

## CHAPTER 4

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### Myanmar Security Outlook: Tatmadaw under Stress?

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#### **Introduction**

Myanmar entered 2014, the penultimate year before the 2015 elections, with high hopes for peace through a nationwide ceasefire agreement (NCA) with all the major ethnic armed groups (EAGs) from among the many non-state armed groups (NSAGs) seen by the ruling establishment as the most serious hard security threat of the day. The protracted armed conflict between the EAGs and Tatmadaw (Myanmar armed forces) under successive governments, since independence in 1948, have resulted in material and financial losses, stunted development of affected regions, hardship and misery to the population, and countless casualties not only of combatants but also innocent civilians. At present, as the NCA remains elusive, the unresolved conflict is challenging the legitimacy of the government and the 2008 Constitution as well as the territorial integrity of the Myanmar state formally known as the Republic of the Union of Myanmar.

#### **Tatmadaw and Myanmar's national security: internal and external challenges**

The major internal security challenge which has been the concern of Tatmadaw leaders has been the insurgency problem all along. Realizing that a military solution is neither possible nor desirable in this era of democratic transition, the current leadership of the Tatmadaw has supported the peace process while keeping the option for employing force of arms when deemed necessary. Moreover, it holds on to its role of safeguarding peace, security and stability of the Myanmar state by containing communal violence, upholding the 2008 Constitution and participating in 'national politics' as a balancing force against polarizing tendencies of 'party politics.'

On the other hand, the traditional challenge of foreign aggression remains an improbable potential threat which is being addressed through regional cooperation, defence diplomacy, continuing force modernization, and military professionalization

***Insurgency: the military dimension***

Counter-insurgency remains the primary focus of Tatmadaw's role in protecting national security and preserving the territorial integrity of the republic. It still has to contend with nearly 100,000 armed personnel affiliated with a multitude of NSAGs, the majority of whom belong to non-Bamar EAGs<sup>1</sup>. Only a small number of EAG have joined the Border Guard Force (BGF) units under Tatmadaw command and control while the majority has maintained their order of battle and many of the so-called ceasefire groups (CFGs) have flouted the rules forbidding recruitment and weapon acquisition. Even among the 23 BGF battalions thirteen "formed with the former Democratic Kayin Buddhist Army [DKBA, now known as Democratic Kayin Benevolent Army] are more or less outside of the control of the Tatmadaw<sup>2</sup>." There are also dozens of NSAG co-opted as local militia totalling hundreds of troops that are loosely controlled by the territorial commands in the Kachin and Shan states.

In dealing with the threat posed by the yet to be resolved insurgency, the Tatmadaw pursued a containment strategy towards EAGs who had not made ceasefires while refraining from launching offensive operations against them in line with the President's directive (in December 2011) to take defensive actions only<sup>3</sup>. In fact, despite continued hostilities, the Kachin Independent Army (KIA; a major non-CFG) had joined the ceasefire negotiations conducted between the government team and the team representing the majority of CFGs (see section on peace process below). As for the CFGs, Tatmadaw leaders engaged them more or less bilaterally<sup>4</sup> to maintain confidence and to nudge toward participation in the eventual signing of

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<sup>1</sup> See, Maung Aung Myoe, "The soldier and the state: the Tatmadaw and political liberalization in Myanmar since 2011," *Southeast Research* 22, no. 2 (2014), p. 246.

<sup>2</sup> Ibid. For details on the BGF setup, see Tin Maung Maung Than, "Myanmar's Post-Election Security Challenges" in *Security Outlook of the Asia-Pacific Countries and Its Implications for the Defense Sector*, NIDS Joint Research Series No. 6 (Tokyo: National Institute for Defense Studies, 2011), pp. 77-79.

<sup>3</sup> See, e.g., Danielle Bernstein, "Burma's President Orders Ceasefire in Kachin State," VOA News, 13 December 2011, available at <http://www.voanews.com/content/burmas-president-orders-ceasefire-in-kachin-state-135582003/168275.html>; and Ba Kaung, "Stop Offensive President's Ceasefire Order Fails to Stop Offensive," *Irrawaddy* online, 28 December 2011, available at [http://www.irrawaddy.org/print\\_article.php?art\\_id+22741](http://www.irrawaddy.org/print_article.php?art_id+22741). However, EAGs had, all along, argued that since then fighting had erupted time and again due to Tatmadaw's aggressive actions and offensive operations.

<sup>4</sup> See, e.g., Nyein Nyein, "Burma Army Chief Meets Armed Group Leaders in Shan State," *Irrawaddy* online, 7 April 2014, available at <http://www.irrawaddy.org/burma/burma-army-chief-meets-armed-group-leaders-shan-state.html>; and Saw Yan Naing, "Army chief meets KNU, says he supports stalled ceasefire process," *Irrawaddy* online, 1 December 2014, available at <http://www.irrawaddy.org/burma/burma-army-chief-meets-knu-says-supports-stalled-ceasefire-process.html>

the NCA which has been under negotiations since 2013<sup>5</sup>.

Meanwhile, short sharp clashes between the Tatmadaw and EAGs occurred throughout 2014 in Kachin State (northern Myanmar) and Shan State (eastern Myanmar), whose territories include borders with China and Thailand respectively. In fact, according to monthly reports from ALTSEAN-Burma (a Thai-based confederation of NGOs) sporadic fighting broke out every month during the year<sup>6</sup>.

