

Democracy and Discontent: The 2010 Elections in Myanmar

Preface	p.3
Editorial	p.5
Documents:	
The Seven Step “Roadmap to Discipline-Flourishing Democracy” by Prime Minister General Gen Khin Nyunt	p.7
Statement by Prime Minister General Thein Sein	p.8
Statement by The Hon Stephen Smith MP, Australian Minister for Foreign Affairs and Trade	p.10
ASEAN Chairman’s Statement on Myanmar	p.12
European Union Council Conclusions on Burma/Myanmar	p.13
Statement by UN Secretary-General Ban Ki-Moon	p.16
Commentaries:	
The 2010 Elections and the Prospects for Change in Burma <i>Morten Pedersen</i>	p.17
Myanmar’s 2010 Elections: Boon or Bane for ASEAN’s Political and Security Community? <i>Mely Caballero-Anthony</i>	p.25
China, India and Myanmar’s Elections: Strategic Contest or Friendly Neighbours ? <i>Trevor Wilson</i>	p.33
Biographies of Contributors	p.43

Copyright © The Australian Institute of International Affairs 2010

ISSN 1838-5842

This publication may be distributed on the condition that it is attributed to the Australian Institute of International Affairs.

Use for educational purposes is not allowed without the prior written consent of the Australian Institute of International Affairs.

Any views or opinions expressed in this publication are not necessarily shared by the Australian Institute of International Affairs or any of its members or affiliates.

Australian Institute of International Affairs
32 Thesiger Court, Deakin ACT 2600, Australia
Phone: 02 6282 2133 Facsimile: 02 6285 2334
Website: www.aiia.asn.au; Email: ceo@aiia.asn.au

Preface

The Australian Institute of International Affairs (AIIA) was established in 1924 as an independent, non-profit organisation seeking to promote interest in, and understanding of, international affairs in Australia.

The AIIA provides a wide range of opportunities for the dissemination of information and free expression of views on these matters through discussion and publication. Precluded by its constitution from expressing any opinion of its own on international affairs, the AIIA provides a forum for the presentation, discussion and dissemination of a wide range of views.

The AIIA's series of Policy Commentaries aims to provide informed opinion and useful source documents on issues of topical concern to encourage debate amongst AIIA members, the media and the general public.

The Commentaries are edited by Melissa Conley Tyler, National Executive Director, in the AIIA National Office, Canberra. I hope that you will find the current commentary timely and informative.

Associate Professor Shirley Scott
Research Chair
Australian Institute of International Affairs
Series Editor 2010-2011

Editorial

On 21 October 2010 Myanmar officially changed its flag to a new design of three stripes and a superimposed star. It raises the question whether 2010 flag real change in Myanmar or just a change of clothing?

The first elections in more than 20 years in Myanmar have aroused interest and discontent in the region and beyond.

Some see the elections as an elaborate charade, pointing to restrictive electoral laws and the reservation of seats in Parliament for military representatives. Others see the potential for positive incremental change.

You will find represented in this volume some key documents to give context to Myanmar's elections including the Myanmar Government's Roadmap to Democracy and responses from Australia, the European Union, ASEAN and the United Nations.

You will also find commentary by three expert authors analysing the likely impact of Myanmar's elections. Morten Pedersen assesses the prospects for change and democracy in Myanmar following the elections and rates the former better than the latter. Mely Caballero-Anthony looks at the ramifications of the elections for ASEAN and its policy of constructive engagement while Trevor Wilson looks at what China and India have at stake strategically in Myanmar and their expectations of the elections. I thank contributors for their insightful work and for the questions they raise.

Please note that authors are expressing their own views, not those of the Australian Institute of International Affairs. Authors have variously used the terms Myanmar and Burma according to their preference and the AIIA has not altered this usage.

Melissa H. Conley Tyler
National Executive Director
Australian Institute of International Affairs

The Seven Step “Roadmap to Discipline- Flourishing Democracy” Announced by the Prime Minister General Gen Khin Nyunt

30 August 2003*

The government will be implementing in a step-by-step and systematic manner the following political program for building the nation.

1. Reconvening of the National Convention that has been adjourned since 1996.
2. After the successful holding of the National Convention, step by step implementation of the process necessary for the emergence of a genuine and disciplined democratic system.
3. Drafting of a new constitution in accordance with basic principles and detailed basic principles laid down by the National Convention.
4. Adoption of the constitution through national referendum.
5. Holding of free and fair elections for Pyithu Hluttaws (Legislative bodies) according to the new constitution.
6. Convening of Hluttaws attended by Hluttaw members in accordance with the new constitution.
7. Building a modern, developed and democratic nation by the state leaders elected by the Hluttaw; and the government and other central organs formed by the Hluttaw.

* As translated in *New Light Of Myanmar*, available online (accessed on 28 October 2010) : <http://www.myatmyanmar.net/EN/men20040811.pdf>

**Myanmar's Prime Minister General Thein Sein's
Statement at the 64th Session of the United Nations
General Assembly***

29 September 2009

[...]

Mr. President,

Peace and stability in the country and the successful holding of the democratic elections are essentials for the democratization process of Myanmar. A new State Constitution was approved by 92.48% of the eligible voters in a nation-wide referendum held in May 2008. The multiparty general elections will be held in the coming year. Subsequently, the parliament will be convened and a government will be formed in accordance with the new Constitution.

The country would have a bicameral legislature. The Constitution provides for a presidential system of governance. It is envisaged that the President would be elected by a presidential electoral college. The State will be composed of seven states, seven regions, five self-administered zones and one self-administered division. The Capital, Nay Pyi Taw, would be designated a Union territory. In keeping with the state structure, the Constitution also establishes 14 state and regional legislative bodies.

The transition to democracy is proceeding. Our focus is not on the narrow interest of individuals, organizations or parties but on the larger interest of the entire people of the nation. We have urged all citizens, whether they agree with us or not, to actively participate in the process without losing sight of the democratic goal. In this way, the aspirations of the people will be fulfilled.

The Government is taking systematic steps to hold free and fair elections. Electoral laws will be promulgated, and an election commission will be formed so that political parties can be formed and contest the elections. On 17 September 2009, 7,114 prisoners were released for their good conduct. They too will be able to participate in the general elections next year in accordance with the law.

The multiparty general elections is a significant step in our transition to a peaceful, modern and developed democratic State. Democracy cannot be imposed from the outside and a system suitable for Myanmar can only be born out of Myanmar society. Citizens of Myanmar are the ones who can best determine their future. They can judge the merits of democracy and make adjustments in accordance with their genius.

The international community can best assist Myanmar's emergence as a new nation, based on the principles of justice, freedom and equality enshrined in the new State Constitution, by demonstrating understanding.

[...]

Thank You.

