



**16,000 problems:  
recommendations for  
the new Myanmar**

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# Table of Contents

	<b>Page</b>
<b>Introduction</b> by Crystal Pryor .....	1
<b>A return to the barracks: US assistance in restoring civil-military relations in Myanmar</b> by Joseph Lin .....	5
<b>Black market jade and Myanmar’s bid to rejoin the international community</b> by Erik French .....	9
<b>Strengthening Myanmar’s biosecurity capabilities</b> by Kyaw San Wai .....	13
<b>Challenges to Myanmar’s energy security</b> by Aiko Shimizu .....	17
<b>(Demonstrated) silence is a virtue: severing Myanmar’s ties with the DPRK</b> by Tyler J. Hill .....	21
<b>Myanmar’s maritime security</b> by Maile Z. Plan .....	25
<b>Appendix A: About the authors</b> .....	A-1



# **Introduction**

## **By Crystal Pryor**

In 2007, writing for *Foreign Policy* on “Asia’s Forgotten Crisis,” Michael Green and Derek Mitchell reflected on the misplaced hope in the mid-1990s that Myanmar was undergoing substantive reforms. They contrasted Western governments’ policies of diplomatic and economic sanctions on the one hand with Asian states’ economic and political engagement on the other. They concluded that neither approach worked and that, “If anything, Burma has evolved from being an antidemocratic embarrassment and humanitarian disaster to being a serious security threat of its neighbors.”

Hopes for reforms are again sky-high. The military junta controlling the country released opposition leader Aung San Suu Kyi from house arrest in 2010, and Thein Sein used his presidency since 2011 to set major goals for reforms. In response, the US government under Barack Obama has eased sanctions against the country, and in 2012 Obama was the first US president to visit. Finally, with the landslide victory of Aung San Suu Kyi’s National League for Democracy (NLD) party in Myanmar’s first fair election late last year, the country has emerged from decades of political isolation onto the world stage.

What next? The potential upside of reforms is enormous. Myanmar carried out elections and tallied the results far more fairly and smoothly than anyone anticipated. The Parliament (Hluttaw) has become a real legislative force in recent years, and the military handed over power to Aung San Suu Kyi’s party, the NLD, on Feb. 1, 2016. In addition to these political developments, Myanmar has great economic potential given its location, abundant natural resources, and favorable demographics. The economy is growing, urban spaces are rapidly modernizing, and more people have cars and cellphones than ever before.

Yet as the Myanmar expression goes, the country still faces “16,000 problems” as it transitions from longstanding military rule and isolation into a democratic and integrated member of Southeast Asia and the world. Broadly, one can divide these into domestic and foreign policy challenges. This collection of articles originates from the Pacific Forum CSIS/Myanmar Institute of Strategic and International Studies US-UK-Myanmar Nonproliferation Dialogue in Yangon in December 2015 and addresses several of these challenges. Throughout all runs the thorny issue of civil-military relations in Myanmar. After more than half a century of military rule, the majority of Myanmar citizens have never experienced democracy. As they struggle to redefine their political system, there are many ways the international community can bolster reform efforts and prevent the kind of backsliding that occurred in the mid-1990s.

### **Domestic challenges**

At the highest levels, how Myanmar will transition from decades of junta rule to a popularly elected leadership and who will serve as the country’s president are open questions. (The current Constitution bars Aung San Suu Kyi from being president

because her children have foreign nationality.) [Editor's note: on March 30, Htin Kyaw, a long-time confidant of Aung San Suu Kyi was sworn in as president of Myanmar.] As Joseph Lin emphasizes, de-politicization of Myanmar's military (the Tatmadaw) will not be easy. It will require no less than a fundamental shift in the Tatmadaw's identity and culture. Erik French addresses the illicit commercial activity surrounding the jade industry, especially the Tatmadaw's involvement in jade smuggling and racketeering.

Kyaw San Wai identifies biosecurity as a critical issue for Myanmar given the challenges posed by infectious diseases, a struggle made more difficult by a chronically neglected healthcare system, conflict, irregular migration, and other factors. International cooperation on biosecurity can help Myanmar shore up its capabilities which will have benefits in public health, scientific innovation, and national security.