In Kachin State, the clashes were mainly with units of the Kachin Independence Army (KIA, with a strength of nearly 10,000 fighters, the armed wing of the KIO or Kachin Independence Organization; a former CFG, but hostilities broke out in mid-2011)<sup>7</sup>. The most serious fighting among the many skirmishes which negatively affected the peace negotiations, occurred on 19 November 2014 when a “warning shot of large-calibre weapon” fell on a cadet school in Laiza (KIA headquarters), leaving 23 trainees dead and some twenty wounded<sup>8</sup>. KIA troops were also involved in fighting in the Shan State where it had joined forces with the TNLA (Ta’ang National Liberation Army, a non-CFG Palaung armed organization numbering in the hundreds) and the breakaway group (several hundred strong) from MNDA (Myanmar National Democratic Alliance Army (MNDA, a Kokang CFG) in a loose alliance<sup>9</sup>. Other clashes in the Shan State were between the army and the SSPP/SSA (Shan State Progressive Party/Shan State Army; popularly known as SSA-North; a CFG that has roots in the original Shan resistance movement of the 1960s with an estimated strength of more than a thousand soldiers)<sup>10</sup>.

<sup>5</sup> See, e.g., Aung Naing Oo, “Nationwide Ceasefire Agreement: Myanmar’s road to peace,” *Myanmar Times* online, 31 October 2013, available at <http://www.mmtimes.com/index.php/national-news/8643-nationwide-ceasefire-agreement-myanmar-s-road-to-peace.html>.

<sup>6</sup> See “Burma Bulletin” by ALTSEAN-Burma (Alternative ASEAN Network on Burma), available at <http://www.altsean.org/Reports.php>.

<sup>7</sup> See, e.g., Tin Maung Maung Than, “Myanmar’s Security Outlook and Myanmar Defence Services” in *Security Outlook of the Asia-Pacific Countries and Its Implications for the Defense Sector*, NIDS Joint Research Series No. 7 (Tokyo: National Institute for Defense Studies, 2012), p. 97; and *Global New Light of Myanmar* (hereafter *GNLM*), 25 November 2014, p. 2.

<sup>8</sup> *GNLM*, 21 November 2014, p. 1; “the military explained that it was a response to multiple attacks by KIA troops against army personnel engaging in “normal activities” (ibid.). It was believed to be a 105 mm artillery round and was seen by KIA and its allies as an uncalled for provocation; see, e.g., Sai Wansai, Kachin Cadet School Shelling: Trust-building at its lowest ebb,” Shan Herald Agency for News, 24 November 2014, available at <http://english.panglong.org/category/c115-opinions/>.

<sup>9</sup> See, e.g., Lawi Wong, “Fighting escalates between government, rebel alliance in Shan State,” *Irrawaddy*, 17 October 2014, available at <http://www.irrawaddy.org/burma/fighting-escalates-govt-rebel-alliance-shan-state.html>.

<sup>10</sup> See, e.g., S.H.A.N., “Peace process in limbo, when ceasefire is a joke,” Shan Herald Agency for News, 20 October 2014, available at <http://english.panglong.org/category/c115-opinions/page/5/>.

On the other hand, fighting in the Kayin State was less frequent and occurred only in September and November involving two different Kayin CFGs. They are the KNDO (Karen National Defence Organization, a brigade-level faction of the KNLA (Karen National Liberation Army) and DKBA<sup>11</sup>.

Tatmadaw faced another hard security challenge when it was announced, on 14 October 2014, that the Kawthoolei Armed Forces (KAF) was established with KNDO, DKBA, a tactical command of the KNU/KNLA-PC (also known as Karen Peace Council, or KPC, another KNLA splinter CFG) and some units of KNLA<sup>12</sup>. Though not yet an integrated force, with each member maintaining its formation, uniform and insignia, KAF's nominal strength of over 5,000 personnel poses a credible potential military threat<sup>13</sup>. That announcement, not only created some confusion and consternation among friends and foes but also revealed fissures and tensions within the KNU top leadership some of whom had distanced themselves from the act<sup>14</sup>.

### ***Ceasefire negotiations and peace process<sup>15</sup>***

Those who expected the peace process which invited all EAGs to peace negotiations and was initiated by President Thein Sein on 18 August 2011, to reach a conclusion in 2014 through the signing of the NCA, were disappointed. Negotiations for a single text draft agreement remained deadlocked after several rounds of formal and informal meetings in Myanmar and Thailand between the Union Peace-making Work Committee (UPWC) and the Ceasefire Coordination Team (NCCT)—

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<sup>11</sup> KNLA is the several-thousand strong armed wing of the KNU (Karen National Union) which is the main Kayin political organization that has led the armed resistance for more than six decades. DKBA is a Buddhist Kayin EAG formerly known as Democratic Karen Buddhist Army when it split from the Christian-dominated KNU in 1994. For reports on fighting, see, e.g., "Karen Soldier Killed in Latest Fighting, KNU Claims Government Troops Attacked First," Karen News, 30 September 2014, available at <http://karennews.org/2014/09/karen-soldier-killed-in-latest-fighting-knu-claims-government-troops-attacked-first.html/>; and "DKBA and Burma Army Fighting Spreads Throughout Karen State," Karen News, 10 October 2014, available at <http://karennews.org/2014/10/dkba-and-burma-army-fighting-spreads-throughout-karen-state.html/>.

<sup>12</sup> The announcement was signed by "General Baw Kyaw Heh, the KNLA's Vice-Chief of Staff, General Ner Dah Mya, Chief of KNDO, General Saw Lah Pwe, DKBA's Chief of Staff and Colonel Saw Tiger, Tactical Commander for KNU/KNLA – PC's border security and development tactical command." ("Karen Armed Groups to Form United 'Kawthoolei Armed Forces,' but Questions Remain," Karen News, 16 October 2014, available at <http://karennews.org/2014/10/karen-armed-groups-to-form-united-kawthoolei-armed-forces-but-questions-remain.html/>).