*Available online (accessed on 23 October 2010):

<http://www.mofa.gov.mm/speeches/Prime%20Minister%20General%20Thein%20Sein%20made%20a%20statement%20at%20the%2064th%20Session%20of%20United%20Nations%20General%20Assembly.htm>

Minister for Foreign Affairs the Hon Stephen Smith MP

Question Without Notice

Subject: Burma

16 March 2010*

[...]The member asked about any progress on Burma's so-called road map to democracy since my Statement to the House last month. Members would of course recall that part of this process included the referendum in Burma, which regrettably was conducted in the context of the aftermath of Cyclone Nargis. As a consequence of that, I have previously described that referendum process as a sham.

In my Statement last month, I said to the House that, whilst we had reservations about the Burmese authorities fully embracing a genuine return to democracy, we would not come to a concluded view so far as the election processes and outcome were concerned in advance of that taking place. That of course was motivated by the international community sentiment that we had to do everything we could not just by way of sanctions, for example, but also by way of encouragement to see if the authorities in Burma would embrace a genuine process.

Last week the Burmese authorities published five electoral laws which will govern the conduct of the election. Whilst in some respects it is not surprising, I very much regret to advise the House that, on the basis of the publication of these electoral laws, I have very grave reservations as to whether it is possible for an election to be conducted appropriately in Burma with the full, free and fair participation of all those concerned.

In particular, the election laws – five of them – place what seem to be very severe restrictions on political parties. In particular, by implication they place restrictions on the National League for Democracy participating in the election process, particularly if Aung San Suu Kyi

continues to be a member of the National League for Democracy. There is, in addition, no guarantee of access to media for the conduct of the election.

Bearing in mind these matters, as I say, we are now very gravely concerned as to any potential for an election to be conducted in a full, free and fair manner. In the first instance, of course, it will be a matter for the political parties, in particular the National League for Democracy, to make a judgment about whether to participate in the election under those circumstances. Under the published laws, it is a matter for the NLD to make a judgment by 6 May. I am not proposing to give gratuitous public advice to the NLD. That is a matter for them to determine. It will be a very difficult decision for them to judge whether they should participate in such an election under very restrictive circumstances or whether to decline to take that opportunity. I very much regret this development. We had in some respects hoped very much that the authorities were more completely embracing a genuine return to democracy. [...]

*Available online (accessed on 28 October 2010):

http://www.foreignminister.gov.au/transcripts/2010/100316_qwn_burma.html

ASEAN Chairman's Statement on Myanmar

Bangkok, 11 August 2009*

Thailand, as the ASEAN Chair, has learned with deep disappointment that Daw Aung San Suu Kyi was sentenced to serve eighteen months of house confinement with limited freedom. The Chair wishes to reiterate the calls made by the ASEAN Foreign Ministers attending the 42nd ASEAN Foreign Ministers' Meeting and the 16th ASEAN Regional Forum held in July 2009 in Phuket, for the immediate release of all those under detention, including Daw Aung San Suu Kyi, with a view to enabling them to participate in the 2010 General Elections.

Such actions will contribute to national reconciliation among the people of Myanmar, meaningful dialogue and facilitate the democratization of Myanmar. Only free, fair and inclusive General Elections will then pave the way for Myanmar's full integration into the international community.

ASEAN member countries wish to see Myanmar, a fellow ASEAN member, be at peace, prosperous and well respected in the international community. We stand ready to cooperate with the Myanmar Government in its efforts to realize the seven steps to democracy and remain constructively engaged with Myanmar in order to build the ASEAN Community together. We also continue to support the ongoing good offices of the United Nations Secretary-General and urge Myanmar's full cooperation with the United Nations.

*Available online (accessed 28 October 2010): <http://www.aseansec.org/PR-090812-1.pdf>

Council of the European Union

Council Conclusions on Burma/Myanmar

3009th Foreign Affairs Council Meeting
Luxembourg, 26 April 2010*

The Council adopted the following conclusions:

1. The Council reaffirms the EU's unwavering commitment to the people of Burma/Myanmar. The EU remains a major donor to the country and stands ready to increase its assistance to the people of Burma/Myanmar, in order to improve their social and economic conditions.

2. The Council calls upon the authorities of Burma/Myanmar to take steps to bring about a peaceful transition to a democratic, civilian and inclusive system of government. The Council underlines that the political and socio-economic challenges facing the country can only be addressed through genuine dialogue between all stakeholders, including the ethnic groups and the opposition.

3. The Council expresses its serious concerns that election laws as published in early March do not provide for free and fair elections and notes that the authorities of Burma/Myanmar still have to take the steps necessary to make the planned elections later this year a credible, transparent and inclusive process. The Council reiterates its call for the release of the political prisoners and detainees, including Daw Aung San Suu Kyi.

4. The Council deems it necessary to extend the restrictive measures provided for in the current EU Decision by another year. The Council underlines its readiness to revise, amend or reinforce the measures it has already adopted in light of developments on the ground. The EU stands ready to respond positively to genuine progress in Burma/Myanmar.

5. To help achieve the progress needed, the EU is ready to continue its dialogue with the authorities of Burma/Myanmar and all other relevant stakeholders. It intends to send an exploratory mission to the country, in order to hold high level talks, in the hope of building trust and helping the political process to move towards the intended goals.

6. The Council expresses its strong support for the continued work of EU Special Envoy Piero Fassino and invites the Burma/Myanmar authorities to cooperate fully with him.

7. The Council urges the government of Burma/Myanmar to engage more with the international community, to work towards a peaceful transition to democracy. It reaffirms the EU's support for the Good Offices Mission of the UN Secretary General and welcomes his continued personal commitment to further the political process, and calls upon the authorities of Burma/Myanmar to engage with the UN in a meaningful manner. The EU will continue to actively support the group of friends of the UNSG and raise the situation in the country, and its possible implications for regional stability, with key actors, including ASEAN and its Member States, the United States, Australia, China, India, Japan and Russia.

8. The Council welcomes the ASEAN Chairman's statement of 9 April 2010 from the 16th Summit, which underscored the importance of national reconciliation in Myanmar and the holding of the general election in a free, fair and inclusive manner. The Council also welcomes statements from individual ASEAN members, as well as Japan, on the need for release of all political prisoners and detainees, including Daw Aung San Suu Kyi. The EU looks forward to a continued close dialogue with our ASEAN partners on the issue – next time at the upcoming EU/ASEAN ministerial in May in Madrid.

9. The Council welcomes the adoption of Resolution 13/25 of the UN Human Rights Council, and endorses the Progress report by the UN

Special Rapporteur, Mr Quintana. It calls upon the authorities of Burma/Myanmar to cooperate with him in a constructive manner and comply in full with the UN's recommendations, by taking urgent measures to put an end to violations of international human rights and humanitarian law.