Myanmar also faces high levels of poverty, particularly in rural areas. It will have to deal with increased energy demand as the country modernizes. Aiko Shimizu suggests development of renewable energy sources to make electricity more accessible and to reduce the negative impacts of climate change.

Myanmar must deal with the military groups that are fighting in its long civil war, especially along its border with China. The interrelated issues of center-periphery relations, federalism, and national reconciliation are major barriers to reform and ending the conflict. Nevertheless, the NLD with its popular mandate may be able to surmount longstanding tensions in a country with more than 100 ethnic groups. In a speech on Jan. 4, 2016, Aung San Suu Kyi made establishing peace with Myanmar's ethnic minorities the most important goal of the new government that her party will control.

Myanmar can learn from other countries dealing with democratic transitions and ethnic conflicts to find a way to manage the process peacefully and effectively. The struggles and successes of other ASEAN countries like Malaysia and the Philippines could be helpful. In fact, as Myanmar sheds its authoritarian past, it could also serve as a model for other non-democratic countries in ASEAN.

### **Foreign policy challenges**

Diplomatically and economically, Myanmar must find its place among ASEAN countries, China, India, Japan, and the West. As a small but strategically located country, Myanmar has to balance its interests in the West and East, and other countries' interests in it – be they strategic or economic. China is the largest investor in and largest trade partner of Myanmar, which makes some other countries wary. One way Myanmar can win over the West is to cut ties with North Korea. Tyler Hill notes that contrary to other challenges confronting Myanmar, the “North Korea problem” is not premised on the issue of capacity. He proposes the Burmese leadership affirmatively and transparently terminate its ties with the DPRK.

The recent changes in Myanmar also present a historic opportunity for the United States and Japan. As was noted during the Pacific Forum's December 2015 US-UK-Myanmar Nonproliferation Dialogue, the United States has been Myanmar's "sanctioner-in-chief" and Japan is its "lender-in-chief." The United States and Japan would do well to coordinate their policies toward Myanmar, and the people of Myanmar have positive feelings toward both countries. Because Myanmar looks to them for its development and reintegration with the international community, a shared vision of Myanmar's future and the best way to achieve it will have great impact. In particular, the US and Japan need to ensure that Japan's financial investments do not undercut remaining US sanctions against Myanmar. The two countries should also reaffirm the reasons for their policies toward China and North Korea.

Myanmar is pursuing cooperation with external players. As Maile Plan argues, taking an active role in regional organizations such as ReCAAP and ASEAN would give Myanmar a unique opportunity to join multilateral maritime security initiatives and learn best practices to secure its ports and maritime boundaries. Participation in anti-piracy operations to protect its growing trade is indicative of Myanmar's commitment to responsibly integrate with and contribute to the international community.

Aung San Suu Kyi has been the most vocal proponent of democracy in Myanmar, but other key individuals in business, politics, and NGOs must speak up as well. The leadership of Myanmar must continue to clarify its policy priorities, as well as how other countries can best assist it. The 2015 election was not a happy ending but a happy beginning. Now the real work starts. The international community should support Myanmar's reform efforts in a coordinated way, unlike the previous decade, which oscillated between carrots and sticks. ASEAN, major countries in the region, Europe, and the United States all have a role in helping Myanmar tackle its 16,000 problems.





## **A return to the barracks: US assistance in restoring civil-military relations in Myanmar**

By Joseph E. Lin

In late December, Chaw Sandi Tun, an activist in Myanmar, was arrested and [sentenced](#) to six months in prison. Her crime? A Facebook post observed that the color scheme of the Myanmar military's new uniforms matched those of democracy icon Aung San Suu Kyi's traditional *longyi* skirt.

Tun's arrest, and those of other activists and [journalists](#) over the last year, are sobering reminders that even after the stunning victory of Suu Kyi and the National League for Democracy (NLD) in November, Myanmar had a long way to go in its transition from military dictatorship to liberal democracy. Indeed, after the NLD established its new government in March, Myanmar's military, known as the Tatmadaw, retained considerable political power and influence.

