by the fact that several groups have engaged in bilateral negotiation. In some cases, the format of these negotiations was dictated by the State actors. However, in other cases the EAOs have chosen bilateral meetings over engagement through an EAO alliance. For example, in November 2018 the KNU and RCSS both withdrew from negotiations under the NCA. In the following months, the two EAOs requested high-level bilateral meetings with the Tatmadaw and civilian government to address concerns about the peace process. These bilateral meetings played a part in bringing the EAOs back into the formal peace process. However, they also show the EAOs actively choosing bilateral over collective negotiation.

The reaction of other members of the PPST is relevant to understanding how EAOs think about collective negotiations. In November 2018, the remaining eight groups announced their intention to continue negotiations in the absence of the

KNU and RCSS. On the one hand, this shows a commitment to the ongoing collective negotiations and contrasts with the KNU's and RCSS' unilateral decisions to withdraw and engage in bilateral negotiations. On the other hand, in continuing the negotiations, the PPST members were refusing to stand in solidarity with the KNU and RCSS.

This decision is especially significant in light of the tensions around the role of the KNU within the PPST (discussed above). The unilateral actions of the KNU and RCSS show the limitations of the PPST's ability to compel or persuade its members to accept collective positions. Meanwhile, by continuing negotiations the other PPST members signalled their refusal to simply follow the lead of the KNU. It is no coincidence that the KNU's reengagement with the peace process occurred in parallel with discussions on reform of the PPST.

A key development of these reform discussions was an agreement among PPST members on collective negotiation. The PPST reiterated a commitment to collective negotiation on points of concern to all EAOs. However, it agreed that EAOs are free to negotiate bilaterally on individual concerns. To an extent this was a pragmatic recognition of what was already happening. However, the bilateral negotiations undertaken by the RCSS and KNU went



beyond individual concerns to include issues relating to the entire structure and implementation of the NCA. In this context, the PPST statement could also be seen as an attempt to reassert the authority of the alliance by imposing limits on such bilateral negotiations.

Unlike the PPST, the FPNCC is not recognised as a negotiating partner by State actors. Therefore, it is less surprising that some of its members have turned to bilateral negotiations. Since 2018, the UWSP has had at least four bilateral meetings with the Tatmadaw.¹⁷ During this period the group's attitude has been inconsistent. It has several times indicated a willingness to sign the NCA, if certain conditions are met. These conditions have included: the AA, TNLA, and Myanmar National Democratic Alliance Army being invited to sign;¹⁸ that the UWSP be permitted to withdraw if it became unhappy; that the UWSP be allowed to negotiate some issues bilaterally; and that the Framework for Political Negotiation be reformed.

¹⁷ Keenan, "A Dangerous Precedent: The UWSA and Statehood."

While going back and forth on its willingness to sign the NCA, the UWSP does not appear at any stage to have seriously pushed for multilateral negotiations. It is also noticeable that its conditions for signing have never included the agreement of the other members of the FPNCC. This contrasts with the hesitation of the SSPP and NDAA to sign the NCA without the acquiescence of the FPNCC. When the UWSP has invoked the importance of inclusivity, this has fitted a pattern of first suggesting a willingness to sign the NCA and then drawing back and making excuses for not signing, rather than being a concern raised consistently in the discussions.

The concessions that the UWSP has asked for are mostly ones that would benefit it exclusively, rather than all EAOs. For example, the request for bilateral negotiations was probably intended as a way to ensure the creation of a Wa State. This is known to be an objective of the UWSP but is opposed by Shan EAOs and political parties. Attempting to by-pass these objections through bilateral negotiations directly contradicts any notion of solidarity and mutual support among EAOs.

¹⁸ These three groups are mentioned because they were among the NCCT members not invited to sign the NCA in 2015.



The negotiations with the Northern Alliance provide an interesting contrast. The Northern Alliance was created primarily as a military alliance and has not been formally recognised as a negotiating partner by the State actors. Nonetheless, there have been a series of meetings with the four members of the alliance. The negotiations have assumed that the EAOs will follow the same path and negotiate collectively, even when the outcome is expected to be bilateral agreements.

Despite some indications that the KIO has different priorities from the other members of the Northern Alliance and would have liked the talks to move faster, the group has never abandoned the collective negotiations for bilateral talks. In part this may be because the State actors did not push for such bilateral talks when the negotiations with the Northern Alliance were stalled in 2019. However, in October 2020 the KIO refused to abandon its allies and sign the NCA alongside a different EAO, despite a private proposal to this effect. The fact that this was a private rather than a public statement of the commitment to solidarity gives it added weight as evidence of the KIO's sincerity.