* Available online (accessed on 28 October 2010):

http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/114004.pdf

Secretary-General Notes Announcement of Elections to Be Held in Myanmar 7 November, Strongly Urges Release of All Remaining Political Prisoners without Delay

13 August 2010*

The following statement was issued today by the Spokesperson for UN Secretary-General Ban Ki-moon:

The Secretary-General has taken note of the announcement by the Union Election Commission of Myanmar that general elections will be held on 7 November 2010.

The Secretary-General reiterates his call on the Myanmar authorities to honour their publicly stated commitments to hold inclusive, free and fair elections in order to advance the prospects of peace, democracy and development for Myanmar.

As essential steps for any national reconciliation and democratic transition process, the Secretary-General strongly urges the authorities to ensure that fundamental freedoms are upheld for all citizens of Myanmar and to release all remaining political prisoners without delay so that they can freely participate in the political life of their country.

* Available online (accessed 28 October 2010):
<http://www.un.org/News/Press/docs/2010/sgsm13058.doc.htm>

The 2010 Elections and the Prospects for Change in Burma

Morten Pedersen*

The elections scheduled for 7 November are the first in twenty years in Burma, and the first time ever that voters will elect not only a bicameral national parliament, but also fourteen local parliaments. The elections are the fifth step of the ruling military council's "Seven-Point Roadmap to Democracy", which has included also the drafting of a new Constitution that takes effect once the new Parliament convenes.¹ As such, the elections mark the end of two decades of direct military rule. Yet, the Roadmap has been marred by controversy from the outset, and for good reason.

The opposition National League for Democracy (NLD), led by Nobel Peace Prize laureate Aung San Suu Kyi, has rejected the entire process as illegitimate and is boycotting the elections although it has cost the NLD its status as a legal organisation. So are a number of ethnic political and armed organisations whose long-standing goal is a federal state with genuine autonomy for the country's minorities. Yet, nearly forty other political parties will be contesting the elections in November, including a group of former NLD leaders.² Many of these are no less critical of the process that is unfolding. But they believe nonetheless that it provides an opportunity to break the long-standing political deadlock and work for improved governance and gradual change.

The present paper seeks to elucidate the realities and perspectives underlying these different responses by asking two superficially similar but substantially different questions: What are the prospects for *democracy*; and what are the opportunities for (positive) *change*? It

* Research Fellow, Centre for International Governance and Justice, RegNet, Australian National University.

argues that while the former are poor, the latter are less so, especially over the medium term.

Prospects for Democracy

From a democracy perspective, there isn't much good news in the Roadmap. Military leaders have made it clear, *in words as well as action*, that they intend for the military to maintain a leading political role in what they tellingly refer to as a future “discipline-flourishing democracy”.

The drafting of the new Constitution was marred by a lack of inclusiveness, heavy restrictions on public debate and little actual input by the participants into the final product. The text was essentially drawn up by the military-controlled Working Committee with only minor concessions to dissenting views.

Unsurprisingly, the Constitution that emerged from this top-down process reflects the military's authoritarian ideology, notably an insistence on centralised power to counter perceived centrifugal forces in society. Although it formally establishes a multi-party democracy with regular elections and associated civil and political rights, key elements of a meaningful democratic system are lacking:

- The military maintains a dominant role in politics, including control of a powerful National Defence and Security Council and all security-related ministries and committees, as well as 25 per cent of the members of the national and regional parliaments;
- the military itself remains fully autonomous, subject to neither executive, legislative nor judicial civilian authority;
- the separation of powers is circumvented by the extensive authority provided the President to appoint, dismiss or otherwise control legislative and judicial officials; and
- all democratic rights are subject to “laws enacted for national security” and “the prevalence of law and order.”

Similarly, while the Constitution nominally sets up a federal structure of government with fourteen regions and states of equal status – each with its own executive, legislature and judiciary – the actual decentralisation of power is highly circumscribed. This is particularly problematic because ethnic minorities, who make up between one-third and two-fifth of the population, also remain marginalised at the federal level and therefore have little prospect of influencing key issues affecting their communities.³

The upcoming elections are, in principle, important. Notwithstanding the obvious shortcomings of the constitution, an opposition sweep of the elections would effectively sideline the military appointees and give it control of the Presidency, as well as the Parliament and broader legislative agenda. But the military leadership is not taking any chances.

Unlike in 1990, when the military stayed on the sidelines of the electoral contest, this time the junta is fielding a proxy political party, the Union Solidarity and Development Party (USDP), led by Prime Minister Thein Sein and other recently retired senior military officers. The USDP has inherited the nationwide organisational infrastructure and substantial economic resources of the Union Solidarity and Development Association (USDA), a mass organisation which claimed some 25 million members established in 1993 with the explicit purpose of supporting the regime’s political agenda. Indeed, the entire military-controlled state apparatus appears essentially to be campaigning on its behalf. The other main “establishment” party is the National Unity Party (the successor of the old Burma Socialist Program Party).

The opposition, by contrast, is fighting an uphill battle against government restrictions and intimidation, as well as internal weaknesses. There are two pro-democracy parties, the National Democratic Force (mainly former NLD members) and the Democratic Party (led by several “senior politicians” with roots in the democratic government of the 1950s). In addition, there are several large, well-organised ethnic parties that plan to contest at all legislative levels in their respective ethnic areas, and that could potentially win significant blocks of seats in

the national legislatures. Two-thirds of all parties represent specific ethnic minority communities. Many opposition leaders remain in prison, while others with a history of anti-government activity have been excluded from running. Moreover, the government-appointed Election Commission has been carefully stage-managing the election process to limit the ability of independent parties to organise and woo voters.

Many believe that the authorities will simply manufacture a USDP victory. Others recall the last elections in 1990 when the NLD defied all odds and won a landslide victory despite similar restrictions. Yet, the question is whether the opposition – even with a fair vote on Election Day – would be able to overcome the major obstacles that are placed in its way. In the absence of Aung San Suu Kyi and the NLD, few of the opposition leaders are known to the general public and the main parties have all only been recently established. They have few members, no organisational infrastructure to speak of and, generally, very limited finance. The situation may be somewhat better in ethnic areas of the country where communities are bound closer together by ethnic nationalist sentiment and the USDA and other pro-regime organisations have been less successful in gaining a strong foothold. Moreover none of the ethnic parties will contest large numbers of seats across the country. Crucially, unlike in 1990, there is no broader “revolutionary momentum”, no groundswell of popular hope that change is finally coming, which might encourage people to stand up to pressure and intimidation.

Opportunities for Change

In many ways, the new system is being developed by the military to limit change. But change is nonetheless an inherent part of it, and this may lead to unintended consequences, especially over time. From 2011, the country will have not only a new government, but also a new generation of leaders, a complex set of new institutions, and a new ideological basis for governance.

New Leaders

Burmese politics and governance have traditionally reflected the personal tastes and whims of the top leader, and perhaps never more so than during the last five years. The expected retirement of Senior General Than Shwe therefore has the potential to lead to important changes in both governance style and substance even if he is likely to retain significant influence for some time.