Myanmar's democratization will ultimately require the Tatmadaw to relinquish its role in politics and "return to the barracks." Both will be extraordinarily difficult to accomplish given the military's decades of political entrenchment and the current constitution. In the near term, this means that the military must decide that the benefits of surrendering political control outweigh the costs of retaining the status quo. US policymakers can help alter this calculation through a combination of gradual sanctions relief and other economic incentives. In the long run, however, the Tatmadaw's permanent de-politicization – critical to any lasting democratic transition in Myanmar – requires a fundamental shift in its identity and culture. They must view themselves as a professional military subservient to Myanmar's civilian leadership, a role in which launching a coup is unthinkable. There is much the United States can do to transform the Tatmadaw, beginning with the resumption of limited and targeted military-to-military relations. This complex balancing act will require vigilance and flexibility on the part of US policymakers.

### **Only a partial transition**

The NLD's performance in Myanmar's parliamentary elections stunned the incumbent Union Solidarity and Development Party (USDP) and international observers alike. It [won](#) just shy of 80 percent of the contested seats, performing strongly in both urban and rural areas. After six decades of brutal military rule, such progress is remarkable. Yet, in important ways, Myanmar's democratic transition remains incomplete and [short](#) of a "[Myanmar miracle](#)."

The new NLD government's reach will be constrained, largely limited to matters of economic and social policy. Under the current constitution, which the military drafted in 2008, the armed forces are guaranteed 25 percent of all seats in Parliament, allowing it

to veto any changes to the constitution, which requires approval by more than three-quarters of Parliament. This means that Article 59F, which prevents Suu Kyi from becoming president because her two sons hold foreign citizenship, will almost certainly remain. On national security policy, the military will also retain near-absolute control. In addition to appointing the heads of the three key security ministries – defense, home affairs, and border affairs – it will occupy five of the 11 seats on the National Defense and Security Council.

Given the opacity of the Myanmar military and its historical [repression](#) of democracy activists, it remains unclear how the military will respond to the new government. Following the election, the military's commander-in-chief, Sr. Gen. Min Aung Hlaing, met with Suu Kyi, and his comments since then have been ambiguous. In a subsequent Facebook [post](#), he stated that “whichever government is in office and whichever political system is adopted, the main duty of the Tatmadaw is national defense.” Similarly, in a rare [interview](#) with the *Washington Post*, he remained noncommittal about the possibility of cooperating with the NLD and transitioning greater authority to a civilian government.

### **Protecting democracy's precious gains**

Nonetheless, Myanmar's current generation of military leaders may be the next best thing in comparison to reform-minded idealists: ruthless pragmatists principally concerned with stability and institutional preservation. Their decisions to transition from junta to quasi-civilian government in 2011 as well as acquiesce to November's elections reflect a recognition that past practices were no longer sustainable. Decades of disastrous socialist experimentation and isolation from the West led to an uncomfortable [dependence](#) on China and one of the most [impoverished](#) countries in Southeast Asia. By acceding to the West's demands for representative government and greater respect for human rights, the military is betting that Western governments will respond by lifting sanctions and encouraging international donor assistance.

Such a pragmatic streak means that the right incentives could entice the military to further withdraw from politics. The most obvious of these are the temporary lifting of select US sanctions against Myanmar, which restrict a wide variety of activities including trade, financial services, visas, and foreign assistance. Just such reasoning motivated the US government's [decision](#) in December to temporarily lift certain trade-related sanctions for six months in order to give a boost to the new NLD government. Extending such sanctions relief to enable greater levels of foreign direct investment, for instance, could convince the military that the fruits of democratic transition are well worth the surrender of additional political power.

Such carrots must not be unconditional. It is far too early to permanently remove the existing sanctions regime against Myanmar, which was first implemented following the junta's violent suppression of democracy activists in 1988. Keeping such a legal framework in place allows the US government to condition sanctions relief on

demonstrated progress toward democratization and to respond quickly to any regressive, anti-democratic actions by the military.

### **Transforming civil-military relations**

Sanctions relief alone, however, is insufficient for fostering a democracy safe from the threat of future coups and resolving the so-called “[civil-military problematique](#).” The complex task of professionalizing the Tatmadaw will take years to achieve, requiring a transformation of the military’s institutional identity and culture. After decades of seeing itself as the guardian of the nation, it must learn to trust Myanmar’s civilian leaders to act in the national interest, in spite of the messiness of democratic politics.