<sup>13</sup> See, e.g., Saw Yan Naing, "Karen Rebel Groups Plan Military Cooperation," *Irrawaddy*, 14 October 2014, available at <http://www.irrawaddy.org/burma/karen-rebel-groups-plan-military-cooperation.html>

<sup>14</sup> See, e.g., Saw Yan Naing & Lawi Weng, "Karen Leadership Puts Problems on Hold," *Irrawaddy*, 29 October 2014, [www.irrawaddy.org/burma/karen-leadership-puts-problems-hold.html](http://www.irrawaddy.org/burma/karen-leadership-puts-problems-hold.html).

<sup>15</sup> For a comprehensive account of the peace process up to early 2014, see Burma News International (BNI), *Deciphering Myanmar's Peace Process: A Reference Guide 2014* (BNI: Chiang Mai, 2014); available at [http://mmpeacemonitor.org/images/pdf/deciphering\\_myanmar\\_peace\\_process\\_2014.pdf](http://mmpeacemonitor.org/images/pdf/deciphering_myanmar_peace_process_2014.pdf).

representing most of the EAGs endorsed by the United Nationalities Federal Council (UNFC)<sup>16</sup>. The latest (sixth) round of talks between the UPWC led by its vice chair and President Office Minister U Aung Min and NCCT led by Naing Han Tha (Nai Hong Sa of the New Mon State Party) agreed on a fourth working draft of the NCA but had yet to finalize the elusive single text agreement. The five-day meeting in Yangon, which included senior military officers and began on 22 September worked with a 104-point draft of which five points remained unresolved<sup>17</sup>. The next round of negotiations scheduled for October was postponed, but teams from both sides continued meeting to lay the groundwork for the seventh round of negotiations, tentatively scheduled for late November. After another round of coordination meetings in December, however, it was again re-scheduled to mid-January 2015<sup>18</sup>.

Meanwhile, the first UNFC Congress held from 25 August to 3 September saw some discord within its ranks as the Karen National Union (KNU) delegation left the meeting stating that the KNU was suspending its membership for the time being, citing its objection to the “UNFC holding decision-making authority over its members<sup>19</sup>.” However, the KNU reaffirmed its commitment to both NCCT and the peace process, and the UNFC had left vacant seats reserved for the KNU in the newly-elected UNFC Council.

The KAF announcement in October, and more significantly the Laiza shelling on 19 November, complicated the AEOs effort to take a unified approach in peace negotiations, to say the least. Moreover, the many skirmishes between the Myanmar military and Kachin, Palaung Shan and Kayin forces (see previous section) that

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<sup>16</sup> The NCCT was formed on 2 November 2013 with 16 armed ethnic organizations (all except KIO had signed bilateral ceasefire agreements). It had appointed 13 individuals from the member organizations to negotiate with the government. The UNFC is an umbrella group formed on 16 February 2011 and based in Chiang Mai, Thailand. It has 11 member organizations and is dedicated to establishing a federal system of government in Myanmar state. It is currently chaired by the KIO vice chairman.

<sup>17</sup> See e.g., Paul Keenan, “Struggling for Peace,” Analysis Paper No.8, Burma Centre for Ethnic Studies; and “Deadlock or the last hurdle for peace-making,” Mizzima News, 12 November 2014. The Wa and Mongla CFGs (former Burma Communist Party NSAGs with territories bordering China) were also engaged by another group of government representatives led by U Thein Zaw, Vice Chairman of UPWC (see, e.g., *GNLM*, 23 October 2014, pp. 1, 9).

<sup>18</sup> See “UPWC-NCCT talks to fix opportune time for nationwide truce,” Eleven Media, 7 November 2014. The UPWC technical team consisted of experts and advisors from the Myanmar Peace Centre (MPC) a think-tank cum facilitator sponsored by the government and mainly supported by funds from the European Union (EU) and Nordic states. See, also, the joint communique (in Myanmar) produced by the UPWC and NCCT on 23 December 2014 and published in *Myanma Alin*, 24 December 2014, pp. 5, 24.

<sup>19</sup> Keenan op. cit., p. 5. This reflected KNU’s dissatisfaction with its diminished role in the organization seemingly dominated by its Kachin and Mon members as well as the power struggle within the KNU leadership (ibid., pp. 4-5).

occurred throughout the year had impaired trust and confidence between the AEGs and the government, and prompted the UNFC to state that “doubt has been growing within us to ask whether it [Myanmar military] really desires to have peace in the country.” On the other hand, in the next paragraph of the same statement it would “continue to find means and ways” towards a successful peace process<sup>20</sup>. The Tatmadaw Commander-in-Chief (C-in-C) Senior General Min Aung Hlaing had also reiterated that the military is dedicated to bring peace in a lawful manner, and had exercised great restraint when confronted with attacks by EAGs<sup>21</sup>.

Meanwhile, a serious challenge to Tatmadaw’s structural integrity emerged in the ceasefire negotiations in the form of a demand by the EAGs to establish a “Federal Army” as a component of a federal political system<sup>22</sup>. The proposed “Federal Union,” the main objective of the UNFC would allow a high level of authority and autonomy for the ethnic states in a “Union” of equal states, each with their own government and legislature, as well as an ill-defined Union Army which EAGs could join without losing their identity and control of their troops. To that end, the UNFC announced it had taken steps to form a “Federal Union Army” or FUA with troops from its 12 member organizations<sup>23</sup>. The UNFC’s concept of the Federal Army is unacceptable to the government and Tatmadaw leaders, who also pointed out that the Tatmadaw already has a federal character in its multi-ethnic composition of officers and other ranks<sup>24</sup>. Moreover, the Constitution does not allow the existence of any other armed force apart from the Tatmadaw and the FUA would be an unacceptable anomaly<sup>25</sup>.

### *Coping with communal violence*

The communal violence between Buddhist and Muslim communities that originated in 2012 in both urban and rural areas of Myanmar’s western Rakhine State bordering

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<sup>20</sup> “Statement of the UNFC Council First Meeting of UNFC First Congress,” dated 22 October 2014 (document in possession)

<sup>21</sup> See, e.g., transcript of VOA (Burmese) exclusive interview with Senior General Min Aung Hlaing, 23 November 2014, available at <http://burmese.voanews.com/content/voa-burmese-exclusive-interviews-with-senior-general-min-aung-hlaing-/2530688.html>.