New Government

Whoever takes over after the elections will do so as part of a new government – and a new government means a new start, at least to a degree. Like new governments anywhere, it will actively look to establish its own legitimacy and will want to do better than the current one. It may also be more prepared to reject failed policies which it had no role in formulating and can blame on its predecessors. In some respects, the more the electoral process fails to convince that the country has turned a democratic corner, the more the new government may feel under pressure to prove itself in governance terms.

New Institutions

The new Constitution establishes a set of new institutions, notably an elected President, a bicameral parliament, and, for the first time in the country's history, fourteen regional governments as well as regular elections and the political parties that will contest them. These nominally democratic institutions may be intended mainly as façade; certainly they will be constrained by the present configuration of power and interests. Yet formal institutions, once established, have a tendency to change the interests of the people involved, to become new power centres, and ultimately to become “real.”

The new institution of the President, for example, is pregnant with possibilities. Although the first incumbent is bound to be a retired general, as a “civilian” he will have an interest in keeping the army out of politics as much as possible so as to protect his own power. Moreover,

since he will be running the government, not the army, he is likely to pay more attention to civilian affairs, including health, education and economic development more generally.

Similarly, while the new Parliament is likely to start out largely as a rubber stamp for executive policymaking, it is formally empowered to enact laws. Indeed, the Constitution stipulates that the President cannot veto laws passed by the Parliament. This may not mean much initially if pro-regime members constitute a clear majority (which they are likely to do) or if the executive continues to ignore its own laws (which it has consistently done in the past). Yet members of parliaments, anywhere, have a tendency to develop more independence and influence over time.

New Ideological Foundation

The military has an interest in limiting many potential openings. Yet, the question is how far the military is prepared to go in denying every democratic seed while claiming to be a “democracy” (of sorts). During the previous socialist era (1962-1988), socialism, too, was more about centralising power in a highly fragmented multi-ethnic nation than about ideological commitment as such. Yet, the socialist “label” mattered: both in terms of how the system was run and in its policies. The democratic “label” is likely to matter too, although it is hard to predict exactly how.

Scenarios for the Future

It is unlikely that there will be any significant change in the configuration of power as an immediate result of the elections. The current leaders will still be controlling things from behind the scene; the new parties and institutions will be weak and cautious.

In the short-term, the main hope is for improved governance (including better cooperation with the international community). Much hinges on who takes over the key positions in the new government. But a new administration will be naturally inclined towards change and

improvement. Moreover, there is some prospect that the introduction of new participatory institutions, notably elections and parliaments, could induce the next government to pay more attention to governance than the current government (which has essentially been a security administration). Already in the election campaign we are seeing an increased emphasis on local needs, even if it has, as yet, a highly opportunistic character.

In the medium-term, the increased separation of the military-as-government and the military-as-an-institution, coupled with the increased interaction between army officers and civilians within the Parliament, may begin to change civil-military relations and build more confidence within the army to broaden its experiment with liberalisation. Some actors, both inside and outside the government, believe that Burma will have a civilian president elected through relatively free and fair elections in 2015, or 2020 at the latest, which in turn would accelerate the withdrawal of the army, at least from non-security governance areas. This is also the timeframe within which civilian institutions may begin to recover and develop the skills and organisational robustness to present a real alternative to military dominance.

The bottom line is that while the military elite will continue to favour top-down decision making through rigid hierarchies and according to military priorities, the more pluralist system being set up will bring new voices into governance institutions and make it harder for status quo forces to control developments.

Conclusion

Clearly, the military does not intend to transfer power to freely elected representatives or to allow the full civil and political liberties necessary to sustain meaningful democratic governance. But for those concerned with bringing about change in Burma, that isn't really the central issue. The more strategically relevant question is: what can be done about it?

The traditional opposition is holding out for revolutionary change. Yet, after half a century of military rule, it is difficult to imagine any realistic scenario under which Burma would move directly to democracy. Change would seem to require the cooperation, or at least tacit support, of soft-liners in the military leadership and, as such, would likely have to accommodate vital military interests. The new opposition sees the forthcoming transition as an opportunity to negotiate incremental change along that path. Whether they succeed, time will tell.

¹ The “Seven-Point Roadmap to Democracy” was formally announced by former prime minister and intelligence chief, General Khin Nyunt in 2003; “Developments and Progressive Changes in Burma Naing-ngan”, speech delivered at the Pyithu Hluttaw, Rangoon, 30 August 2003).

² For further details, see International Crisis Group, *The Myanmar Elections*. Asia Briefing N°105, 27 May 2010; Transnational Institute, *Uneven Playing Field: Burma’s Election Landscape*, Burma Policy Briefing No 3, October 2010.

³ For a detailed critique of the Constitution, see Yash Gai, “The 2008 Myanmar Constitution: Analysis and Assessment”, available online: http://www.burmalibrary.org/docs6/2008_Myanmar_constitution--analysis_and_assessment-Yash_Ghai.pdf.

Myanmar's 2010 Elections: Boon or Bane for ASEAN's Political and Security Community?

Mely Caballero-Anthony*

After two decades of keeping the international community in the dark, Myanmar's military Government has finally announced that national elections will be held on 7 November 2010. The announcement has received mixed reactions—from critics and skeptics who view the exercise as no more than rubber-stamping the authority of the military junta camouflaged in civilian uniforms, to those who see some light at the end of the tunnel in the country's long, arduous journey towards a political transition to democracy. Regardless of which camp one sits in, the much anticipated elections in Myanmar will have significant ramifications not only for the country's political development, but more importantly to the Association of South East Asian Nations (ASEAN), a regional community that has embarked on an ambitious plan to build a political and security community in Southeast Asia.

With Myanmar long regarded as the 'problem-child' of ASEAN due its poor human rights record, how Myanmar's long awaited elections will pan out could also affect the credibility of a post-Charter ASEAN that envisioned a region based on the "shared set of common values and norms to achieve peace, stability, democracy and prosperity."¹ As the country gears up for the elections, key questions emerge. Among these are whether the upcoming elections will make any difference in the existing political order in Myanmar, whether some form of representative government can ever be established and what the future is for the military in Myanmar transition to representative government? To be sure, it will take some considerable period even after the elections

* Mely Caballero-Anthony is an Associate Professor at the S. Rajaratnam School of International Studies (RSIS), Singapore and Head of the RSIS Centre for Non-Traditional Security Studies.

before a clearer picture can emerge. Nevertheless, the symbolism of this enterprise is not lost on Myanmar's ASEAN neighbours.