Such transformations are not impossible, as evidenced by dictatorships-turned-democracies throughout the world. To assist this process, the United States should reengage with the Tatmadaw in a judicious and targeted manner, a move welcomed by many of Myanmar’s neighbors. Speaking shortly after the November elections, Gen. Vincent Brooks, commander of the US Army Pacific, [noted](#) that “the region really wants the United States to engage Burma and help them move forward.”

A key element of this engagement will require the United States to partially waive current legal sanctions on military assistance and restart its International Military Education and Training (IMET) program, which it canceled following the 1988 crackdown on democracy activists. Jointly run by the US Departments of State and Defense, [IMET programs](#) provide training to foreign military officers to promote greater professionalization and closer defense ties with the United States. At institutions such as the Naval Post-Graduate School and the Daniel K. Inouye Asia-Pacific Center for Security Studies, students [learn](#) how militaries can function effectively under civilian control as well as the importance of respecting human rights and international laws of war during military operations. Such training can pay strategic dividends in the long run.

Critics will argue that such assistance rewards an organization notorious for committing [human rights abuses](#) as part of its decades-long [counter-insurgency](#) against dozens of ethnic militias. Yet, the persistence of these violations is precisely why targeted engagement by the US military through IMET is so critical. Significant changes in the Tatmadaw’s operational conduct are unlikely to come about organically; training on human rights, humanitarian assistance, and military justice is needed. As Priscilla Clapp, a former US charge d’affaires in Yangon, has [argued](#), “We need to reach into the organization of the military and help educate people and expose them to new ideas.”

In addition to training on human rights, democratic values, and civil-military relations, US military engagement could also help bring about practical reforms to the Tatmadaw that could help resolve its many ethnic conflicts. Stanley Weiss, a long-time Myanmar-watcher, has [identified](#) several such opportunities, including incorporating ethnic minorities into the predominantly Burman military and eliminating counter-productive policies that unintentionally lead to increased civilian conflict.

As part of this reengagement, the United States should also consider expanding the defense attaché office in its Yangon embassy, which until now has just a handful of staff. Unlike other Western countries, the United States never withdrew its defense attachés, so there exists a strong institutional foundation on which it can build. Military-to-military relations are an important component of building trust between the Tatmadaw and the US military as well as a way to gain a better understanding of the attitudes of the Myanmar military toward political reform.

## **Conclusion**

For the first time in decades, Myanmar may become a stable and mature democracy. For this to succeed, however, the Tatmadaw must be willing to surrender its remaining role in politics and “return to the barracks,” an extraordinarily difficult task given the country’s six decades of military rule. In the near term, the military must decide that the costs of retaining the status quo outweigh the benefits of relinquishing political control. In the long run, this requires a fundamental shift in the Tatmadaw’s identity and culture, such that they view themselves strictly as a professional military subservient to Myanmar’s civilian leadership. On both fronts, there is much that US policymakers can do through gradual sanctions relief and select military engagement to support Myanmar’s path to democracy.

# **Black market jade and Myanmar's bid to rejoin the international community**

By Erik French

Globalization and liberalization appear to be gathering momentum in Myanmar following the initiation of democratic reforms in 2011 and victory of Aung San Suu Kyi and her National League for Democracy (NLD) in the 2015 elections. Many hope that these developments herald Myanmar's return to the international community after a long period of isolation. If Myanmar is to truly reintegrate into the international community, however, the NLD must address the illicit commercial activity surrounding the booming jade industry in Hpakant township in Kachin State and the Wa Self-Administered Zone in Shan State. The industry's criminal underside threatens Myanmar's effort to shed its legacy as an international pariah and court partners and investors.

## **The illegal jade trade**

Myanmar's jade industry is a hotbed for criminal activity, including "handpicking," drug trafficking, smuggling, racketeering, and corruption. "Handpicking" refers to the illegal harvesting of jade from unstable mine waste piles. Thousands of impoverished migrant workers operate in these treacherous conditions without supervision or safety provisions. In November and December 2015 alone, two major landslides in Hpakant killed as many as 165 handpickers, highlighting the human costs of this illicit commerce.