<sup>22</sup> See, e.g., Kyaw San Wai, “Myanmar’s Nationwide Ceasefire Agreement: Second Chance at Peace?” RSIS Commentary No. 175, 8 September 2014; available at <http://www.rsis.edu.sg/wp-content/uploads/2014/09/CO14175.pdf>.

<sup>23</sup> See, e.g., Saw Yan Naing, “Ethnic Alliance Ponders Future Federalism, Creates ‘Federal Union Army,’” *Irrawaddy*, 9 December 2014, available at <http://www.irrawaddy.org/burma/ethnic-alliance-ponders-future-federalism-creates-federal-union-army.html>.

<sup>24</sup> See Hein Ko Soe, “Govt rejects ethnic group bid for a federal force,” *Mizzima*, 10 December 2014, available at <http://www.mizzima.com/mizzima-news/myanmar/item/15710-govt-rejects-ethnic-group-bid-for-a-federal-force/15710-govt-rejects-ethnic-group-bid-for-a-federal-force>.

<sup>25</sup> See *Myanma Alin*, 6 December 2014, p. 9.

Bangladesh<sup>26</sup> unexpectedly broke out again on 1 July 2014 in Mandalay, a city steeped in Myanmar/Buddhist culture and monastic tradition, after rumours about the rape of a Buddhist woman by two Muslim men spread. Further aggravated by the dissemination of the unsubstantiated news via Facebook, angry mobs rampaged for 4 days with two fatalities. Curfew was imposed and the President himself issued a warning against using media freedom to “endanger state security<sup>27</sup>.” This violence in Myanmar’s heartland where a substantial Muslim community had existed since its founding, and whose members were supposed to have been integrated with the majority Buddhists, was an indication of the enduring strength of religious intolerance and volatility of communal relations.

Although these violent conflicts could be seen as a law enforcement problem to be tackled by the police and regional authorities, their potential for contagion effect that could threaten national security especially when it become internationalized and this is not lost upon the Tatmadaw leaders. Theatre commanders (Lt. Generals) and regional commanders (Maj. Generals) as well as the Union Minister of border affairs (Lt. General) and regional/State security ministers (colonels) have to be involved in coordinating, overseeing, and executing security measures not only to deter and control violent conflict but also to stabilize and normalize the post-conflict situation. In that context, the Tatmadaw is expected to play a crucial non-traditional security role in ensuring communal peace and stability throughout the country.

### ***Conundrum of the political role of Tatmadaw***

As mandated by the 2008 Constitution, Tatmadaw plays an important role in politics. Representatives nominated by the C-in-C have been serving, since the beginning of the current government’s term in March 2011 in the government, as minister and deputy ministers, and in the parliaments, with 25% of the total number of seats, at both the Union and national level (upper and lower house) and the region/state level<sup>28</sup>.

<sup>26</sup> The initial conflict in Rakhine broke out between native Rakhine people and resident Muslims who identified themselves as Rohingya claiming to be a distinct ethnic group with right of citizenship. However, most of the Muslim population claiming to be Rohingya are undocumented and ‘stateless’ and are regarded by both the government and the Buddhist polity as illegal migrants not indigenous to Myanmar. See, e.g. International Crisis Group, “Myanmar: The Politics of Rakhine State,” Asia Report No. 261, 22 October 2014, Brussels.

<sup>27</sup> *Burma Bulletin*, July 2014, p. 3. Those killed were bystanders. Later it turned out that the rape allegation was false. See also Olivia Cable, “Sectarian conflict in Mandalay,” *New Mandala*, 18 July 2014, at <http://asiapacific.anu.edu.au/newmandala/2014/07/18/sectarian-conflict-in-mandalay/>.

<sup>28</sup> For details see Maung Aung Myoe, *op. cit.*, pp. 238-39.

Recently, liberal democratic forces led by NLD (National League for Democracy) leader Daw Aung San Suu Kyi have been attempting, both inside and outside the legislative assemblies (parliament), to amend the Constitution and some of the major amendments proposed by them had to do with reducing or even removing the military's political role and its institutional autonomy. On the other hand, Tatmadaw is not averse to the idea of lawfully changing the Constitution as indicated by the C-in-C Senior General Min Aung Hlaing in his address on 27 March 2014 at the military parade commemorating the Armed Forces Day:

... according to the constitution, the Tatmadaw—the Armed Forces—is mainly responsible for safeguarding the constitution, which can only be amended in accordance with chapter 12<sup>29</sup>.

However, as evident in his speech on 5 December 2014 at the graduation ceremony of the 56th intake of the Defence Services Academy (DSA) in Pyin Oo Lwin, it is worth noting that the C-in-C had insisted that Tatmadaw would welcome changes that would not harm the state's stability, peace and national ethnic solidarity, and carried out in accordance with law. He reminded the audience that it was the 2008 Constitution that had mainly facilitated the country to steadily set off along the democratic path. He also pointed out that the Constitution was systematically formulated by a combined effort of ethnic representatives, intelligentsia and experts, and not a copy of other countries' democracy<sup>30</sup>.

The aforementioned discourse seems to indicate that military leaders do not wish to make major changes that would harm peace and stability, destroy national unity or deprive Tatmadaw of the prerogatives provided by the 2008 Constitution.

On the other hand, some military representatives in the parliament had expressed views tantamount to keeping the Constitution unchanged and others reportedly tabled amendments that would expand the military's role in decision-making<sup>31</sup>.

As pointed out by a knowledgeable observer of Myanmar's military affairs:

Tatmadaw is not yet prepared to tolerate any structural changes that might undermine its national political role, the basic principles for national unity and solidarity set out in the 2008 Constitution ... or its institutional autonomy<sup>32</sup>."