The Long Roadmap to Democracy

It has been twenty years since Myanmar held its last elections in May 1990 under the military regime previously known as the State Law and Order Restoration Council (SLORC). The 1990 election delivered a landslide victory to the country's opposition party, the National League for Democracy (NLD) led by Daw Aung Sang Suu Kyi. NLD's victory, which could have catapulted Suu Kyi to power, took the military regime completely by surprise and led the regime to nullify the results. In order to justify the military's refusal to recognise the election results, the junta issued Order 1/90 which proclaimed that the duty of the elected representatives was nothing more than to draft a new constitution and that the military which held power under martial law was not bound by any constitution. As such, the military would hold power until it could ensure that a sufficiently strong constitution was in place.²

Despite the international opprobrium that this generated, Myanmar stood firm on its decision to reject the election. As Myanmar's political story unfolded, the junta certainly took its time in holding another election even as it prepared to join ASEAN. Myanmar's entry into ASEAN in 1997 generated much controversy for the regional grouping, during that period when ASEAN was about to celebrate three decades of successful regionalism with the entry of Laos, Cambodia and Myanmar, thus completing the vision of the ASEAN founders by having all ten countries in Southeast Asia comprising ASEAN. As a consequence, ASEAN's credentials were challenged on many fronts. First, ASEAN was criticised for its inconsistency and double standards particularly in relation to the entry of Cambodia into ASEAN around the same period. ASEAN had deferred Cambodia's membership as a result of the coup in 1997 but went ahead and admitted Myanmar in spite of protests about its poor human rights record. ASEAN's position was that while Myanmar's political conditions were regarded as internal matters of the state, Cambodia's case was not viewed as such. The coup in Cambodia

was regarded as one that had serious implications for ASEAN as a whole since it broke the regional norm of the non-use of force. As a consequence, ASEAN insisted that Cambodia meet certain conditions before its admission which included, among others, the holding of free and fair elections and the establishment of the Cambodian Senate. Second, while ASEAN had formed the ASEAN-Troika to deal with efforts at restoring political stability in Cambodia³, it did not initiate anything to deal with the political impasse in Myanmar. Thirdly, Myanmar's entry into ASEAN presented difficulties in the grouping's relations with its dialogue partners, like the European Union, which at that time refused to convene an ASEAN-EU meeting as doing so would mean legitimising the military regime in Myanmar.

It was not until 2003 that Myanmar's ruling regime, renamed the State Peace and Development Council (SPDC), unveiled the country's *Roadmap to Democracy*.⁴ The move was observed by many as its slow yet calibrated response, to growing pressure from the international community, including its ASEAN neighbours. The roadmap outlined seven stages starting: the convening of a National Convention to draft the constitution; taking the necessary steps to establish a democracy after the National Convention is concluded; the drafting of a constitution based on the principles laid down by the National Convention; a national referendum to approve the redrafted constitution; the holding of free and fair elections for a Parliament; convening of Parliament and the building of a modern, developed and democratic nation by leaders elected by the Parliament. So far, the regime has delivered up to fourth step with the holding of the national referendum in May 2008, shortly after the onslaught of a devastating cyclone that devastated much of the country. The November elections will represent the fifth step of the Roadmap.

In the lead-up to the election announcement, ASEAN member countries actively voiced support for the successful implementation of the roadmap. For instance, in March 2009 Thai Prime Minister Abisit Vijajiva, in his capacity as the Chair of ASEAN, called on Myanmar's regime to ensure that the Roadmap continued according to plan.

Interestingly, despite no explicit mention of Aung Sang Suu Kyi, the Thai Prime Minister noted that the release of political detainees would contribute significantly to the national reconciliation process, and that the participation of political parties in the elections should be encouraged. In April 2010 at the 16th ASEAN Summit held in Hanoi, Vietnamese Prime Minister Nguyen Tan Dung went further to say that ASEAN members were ready to help Myanmar when requested in the spirit of the ASEAN Charter. Also during the Summit, ASEAN Secretary General Surin Pitsuwan was quoted as saying that ASEAN Foreign Ministers gave their counterpart from “an earful from the opening dinner onward”.⁵ He also stated that Myanmar had to follow the Roadmap so that ASEAN’s integration into the world community could proceed without any problems.

Public Support, Private Pressure

The public statements of ASEAN members to offer electoral assistance to the regime are extremely interesting, especially in light of the earlier official statements which emphasized the need to hold the elections in a “fair, far and inclusive manner”.⁶ Thailand, Malaysia and Indonesia had, respectively, offered assistance in training election commissioners and the management of polling stations. ASEAN members also floated the idea of creating a special ASEAN envoy to discuss the elections with the Myanmar leader, as well having ASEAN observers at the election. Both suggestions were however rebuffed by Myanmar’s Government on the basis that outside help was not needed since Myanmar has had experience in holding elections. The ASEAN pronouncements, albeit muted, are nonetheless significant in more ways than one. Such open discussions about Myanmar’s elections appear to be a departure from ASEAN’s usual practice of quiet diplomacy.

One can even argue that the statements that came out of the recent ASEAN Ministerial Meeting in Hanoi reflect the implicit concern that Myanmar’s elections might be seriously flawed. For one thing, while comments were made encouraging the release of political detainees (without explicitly mentioning Aung Sang Suu Kyi), the pressure to

release her remains. The palpable unhappiness of the regional community with her continued detention and exclusion from the electoral process is reflected in the recent statement by Indonesian Foreign Minister, Marty Natalegawa, who said that “we can be quite strong behind closed doors...The junta cannot overlook the fact that ASEAN is on the record demanding Suu Kyi’s immediate release.”⁷

Aside from the debate about Suu Kyi’s exclusion, there is also concern about the exclusion of ethnic minorities from the electoral process. Although 37 political parties have been registered and approved, political participation especially among the diverse ethnic groups across the country is hampered by a number of constraints. Political parties seeking to represent ethnic minorities are prone to dissolution due to lack of resources.⁸ There is also the possibility, based on some pronouncements by the military junta, that elections may be cancelled in some ethnic areas, including areas linked to the Wa and Kachin groups, and the likelihood that this could be extended to other areas. In brief, not only is the outcome of the election expected to be heavily weighted in favour of the pro-junta Union Solidarity and Development Party (USDP) – a civilian reincarnation of military-backed Union Solidarity and Development Association (USDA) – but the allocation of a quarter of the reserved seats in Parliament for the military further casts a long shadow over the nature of the political transition unfolding in Myanmar.

Whither ASEAN’s Policy of Constructive Engagement?

Amid the cloud of doubt and skepticism surrounding the forthcoming elections in Myanmar, there are still many in the region who see this event as an opportunity for change that cannot be missed. ASEAN indeed has a high stake in the success of these elections if only to prove to the international community that its policy of constructive engagement toward Myanmar has borne some fruit. ASEAN has consistently stood by its troubled member in spite of the intermittent pressure from the international community to expel Myanmar from the grouping. Pressure has not only come from the outside but also from

within the regional community, particularly during the Saffron revolution in 2007 that showed the brutal treatment of Burmese demonstrators by the regime's military junta. The opprobrium hurled against the regime during that period severely dampened the excitement of the unveiling of the ASEAN Charter which took place just months after shootings of Buddhist monks were shown on television channels across the world. Cyclone Nargis was viewed as showing the callousness of military regime to the plight of Myanmar's citizens who were badly affected by the natural disaster. Instead of openly chastising the regime for the slowness of its response to an escalating humanitarian emergency, ASEAN closed ranks and found a way to engage the regime in order to facilitate the provision of direct aid to affected areas.