The other members of the Northern Alliance have proved similarly committed to collective negotiation. Although the AA held bilateral talks in late 2020, these were focused on deescalating the situation in Rakhine State, rather than overlapping with the substance of the Northern Alliance's collective negotiations. Following the February 2021 disruption the AA was initially eager to pursue negotiations, including welcoming a proposal by the UWSP to host a meeting between the Northern Alliance and the Tatmadaw. However, like the KIO before, the AA said that it would only move forward when the other members of the Northern Alliance were ready to do so.

The trajectory of the Northern Alliance's negotiations thus shows a real commitment to collective negotiation. The members have consistently refrained from proceeding with negotiations or accepting agreements until all four groups are agreed. This contrasts with the FPNCC, which has failed to secure collective negotiations and been unable to prevent member groups (including the Northern Alliance) pursuing independent negotiations. Similarly, the PPST has faced challenges in developing collective positions and persuading its members to sacrifice their own individual desires to the need for shared positions.



Taken together these developments suggest that EAOs have become less committed to the idea of collective negotiations. There are clear indications that the more powerful EAOs are starting to see the benefits of bilateral negotiations. To an extent this can be seen as a consequence of the NCA. The division of EAOs into signatories and non-signatories made it inevitable that there would be at least two parallel sets of negotiations. Moreover, the NCA process has led to negotiations on substantive issues relating to state- and nation-building. On these topics the interests and priorities of the EAOs diverge. It is therefore unsurprising that they have caused problems for attempts to negotiate collectively.

4. Conclusion

The NCA has had a significant impact on the peace-building environment in Myanmar. These have included reshaping the relationships between the actors in the peace process, including EAOs.

The NCA divided the EAOs into signatories and non-signatories. This division has been entrenched by the emergence of two major alliances, one

representing signatories and one non-signatories. These EAO alliances have not led to a growth in solidarity, even among their members. If anything, EAOs—particularly the more powerful groups—have become more willing to act independently. This has contributed to a loss of trust among the EAOs. Both factors have impacted the ways in which the EAOs engage with the peace process, including in some instances a preference for bilateral rather than collective negotiations.

These changes contribute to an increasingly complex peace-building environment. They highlight the extent to which the EAOs cannot be considered a single ‘constituency’ and the need for a peace process to engage seriously with their different priorities and interests. Moreover, they demonstrate the potential pitfalls of reliance on ethnic solidarity as a driver of peace.

It remains to be seen whether the NCA will survive the political upheaval commenced in February 2021. Even if it does, these events will have a profound impact on the peace-building environment. A full consideration of their impact on the peace-building environment in Myanmar is beyond the scope of this paper, but it is worth noting a few key developments. As of April 2021, both the Tatmadaw-appointed government and the alternative



government formed by elected-MPs—initially the Committee Representing the Pyidaungsu Hluttaw (CRPH) and then the National Unity Government (NUG)—were trying to win the support of the EAOs. Some of the CRPH's moves, such as the abolition of the 2008 Constitution, represent major changes on issues that have been blocking progress in the peace process. These developments will fundamentally alter the parameters of any future political negotiations with the EAOs. Initially, most EAOs seemed wary of supporting either the Tatmadaw government or the CRPH/NUG. However, the increasing violence against civilians has led several EAOs to oppose the Tatmadaw. Some, but not all, of these groups have joined the NUG. For example, the AA and RCSS both refused invitations to join the NUG, while the KNU Chairperson has publicly stated that the current situation should be resolved through dialogue rather than violence.

For the present paper, it is particularly interesting to note that the position of the EAOs in the above context do not follow the division between signatories and non-signatories. The PPST has taken a collective position to maintain cooperation

with the CRPH and welcomed the formation of the NUG. However, the PPST also stated that it would abide by the NCA, which would preclude attacking the Tatmadaw. Moreover, at least four of its members have held talks with the military regime, while the KNU (one of the EAOs most actively engaged in conflict with the Tatmadaw) is divided. Among the non-signatories, the KIO is actively fighting the Tatmadaw, as are the other members of the Northern Alliance. This followed a change in position by the AA, which initially supported the Tatmadaw. Meanwhile, the UWSP and SSPP among others have said they will remain neutral, but as part of this position have met with representatives or the military regime.

Nonetheless, so far, the EAOs have been acting independently or through existing alliances. Although the PPST announced the intention to reach out to NCA-NS-EAOs, nothing has yet come of this initiative. Moreover, clashes between EAOs continued and even escalated. It would therefore be premature to assume that the said political upheaval will lead to renewed coordination or solidarity among EAOs or between EAOs and the National League for Democracy. Going forward, there is the possibility of increasing pressure on EAOs, both through incentives to support political change by the



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Tatmadaw and through violence against those who resist. As events since 2015 have shown, the EAOs are not good at maintaining solidarity in the face of such pressure. Moreover, the existing trust

problems will only be worsened by the uncertainties of the current situation. With all actors trying to adjust and position themselves, there are few incentives for transparency and the potential for misjudgement and miscommunication is high.





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