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<sup>29</sup> See speech in *New Light of Myanmar* (hereafter NLM), 28 March 2014.

<sup>30</sup> See speech in Myanmar language reported in *Myanma Alin*, 6 December 2014, p. 9.

<sup>31</sup> See Kyaw Kha, "Military MPs Object to Constitutional Change," *Irrawaddy*, 17 November 2014, available at <http://www.irrawaddy.org/burma/military-mps-object-constitutional-change.html>.

<sup>32</sup> Maung Aung Myoe, op. cit., p. 234.

***Regional cooperation and defence diplomacy: minimizing external threats***

There appears to be no external security threat on the horizon, and Myanmar is at peace with its neighbours and regional powers such as India and China. As a member of ASEAN (Association of Southeast Asian Nations) since 1997 Myanmar, enjoys the safeguards provided by its charter and treaties (like the Treaty of Amity and Cooperation) against regional insecurity and interference in internal affairs at the regional and, to a certain extent, the international level as well.

Since the advent of the reformist new government of President Thein Sein, Myanmar had steadily improved relations with the West in general and the United States in particular, especially under President's Obama's watch<sup>33</sup>. All Western sanctions except arms embargoes, the United States (U.S.) restriction on importing jade and rubies and the U.S. Treasury Department's SDN (specially designated nationals, including individuals and entities, popularly known as the blacklist, whom U.S. persons/companies are not allowed to do business with) had been removed<sup>34</sup>. In this new era of democratic transition, Myanmar's vastly improved relations with the international community, and enhanced friendly relations with regional states, mean that there is no credible external threat warranting attention by the Tatmadaw as a security problem. The potential of border insecurity involving NSAGs ensconced in remote border regions that could lead to countermeasures by foreign military/security forces is always there but has, thus far, not manifested and appears well managed through personal diplomacy by government leaders and defence diplomacy<sup>35</sup>.

Senior General Min Aung Hlaing travelled extensively in 2014 to engage in personal diplomacy with military and government leaders, not only to Southeast Asian states such as Indonesia (February), Laos (February), Philippines (July), and Thailand (July) but also to Northeast Asia, visiting Japan (September) and the Republic of Korea (September), and even further afield to Belarus (November) and Russia (November). Since Myanmar was the ASEAN Chair for 2014, Tatmadaw leaders

<sup>33</sup> See, e.g., Matthews Pennington, "US sends mixed messages to Burma military," *The Associated Press*, 12 December 2014, in *BurmaNet News*, 12 December 2014.

<sup>34</sup> See US Department of Treasury, "Burma Sanctions Program," 29 January 2014, available at <http://www.treasury.gov/resource-center/sanctions/Documents/burma.pdf>.

<sup>35</sup> See, e.g., Bertil Lintner, "The Forgotten Frontier," *Irrawaddy* magazine (November 2014), pp. 24-26; "C-in-C meets Minister of National Defence of PRC", 20 May 2014, available at <http://www.asiapacificms.com/articles/pdf/irrawaddy-2014-indiaborder.pdf>; Nirmal Ghosh, "Thailand and Myanmar: Traditional rivals now brothers in arms," *The Straits Times*, 14 July 2014, available at <http://www.straitstimes.com/st/print/2610933>; and "Senior General Min Aung Hlaing meets Bangladesh chief of naval staff," *GNLM*, 27 November 2014, p. 9.

were able to seize the rare opportunity of hosting a multitude of defence and security meetings under the ASEAN ambit and managed to renew military ties with leaders of the ASEAN armed forces. In the case of ADMM-Plus (ASEAN Defence Minister's Meeting expanded to include eight dialogue partners) and ARF (ASEAN Regional Forum; ASEAN 10 plus 17 dialogue partners) the engagement involved high-level representatives from international partners as well<sup>36</sup>.

Myanmar's participation in Shangri-La Dialogue, the premier non-governmental regional security forum, in Singapore continued with the deputy defence minister representing the country. Myanmar also joined the joint US-Thai annual Cobra Gold exercise, in February 2014, as an observer on the invitation of host Thailand<sup>37</sup>. On 1 December 2014 Myanmar's deputy foreign minister presented the instrument of ratification to the BWC (Biological Weapon Convention, which it had signed in 1972 but did not ratify), thereby fulfilling its international obligation on the "Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction"<sup>38</sup>.

### *Non-traditional security threats*

Sources of non-traditional security (NTS) threats could be internal or external (cross-border or international contagion). Under the current presidential system of government guided by the 2008 Constitution, Tatmadaw is not responsible for first-line defence against security challenges in the NTS domain such as terrorism, piracy, trafficking in persons, arms and narcotic and psychotropic substances, natural disasters and vector-borne health hazards. However, Tatmadaw representatives are usually present in various committees and task forces assigned to deal with such threats and the Tatmadaw is likely to be called upon to assist in national emergencies

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<sup>36</sup> These included ADSOM (Asean Defence Senior Officials Meeting), ACDFIM (Asean Chiefs of Defence Forces Informal Meeting), AMIIM (Asean Military Intelligence Informal Meeting), AMOIM (Asean Military Operation Informal Meeting), ARFDOD (Asean Regional Forum Defence Officials Dialogue), ASPC (Asean Security Policy Conference), AACC (Asean Air Chiefs Conference), and ACAMM (Asean Chiefs of Army Multilateral Meeting). The "Plus" countries for the ADMM-Plus are Australia, China, India, Japan, New Zealand, ROK, Russian Federation, and the United States. Non-ASEAN members of ARF are the 10 ASEAN dialogue partners (Australia, Canada, China, the EU, India, Japan, New Zealand, ROK, Russia and the United States), one ASEAN observer (PNG) as well as the DPRK, Mongolia, Pakistan, Timor-Leste, Bangladesh and Sri Lanka.