But has ASEAN's policy of constructive engagement on Myanmar been sufficient for ASEAN to realise its goal of establishing an ASEAN Political and Security Community? On the adoption of the ASEAN Charter in 2007, the sense emerged that after forty years, ASEAN finally had a constitution that spelt out clearly its institutional norms and values, which in turn would commit member states to the promotion of democracy, protection of human rights and human security.⁹ In a way, one can argue that the Charter has indeed provided the impetus for ASEAN to deepen its policy of constructive engagement on Myanmar. It has opened the space publicly to take Myanmar to task, to become more accountable for its actions and to address political problems at home which include the need to hold the long-awaited national elections.¹⁰ In fact, this modality has already been applied by ASEAN ministers and the ASEAN Secretary General in their respective statements regarding the forthcoming elections and in their pointed emphasis on offering electoral assistance in the "spirit of the ASEAN Charter".

Thus, while ASEAN and the rest of the international community continue to be anxious about the outcome of Myanmar's elections, the elections nevertheless offer a hope for change; indeed, for a small step forward in a long process of political transition.

¹ ASEAN Security Community Plan of Action, Vientiane, 29 November 2004. Available online: <http://www.aseansec.org/VAP-10th%20ASEAN%20Summit.pdf>

² “The Military and the its Constitution in Burma”, Burma Lawyer’s Council, Available online: <http://www.blc-burma.org>

³ For a detailed account of ASEAN’s initiatives in getting Cambodia to agree to its terms to restore political stability in the country, see Juanito Jarasa, “The ASEAN Troika on Cambodia: A Philippine Perspective”, in *The Next Stage: Preventive Diplomacy and Security Cooperation in the Asia-Pacific*, Desmond Ball and Amitav Acharya (eds.) (Canberra: Strategic and Defence Studies Centre, Australian National University, 1999), pp. 209-214.

⁴ “Myanmar’s Road to Democracy: The Way Forward”, Speech delivered by H.E. Khin Maung Win, Deputy Minister of Foreign Affairs, Union of Myanmar, 27 January 2004. Available online: http://www.burmatoday.net/burmatoday2003/2004/02/040218_khinm (accessed on 25 october 2010)

⁵ Larry Jagan, “ASEAN, Myanmar agree to disagree”, *AsiaTimes*, 27 July 2010, available online: <http://www.atimes.com/SoutheastAsia/LG27Ae02.html>

⁶ “ASEAN SG welcomes New of Myanmar Elections,” ASEAN Secretariat, 26 August 2010, <http://www.asean.org/25088.html>

⁷ Larry Jagan, “ASEAN, Myanmar agree to disagree”, *AsiaTimes*, 27 July 2010, available online: <http://www.atimes.com/SoutheastAsia/LG27Ae02.html>.

⁸ “Myanmar: Political Uncertainty Pushes Out Ethnic Minorities”, Reliefweb, 18 February 2010. Available online: [http://www.reliefweb.int/rw/rwb.nsf/db900sid/SKEA-82SKMN/\\$File/full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/SKEA-82SKMN/$File/full_report.pdf)

⁹ See the ASEAN Charter, available online: www.aseansec.org/21069.pdf

¹⁰ Mely Caballero-Anthony, “The ASEAN Charter: An Opportunity Missed or One that Cannot be Missed?”, *Southeast Asian Affairs 2008*, (Singapore: Institute of Southeast Asian Studies), pp. 71-85

China, India and Myanmar's Elections: Strategic Contest or Friendly Neighbours ?

Trevor Wilson *

China and India are normally regarded as the two countries with the most influence in Myanmar and the greatest stake in Myanmar's stability and steady economic, social and political development. They are certainly Myanmar's largest and most powerful neighbours and share long, porous and troublesome borders with Myanmar. Both have reasons for wanting Myanmar's 2010 elections to be "successful". However, each actively pursues a distinctive policy towards Myanmar and each has slightly different expectations of the outcome of the 7 November elections in Myanmar.

The extent to which China and India are actually exercising significant "strategic influence" in Myanmar is not absolutely clear, although it is often assumed that this is happening. The country with the largest interests at stake in Myanmar, using normal political and economic measures, is still Thailand; and the most consistent and discernible external influence over Myanmar comes through its membership of ASEAN, with which it possesses a myriad of formal and informal connections and with which Myanmar regularly – and, on the whole, effectively – seeks conformity.

Myanmar's current military rulers like to see their country as having strategic importance, not only in Southeast Asia but beyond, and they seem to expect major powers to respect this strategic position. Generally, this "strategic position" is articulated primarily in terms of geographic location. Not surprisingly, Myanmar's rulers are less happy when nations such as the United States or the UK display negative

* Trevor Wilson is a Visiting Fellow, Department of Political and Social Change, Australian National University and Former Australian Ambassador to Burma.

approaches to Myanmar's strategic actions, for example by imposing sanctions against Myanmar.

Myanmar's military regime clearly endeavours to use its close relations with its two largest neighbours in a strategic way, sometimes obviously – and clumsily – playing them off against one another, for example over off-shore gas exploitation permits in the Bay of Bengal. This occurs partly because China and India themselves sometimes seem to be playing a “strategic card” in their dealings with Myanmar. This is certainly the case with India, which has considerably fewer direct interests in Myanmar than China and which often openly acts as if it is seeking to counter Chinese initiatives. On the whole, Myanmar probably does not mind being the subject of some strategic competition between China and India, as this ensures that it gets a certain level of attention from both, and it is of course rather flattering to be the recipient of such attention. However, Myanmar occasionally over-estimates its capacity to influence its large neighbours in this way, and occasionally misplays its hand.

Some commentary about Myanmar also assumes that Myanmar's relations with China and, perhaps to a lesser extent, India always go smoothly and are problem free. Commentators sometimes imply that China and India will be able to impose their will on Myanmar, as a smaller and supplicant state. Most knowledgeable observers of Myanmar understand the situation to be more complex. A careful analysis of the relationship between the three countries identifies issues and instances where relations have been tested, where one or more sides has been annoyed and retreated to “lick its wounds”, and where anticipated benefits for one party have not materialised.

Myanmar-China Politico-Military Ties

China is by far the largest supplier of military equipment and weapons to Myanmar's military, with the army and air force both heavily dependent on Chinese weaponry.¹ This is slightly ironic: because before 1989 the Chinese-backed Communist Party of Burma was the Burmese

army's main enemy, and even many years later senior echelons of the military with personal experience of fighting against the Burmese Communists remained deeply mistrustful of China. China has also licensed the assembly or manufacture of Chinese weapons and military communications systems to Myanmar. Most of these systems are primarily defensive in character, consistent with the overall thrust of the Myanmar force structure. While the extent of China's supposed military influence over Myanmar is something that many outside Myanmar (including especially some commentators in India) are happy to exaggerate, it is almost certainly the case that China has no military presence in the form of bases of its own, or permanent deployment of personnel in Myanmar. ²

Myanmar-China Economic Ties

Many observers outside Myanmar exaggerate China's economic influence in Myanmar and the benefits it receives. China certainly values Myanmar's natural resources and has been ready to import large volumes of goods from forest products to minerals and energy with a minimum of environmental and other requirements. Rapidly growing border trade has also been worthwhile for both sides, with preferential arrangements set up for handling Chinese exports and imports. In the absence of development loans from international financial institutions because of the US veto over loans to Myanmar since 1988, China has become Myanmar's largest aid donor. Most recently China committed to provide a massive US\$4.2 billion loan to Myanmar during Head of State Senior General Than Shwe's State visit to China in September 2010.

China's development assistance to Myanmar has concentrated on infrastructure such as dams, roads, bridges and power stations, but with most projects helpful to the regime rather than necessarily benefiting to the wider population. Chinese trade and investment flows seem to be determined more or less by commercial principles. As one Japanese expert on Myanmar's economic development notes:

“China’s economic cooperation apparently supports the present regime, but its effects on the whole economy will be limited with an unfavorable macroeconomic environment and distorted incentives structure. As a conclusion, strengthened economic ties with China will be instrumental in regime survival, but will not be a powerful force affecting the process of economic development in Myanmar.”³

China has not always been happy with the military regime’s management of the economy and in the early 2000s was reluctant to provide more “loans” when Myanmar was unable to make repayments. This situation changed a few years later when revenue from off-shore gas sales to Thailand dramatically changed Myanmar’s foreign exchange position. This suggests that China’s most recent generous loan should be interpreted as indicating approval for the military regime leading into the election.

Myanmar-India ties

Myanmar’s post-independence ties with India have tended to be insubstantial and operate at a much lower level than Myanmar’s relationship with China. They are still considerably less developed than might have been expected. While India boasts a 1,640 kilometre border with Burma, this is between the least prosperous and least developed part of India (Mizoram) and the poorest state of Myanmar (Chin), so economic opportunities are limited; neither area is a high priority for the central government. Separatist movements on both sides of the common border complicate security policies. Historical factors have played a part in forming Indian policy towards Myanmar: both countries were colonies of Britain, for some time administered jointly; Aung San Suu Kyi lived and studied in New Delhi when her mother was Burma’s Ambassador to India in the 1960s and, partly because of India’s long-standing reputation as a promoter of democracy, India’s initial policy after the events of 1988 was founded on strong support for the pro-democracy opposition. Only after 1991, when India launched its “Look East”

policy, did Indian policy adopt a “pragmatic” approach of engagement with Myanmar’s military regime.

In the last 20 years, India has tried to develop broader economic and other ties with Myanmar, but Indian investment in Myanmar has not taken off, and trade has developed rather slowly. Total bilateral trade is now more than US \$1 billion, making India Myanmar’s fourth largest trading partner. Trade with India is in substantial surplus for Myanmar. However, Indian aid to Myanmar has not lived up to its promises, and commitments to improve road, rail and telecommunications links are only making slow progress.

It is hard to see where India’s policy shift has led to any significant direct benefit India. Even when India was favoured to win a sizeable off-shore gas prospecting permit, Myanmar’s authorities awarded a similar contract to China, which was entering off-shore gas for the first time. Cross-border problems in insurgency, narcotics smuggling and illegal people movement have at times soured relations. India-Myanmar military relations are also somewhat limited, although India has provided military training to army officers, and there have been regular military-to-military visits. At the same time, India is now much more cautious about openly criticising Myanmar, and tends to avoid giving the impression of “intervening” in Myanmar’s internal affairs.

India’s change of direction has left lingering doubts about the sincerity of India’s attitude towards Myanmar, as well as divisions in opinion inside India, fanned by a residue of sympathy for the pro-democracy movement. India’s pride in its free press allows consistently negative criticisms of Myanmar’s military regime to be carried across its media with impunity. Indian authorities are generally quite tolerant of the 70,000 Burmese who live in India, concentrated in the border state of Mizoram, many of whom engage in pro-democracy activism. India also hosts one of the leading pro-democracy media groups, Mizzima. Protests by these activists occur with some frequency forcing Indian security authorities to engage in ritual arrests and subsequent quiet releases.

While the Indian Government endeavours to pursue a fairly subtle and diverse policy towards Myanmar, it occasionally runs foul of the Burmese democracy movement. Although India has only supplied a small volume of military equipment to Myanmar in recent years, it was forced to suspend arms sales after 2006 when such sales were widely criticised. India has also been publicly attacked for not criticising human rights abuses in Burma and for not being more vigorous in condemning arrangements for the upcoming elections.⁴ Moreover, India's free press remains quite critical of Myanmar. This means the regime's misdeeds certainly do not escape attention in India, and thus Indian policy is not able to turn a blind eye to them.

Competition or Merely Friendly Ties? Where does the election fit in?

China and India have taken different positions on the forthcoming elections in Myanmar, reflecting the quite different circumstances of each. While purporting to avoid interfering or commenting on the internal affairs of Myanmar, Chinese spokespersons have made a number of statements about the elections, and some Chinese actions have betrayed a keen interest in the election outcome. China has, predictably, said it looks for stability and good governance to emerge from the elections; it has expressed confidence in Myanmar capacity to conduct an effective election, and significantly, it has not blocked statements by the UN Secretary-General Ban-Ki Moon criticising the elections and calling on the military regime to make the elections more inclusive and – ironically, given China's own poor record on this – to release political prisoners.

Conscious of its potential influence, China has engaged in regular and high-level dialogue with Myanmar in the months leading up to the elections, especially over the role of ethnic groups of Chinese origin (the Wa and Kokang groups on the northeastern border). But it has also “rewarded” Myanmar with a new large loan only two months ahead of the elections, an unmistakable sign that these elections are important and that China endorses the overall approach being taken by the military regime in Myanmar.⁵ To what extent the military regime's

present handling of the election is the result of Chinese ideas may be something we will never know.