<sup>37</sup> See Teri Moon Cronk, "Exercise Cobra Gold 2014 Kicks Off in Thailand." American Forces Press Service, 12 February 2014, available at <http://iipdigital.usembassy.gov/st/english/article/2014/02/20140212292843.html#axzz3P5qfdjn3>.

<sup>38</sup> *GNLM*, 3 December 2014, p. 9; for details see Andrew Selth, "Burma and the Biological Weapons Convention," *Lowy Interpreter*, 15 October 2014, available at <http://www.lowyinterpreter.org/post/2014/10/15/Burma-BW-Convention.aspx?COLLCC=3787972304&>.

and crisis situations precipitated by events and actions relating to NTS issues. In fact, the C-in-C had exhorted armed forces personnel make efforts “from the nationalist” perspective “to deter possible threats of religious extremism and illegal immigrants and prevent the trafficking of land and water resources<sup>39</sup>.” Moreover, since the ministers of ministries such as home affairs and border affairs, which are directly involved in tackling NTS problems, are serving officers (Lt. Generals) nominated by the C-in-C the role of Tatmadaw in countering such threats remains fairly significant<sup>40</sup>.

### ***Force modernization and embracing professionalism***

Force modernization is an ongoing process in Myanmar since the early 1990s when the military junta began to acquire modern weapon systems from China, North Korea, Russia and Eastern Europe and to reformulate doctrines in a bid to develop Tatmadaw’s capability for conventional warfare. Despite the Western arms embargo and limited financial resources, especially in foreign currencies, the infantry heavy COIN (counter-insurgency) posture of the Tatmadaw has been gradually transforming into a somewhat more balanced tri-service posture with the navy and the air force deploying modern weapon systems like fast corvettes, frigates, supersonic jet fighters, helicopter gunships<sup>41</sup>.

It appears that “the creation of a professional and domestically and internationally respected armed forces amounts to a ... major concern of the military leadership<sup>42</sup>.” Due to the aforementioned constraints in sourcing and finance, as well as human resources, Tatmadaw leaders have emphasized self-reliance and developing indigenous technological capability to that affect, as reflected in Senior General Min Aung Hlaing’s exhortation to the graduation class of DSTA (Defence Services Technological Academy) cadets on 12 December 2014<sup>43</sup>:

<sup>39</sup> “Senior General Min Aung Hlaing says armed forces endowed with significant characteristics throughout history,” *GNLM*, 29 December 2014, p. 3.

<sup>40</sup> Tatmadaw units are known to have assisted in interdicting drug and arms trafficking as well as destroying poppy fields and even in curbing illegal logging. The navy is also vigilant against illegal fishing, human trafficking, seaborne illicit commerce and illegal migration.

<sup>41</sup> For detailed accounts, see, e.g., Maung Aung Myoe, *Building the Tatmadaw: Myanmar Armed Forces Since 1948* (Singapore: Institute of Southeast Asian Studies, 2009); and Jacob Sommer, “Myanmar’s military: Money and guns,” *New Mandala*, 6 December 2013, available at <http://asiapacific.anu/newmandala/2013/12/06/myanmars-military-money-and-guns/>.

<sup>42</sup> Robert H. Taylor, *The Armed Forces in Myanmar Politics: A Terminating Role?* Trends in Southeast Asia TRS2/15 (Singapore: Institute of Southeast Asian Studies, 2015), p. 15.

<sup>43</sup> “Senior General Min Aung Hlaing attends graduation ceremony of DSTA,” *GNLM*, 13 December 2014, p. 3.

... Constantly study modern technologies to build a modern army and to produce and maintain weapons, warplanes, and warships locally without relying on other countries by conducting research and development ...

Hundreds of military personnel sent to Russia for technical training during the last decade have been deployed in Tatmadaw-run arms industries, air bases and naval shipyards, together with thousands of officers graduating from DSTA. One example of indigenous technological capability is the indigenously built missile-armed stealth frigate F14 commissioned in March 2014<sup>44</sup>.

Though Myanmar's economy has grown at a fast pace under the new government, the defence ministry's budget share is still the highest among all ministries, and the grossly overvalued exchanged rate (by nearly a hundred-and-fifty times) was corrected in 2012 by introducing the managed float system under Myanmar Central Bank's supervision, Tatmadaw still lacks adequate funds for rapid modernization. Under pressure by the parliamentarians, activists and the international community to reduce the share of the defence budget in the government budget, it had fallen from over 19 per cent in 2012 to over 12 percent in 2014. It was reported that the defence budget for fiscal year (April to March) 2013/14 was over 2.2 billion USD (converted from local currency at market rate) and the proposed budget for fiscal year 2014/15 was over 2.3 billion USD, only a 5.4 per cent increase in local currency<sup>45</sup>. Though the share of government budget is high when compared to other ministries and most neighbouring countries Myanmar's defence budget for 2014 in value terms was relatively small vis a vis other in Southeast Asia<sup>46</sup>. For a military with a nominal strength of nearly 400,000 personnel and practically on a war footing (against numerous NSAGs), the allocated amount is apparently inadequate to procure costly modern weapon systems in its modernization effort.

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<sup>44</sup> See "Myanmar Navy commissions frigate," *NLM*, 1 April 2014, p. 3. It is the second indigenous stealth frigate commissioned; see "New Stealth Frigate for Myanmar Navy," *Pakistan Defence*, 31 March 2014, available at <http://defence.pk/threads/new-stealth-frigate-for-myanmar-navy.307055/#post-5470957>.

<sup>45</sup> See "Myanmar military handed \$2.4 billion budget," Agence France-Presse, 6 March, 2013, available at <http://www.globalpost.com/dispatch/news/afp/130306/myanmar-military-handed-24-billion-budget>; Ei Ei Toe Lwin, "Military spending still dwarfs education and health," Myanmar Times, 30 March 2014, available at <http://www.mmtimes.com/index.php/national-news/10000-military-spending-still-dwarfs-education-and-health.html>. Another source stated the share as 14 per cent (IHS Jane's 360, 15 January 2014, available at [http://defence482.rssing.com/chan-19811087/all\\_p49.html#item977](http://defence482.rssing.com/chan-19811087/all_p49.html#item977)); and "7 Day Daily and Mizzima Newspapers Misreport Defense Budget for Military Operation in 2013-2014 Fiscal Years," *Eleven Media*, 28 October 2014, available at [http://www.elevenmyanmar.com/index.php?option=com\\_content&view=article&id=7961:7-day-daily-and-mizzima-newspapers-misreport-defense-budget-for-military-operation-in-2013-2014-fiscal-years&catid=44:national&Itemid=384](http://www.elevenmyanmar.com/index.php?option=com_content&view=article&id=7961:7-day-daily-and-mizzima-newspapers-misreport-defense-budget-for-military-operation-in-2013-2014-fiscal-years&catid=44:national&Itemid=384).

<sup>46</sup> I wish to thank Professor Robert Taylor for pointing out this fact.

Having consolidated his position as C-in-C Senior General Min Aung Hlaing made a major reshuffle of the top Tatmadaw command and staff leadership (see Table 1) in late 2014. A new Adjutant General (previously commander of Yangon Regional Command), and a Quartermaster General (previously commander of Central Regional Command) were appointed. The military intelligence (officially called the Military Affairs Security or MAS) chief was posted to the powerful position of Army Chief of Staff while concurrently taking up a theatre commander post (officially known as Chief, Bureau of Special Operations or BSO). His predecessor Lt. General Mya Tun Oo (known as a rising star and the youngest among the top brass) was given the MAS post and chief of BSO No.6 which was vacant. Since it is unusual to have an officer concurrently holding both command and intelligence appointments, there has been speculation that Lt. General Mya Tun Oo is being groomed for higher duties in the near future<sup>47</sup>.

**Table 1: Generational Change in Army Leadership**

Position	September 1988	November 1997	December 2014
C-in-C	Gen. Saw Maung (OTS 6)	Snr.Gen. Than Shwe (OTS 6)	Snr.Gen. Min Aung Hlaing (DSA 19)
Dy. C-in-C	Lt.G. Than Shwe (OTS 9)	Gen. Maung Aye (DSA 1)	V.Snr.Gen. Soe Win (DSA 22)
JCS	n.a.	n.a.	Gen. Hla Htay Win (DSA 20)
AG	B.G. Aung Ye Kyaw (OTS 6)	Lt.G. Win Myint (OTS 28)	M.G. Hsan Oo (DSA 24)
QMG	M.G. Phone Myint (OTS 9)	Lt.G. Tin Hla (DSA 3)	Lt.G. Nyo Saw (DSA 23)
BSO 1	M.G. Sein Aung (OTS 10)	Lt.G. Tin Oo* (OTS 22)	Lt.G. Myint Soe (OTS 61)
BSO 2	M.G. Chit Swe (OTS 8)	--	Lt.G. Aung Than Htut (DSA 20)
BSO 3	n.a.	n.a.	Lt.G. Hla Min (DSA 22)
BSO 4	n.a.	n.a.	Lt.G. Khin Zaw Oo (OTS 56)
BSO 5	n.a.	n.a.	Lt.G. Kyaw Swe (DSA 22) concurrently Army Chief of Staff
BSO 6	n.a.	n.a.	Lt..G. Mya Tun Oo (DSA 25)
CMAS	B.G. Khin Nyunt (OTS 25)	Lt.G. Khin Nyunt (OTS 25)**	Lt..G. Mya Tun Oo (DSA 25)

Notes: n.a. = not applicable; -- = vacant; Snr.= Senior; V.Snr. = Vice Senior; Gen. = General; Lt.G. = Lieutenant General; M.G. = Major General; B.G. = Brigadier General; C-in-C = Commander-in-Chief; Dy. = Deputy; JCS = Joint Chief of Staff; AG = Adjutant General; QMG = Quartermaster General; BSO = Bureau of Special Operations (Chief); CMAS = Chief of Military Affairs Security (intelligence); OTS = Officer Training School (for graduates); DSA = Defence Services Academy (for high school leavers); \*Lt. G. Tin Oo was killed in a helicopter crash in 2001. \*\* (Then) Gen. Khin Nyunt was removed and arrested in October 2004.

Sources: Maung Aung Myo. *Building the Tatmadaw: Myanmar Armed Forces Since 1948* (Singapore: Institute of Southeast Asian Studies, 2009); media reports; and personal communications

<sup>47</sup> Personal communications. See, also, Ei Ei Toe Lwin "Military shuffles generals," *Myanmar Times*, 12 September 2014, available at <http://www.mmtimes.com/index.php/national-news/11605-major-reshuffles-in-tatmadaw-ranks.html>.

Live-firing exercises and multi-formation maneuvers are an integral part of professional armies in peace time, although they are expensive and logistically taxing. Nevertheless, Tatmadaw conducted two major war games in 2014. The first, code named Anwarahhtar, was conducted in early March near the garrison town of Meiktila in central Myanmar. The combined arms exercise involved artillery, armour, infantry and aircraft which provided close air support. The show of massive firepower and agility of ground forces was witnessed by Senior General Min Aung Hlaing and the military top brass and widely publicized on state-owned (broadcast and print) media<sup>48</sup>. The second exercise was a naval exercise in the open sea in late March, again witnessed by the C-in-C and top generals. Exercise Sea Shield 2014 involved all major naval assets (some 20 surface combatants) and there were live-firings of weapons such as SAM (surface-to-air missile), AAM (surface-to-surface missile), anti-submarine ordnance and large-calibre naval guns<sup>49</sup>.