China has one special interest in the elections, namely more effective integration of Chinese origin ethnic groups along the China-Myanmar border into the national polity of Burma. As the International Crisis Group's 2010 report states: "China does not consider the elections in Myanmar a challenge to its interests as long as they do not result in instability." ⁶ Beijing has long called for "national reconciliation" in Myanmar, by which it means *inter alia* the Government (of whatever colouring) and the Wa and Kokang groups negotiating a satisfactory long-term mutual accommodation involving some autonomy for the Wa and Kokang (who would prefer, but will probably not be granted, Hong Kong-style autonomy). Despite withdrawing its support for them as part of the Communist Party of Burma insurgency in 1989, China has stood by these groups by offering them certain access for their products to Chinese market, help with physical infrastructure and other assistance. It does not wish to have to interfere openly, or militarily, across the border, but expects all sides to exercise restraint and negotiate in good faith. However, it probably wonders if the military leadership in Myanmar can be relied on to resolve outstanding issues with the Wa and Kokang satisfactorily, given its inability during 2009-10 to conclude agreements with these groups on the eventual transition of their militia into a border guard force.

China will stand by Myanmar as long as the leadership pursues a reasonable approach to creating viable future political structures in Myanmar, but it would not want its support to be taken for granted by the military regime, or to be used to condone a deteriorating and ongoing political confrontation with otherwise peaceful anti-government elements. As a permanent member of the UN Security Council, China would also no doubt hope that it does not have to exercise its veto to defend the internationally and domestically unpopular military regime over any gross mis-handling of the election. It would not want to be hostage, in the UN context, to a major contretemps in the Security

Council which damaged China's international reputation for no obvious benefit to China.

India has taken a very low public profile on the elections consistent with its principled approach of avoiding comment on its neighbours' internal affairs, reflecting the fact that it does not have the same direct interests at stake as China. There are no significant Indian Government statements about the elections, for example, including during the state visit of Senior General Than Shwe to India in July 2010. This does not necessarily mean that India has not raised these issues in confidential conversations; however the impact of any representation is weakened if they are not mentioned albeit indirectly in the media. So there was, understandably, no mention of the elections in the joint statement issued at the end of Than Shwe's visit in July 2010, but neither was any indication of what might have been said in private provided through "background" press briefings, because on this occasion no such briefings took place. Presumably reflecting official thinking, one Indian commentator claims that the "outcomes" of the visit by Than Shwe should not be seen as endorsing the elections.⁷

Unlike in China, negative commentary about the motivation and process of Myanmar's elections has been quite widespread in India, and few analysts are prepared to defend the elections. Occasionally, an Indian observer acknowledges that the elections, while flawed, might be better than nothing.⁸ In reality, Indian Government pressure would probably have little impact on Myanmar's military leadership, so the absence of public pronouncements by the Indian Government makes little difference.

Myanmar's two neighbours are not really competing directly in Myanmar, and certainly not in the way sometimes portrayed. China would not wish its ties with Myanmar to be represented in this way, and would regard its close interest in Myanmar as justified by their 2,190 kilometre common border. But this is certainly how those relationships are generally portrayed from the Indian perspective. Whether from Government, business, non-government or academic commentators,

India's attitudes to Myanmar are almost always articulated through the prism of actual or potential Chinese influence in Myanmar, often viewed as threatening to Indian interests. Myanmar is sometimes described in Indian writings as a "de facto client state of China."⁹

China has the most to lose (along with Thailand) if this year's elections fail to deliver improved stability and satisfaction among particular ethnic communities, as this could potentially lead to a period of renewed tensions along Myanmar's borders, especially if affected ethnic groups were to seek sanctuary across the border. India-Myanmar relations, on the other hand, will not be affected greatly by the immediate election outcomes. Over time, India's interests will be better served with a government in Myanmar that is more effectively under civilian control than under direct military rule.

For its part, while Myanmar's current leadership seems to relish opportunities to play "the strategic card", it tends to over-estimate its ability to do so with its much larger neighbours. But the military regime almost certainly would not include the 2010 elections in its "strategic game plan" scenario with China and India.

¹ The best informed analyst of Burma's military is the Australian scholar Andrew Selth who has published extensively on the subject. His *Transforming the Tatmadaw: The Burmese Armed Forces since 1988* (Strategic and Defence Studies Centre, Australian National University, 1996) remains one of the best analyses available.

² See Andrew Selth's "Chinese Military Bases in Myanmar: Explosion of a Myth" Regional Outlook Paper No 10, Griffith Asia Institute, 2007.

³ See Toshihiro Kudo, "Myanmar's Economic Relations with China: Can China Support the Myanmar Economy?", IDE Discussion Paper. No. 66, Institute of Developing Economies/JETRO, Tokyo, 2006. p.7.

⁴ In June 2010 Amnesty International took the unusual step of accusing India of not recognising the extent of human rights problems in Myanmar in the lead-up to the 2010 elections: (Amnesty International Press Release, 19 June 2010, available online: <http://www.amnesty.org.au/news/comments/23239/>)

⁵ International Crisis Group, "China's Myanmar Strategy: Elections, Ethnic Politics and Economics", Asia Briefing N°112, Beijing/Jakarta/Brussels, 21 September 2010, available online:

<http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/B112-chinas-myanmar-strategy-elections-ethnic-politics-and-economics.aspx>

⁶ Ibid

⁷ C. S. Kuppuswamy, “Myanmar: Than Shwe’s Visit to India” South Asia Analysis Group Paper 3954, 30 July 2010, available online: <http://www.southasiaanalysis.org/%5Cpapers40%5Cpaper3954.html>

⁸ R. Swaminathan, “India-Myanmar Relations : A Review” South Asia Analysis Group, Paper no. 3480, 30 October, 2009, available online: <http://www.southasiaanalysis.org/%5Cpapers35%5Cpaper3480.html>

⁹ “China’s Ambitions in Myanmar” (International Institute of Strategic Studies, Strategic Comments, Volume 6 Issue 6, July 2000. London)

Biographies of Contributors

Mely Caballero-Anthony

Mely Caballero-Anthony is an Associate Professor at the S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore and Head of the RSIS Centre for Non-Traditional Security Studies. She is also the Secretary General of the newly established Consortium on Non-Traditional Security Studies in Asia (NTS-Asia). She is a member of the Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on the R2P, and the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS) network, and the Global Consortium on Security Transformation (GCST).

Morten B. Pedersen

Morten B. Pedersen joined the Centre for International Governance and Justice at the Australian National University as a Research Fellow in late 2008 from the United Nations University, Peace and Governance Programme, Tokyo. He previously worked as senior analyst for the International Crisis Group in Burma/Myanmar and consultant on Burmese politics and development affairs with the UN, the World Bank and the Conflict Prevention and Peace Forum.

Trevor Wilson

Trevor Wilson served as Australian Ambassador to Myanmar from 2000-2003. He retired in August 2003 after more than thirty-six years as a member of the Australian foreign service, and since October 2003 has been a Visiting Fellow on Myanmar/Burma in the Department of Political and Social Change, School of International, Political and Strategic Studies, Australian National University.