### **Allegations of human rights violations: Tatmadaw under pressure**

With a significantly vocal local private media pushing the boundaries of press freedom, and rapidly expanding social media in combination with the public, that has shed its 'freedom from fear,' allegations against and complaints about human rights violations committed by soldiers and units abound in Myanmar. Tatmadaw appears to have been generally ill-prepared to respond effectively.

However, in the case of 'child soldiers,' the military had cooperated with UN agencies like UNICEF since 2012. Initiatives resulted in the discharging of 553 underage boys up to November 2014, of whom 376 were released in 2014<sup>50</sup>. However, President Obama had announced in September that Myanmar would not be granted a waiver from sanctions under the Child Soldier Prevention Act that prohibits US military assistance and commercial military sales<sup>51</sup>.

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<sup>48</sup> See, e.g., Anthony Davis, "Wardrums in Myanmar's Wa hills," *Asia Times*, 23 April 2014, available at [http://www.atimes.com/atimes/Southeast\\_Asia/SEA-01-230414.html](http://www.atimes.com/atimes/Southeast_Asia/SEA-01-230414.html).

<sup>49</sup> See, e.g., "Exercise Sea Shield 2014: Myanmar Naval Exercise in Bay of Bengal," Pakistan Defence, 1 April 2014, available at <http://defence.pk/threads/exercise-sea-shield-2014-myanmar-naval-exercise-in-bay-of-bengal.307112/>.

<sup>50</sup> See "376 Children Released from Armed Forces in Myanmar in 2014," UNICEF press release, 26 November 2014; "Myanmar Military Speeds Up Release of Children," UNICEF Media Centre, 25 September 2014.

<sup>51</sup> See Obama keeps Myanmar on child soldier sanctions list," AFP, 1 October 2014, available at <http://www.mizzima.com/mizzima-news/myanmar/item/13308-obama-keeps-myanmar-on-child-soldier-sanctions-list/13308-obama-keeps-myanmar-on-child-soldier-sanctions-list>.

As for concerns regarding the use of land mines, Myanmar has yet to sign the Ottawa Mine Ban Treaty of 1997 (The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction), and allegations of producing and deploying anti-personnel mines continued in 2014<sup>52</sup>.

Other allegations by victims and human rights lobbies against Tatmadaw which were widely publicized in the Western press included the blocking of aid to Kachin IDPs (internally displaced persons), rape as a weapon, torture, arbitrary detention, and abuses during military operations<sup>53</sup>.

The most serious allegation that manifested in 2014 was the report by the Harvard University Human Rights Clinic accusing three generals of command responsibility for war crimes and crimes against humanity during military operations in the eastern Karen State during the period 2005 to 2008. It claimed to have enough evidence to involve the international Criminal Court<sup>54</sup>.

Tatmadaw's response to all such allegations and complaints was rejection and refutation of all reports on abuses and attending to complaints deemed legitimate, often cooperating with Myanmar National Human Rights Commission for individual cases. Senior General Min Aung Hlaing had also appointed three generals as contact persons for the media.<sup>55</sup> He also conceded in an exclusive interview with VOA (Burmese) programme that there might be individual violations, but indicated that they were a very small minority and strongly insisted he had instituted harsh punishment for transgressions of rules and regulations that prohibit all kinds of abuse and deterrent measures are in place to prevent further violations of human rights by Tatmadaw personnel.

<sup>52</sup> Colin Hinshelwood, "Landmine victims down but Burma still produces: ICBL," DVB News, 5 December 2014, available at <https://www.dvb.no/news/landmine-victims-down-but-burma-still-produces-icbl-myanmar/46338>.

<sup>53</sup> See, e.g., Yen Snaing and Nang Seng Nom, "Government blocking aid to Kachin IDP camp: KIO," *Irrawaddy*, 5 December 2015, in BurmaNet News, 5 December 2014; Kate Hodal, "Burma's army uses rape to demoralize ethnic minorities, report says," *The Guardian*, 25 November 2014, in BurmaNet News, 25 November 2014; and Phyu Phyu Zin, "Shan rights group claims government troops abuse during offensive," *Mizzima*, 23 October 2014, in BurmaNet News, 23 October 2014. There have been numerous op-eds, news reports and articles in British and American magazines and prominent newspapers such as the *South China Morning Post*, *Washington Post*, *New York Times*, *The Guardian*, *The Independent*, *Bangkok Post*, *The Nation*, and European newspapers on abuses by the Tatmadaw; much of them originating from wire services and freelance writers. Similarly postings on websites, blogs, Facebook and other social media platforms also contain many allegations of abuses by Tatmadaw members.

<sup>54</sup> See Andrew D Kasper, "Myanmar needs to talk about how to deal with its past," *Irrawaddy*, 29 November 2014, available at <http://www.irrawaddy.org/interview/myanmar-needs-talk-deal-past.html>.

<sup>55</sup> See Htet Naing Zaw, "Burma military appoints point men for media relations," *Irrawaddy*, 15 October 2014, available at <http://www.irrawaddy.org/burma/burmas-military-appoints-point-men-media-relations.html>

## **Concluding remarks**

2014 was a taxing year for the Tatmadaw. As the year drew to a close, the Tatmadaw appeared to be under stress as it juggled its role in enforcing state security and contributing to peace-making in ceasefire negotiations while adjusting to the newfound openness in public discourse and expected behavioural norms informed by democratic practice and pluralism. It found itself having to defend its political role enshrined in the 2008 Constitution against socio-political forces demanding constitutional amendments that could considerably reduce its autonomy and influence in Myanmar politics. Measures to enhance professionalism and increase military capability through force modernization and large scale exercise were undertaken, while preparations for leadership renewal appeared to be taking shape as the incumbent top leaders approached the retirement age of 60.