Myanmar's jade extraction is also closely linked to narcotics trafficking. At the highest levels of the industry, the owners of several major mining enterprises, including Steven Law and Wei Hsueh Kang, are allegedly involved in the heroin trade. The connection to narcotics trafficking also exists at the lowest levels of the jade industry: heroin addiction is widespread among miners and handpickers. The sharing and reuse of needles has contributed to an HIV epidemic of staggering proportions. Roughly 90 percent of addicted miners are reportedly infected.

Major mining enterprises – owned and operated primarily by Chinese and Tatmadaw-backed firms – are also involved in criminal activity of a different kind: jade smuggling into China. Around 50-80 percent of the jade produced in Myanmar is smuggled straight to China, ensuring that much of the wealth from the industry (which produced as much as \$31 billion in 2014) escapes taxation. This robs the country as a whole and Kachin state in particular of one of their largest potential sources of revenue, undermining state capacity and fueling regional ethnic unrest.

Racketeering and corruption are also pervasive in Myanmar's jade trade. Myanmar's military (the Tatmadaw) and the separatist United Wa State Army and Kachin Independence Army are allegedly involved in protection rackets in their respective zones of influence, offering security to small producers and traffickers in exchange for a share of their profits. The Tatmadaw also skirts the law in contract administration; the Tatmadaw's long-standing control of the government – first under the

junta and then under their proxy party, the Union Solidarity and Development Party – has resulted in a corrupt and opaque concession-allocation process that benefits the military and its proxy businesses.

### **Obstacles to reintegration**

The illegal jade trade will create major challenges for Myanmar's efforts to reintegrate into the global community, both socially/normatively and economically. Illicit jade production and trafficking will continue to undercut Myanmar's efforts to repair its international reputation, particularly among those states, donors, and international organizations concerned with human rights, labor conditions, public health, and government corruption. Many of the problems associated with illicit jade trade will lead to the public "naming and shaming" of Myanmar in international fora, undermining Myanmar's effort to turn over a new leaf in the international community.

Myanmar's booming illicit jade industry is also likely to undermine its reintegration into the global economy. In particular, the widespread illegal commerce surrounding jade extraction creates significant political, compliance, and reputational risks for prospective investors. New investors in Myanmar already face serious challenges in terms of due diligence; the recent experiences of Coca Cola and Caterpillar illustrate how the jade industry only adds to the existing risks and costs of doing business in Myanmar. Firms must be wary of whom they partner with, lest they end up in violation of US sanctions, embroiled in a domestic corruption scandal, or the target of negative publicity for links to illicit jade. These risks make Myanmar less attractive for investors which in turn will make it more difficult for Myanmar to rejoin the global economy.

### **Roots of the problem: institutional deficiencies**

Black market jade trafficking is rooted in enduring, structural deficiencies in Myanmar that will take long-term reform to resolve. The first and foremost deficiency is Myanmar's civil-military relations. Although the NLD has taken power in Parliament and the presidency, the Tatmadaw retains control of three critical security ministries (the Ministries of Defense, Home Affairs, and Border Affairs), the office of commander-in-chief, a majority of the seats on the National Security and Defense Council, and 25 percent of the seats in Parliament. These constitutional privileges give the Tatmadaw a great deal of power and autonomy and are unlikely to be amended in the near future given the need for a 75 percent majority to pass an amendment. Without control over the Ministries of Home and Border Affairs, the NLD will have no authority to crack down on smuggling, handpicking, or drug peddling in the jade industry without the consent of the military. Given the vested interests of many Tatmadaw officers in this industry, the deck is stacked against fundamental reform.

On top of imbalanced civil-military relations, Myanmar suffers from chronically limited state capacity. The police and the Ministry of Mining have limited ability to implement and enforce the law in Kachin State given ethnic violence and limited

resources and manpower. The prospect of monitoring hundreds of mines and thousands of miners in a restive region poses a formidable challenge to Myanmar so long as its government and police forces remain understaffed, undertrained, underfinanced, and plagued by corruption.

### **The way forward: baby steps**

In the near term, the NLD can take a number of incremental steps to address black market jade. First, the NLD should bolster security at mining waste sites to reduce illegal prospectors' access to these dangerous areas. Deputy Minister of Mining Than Tun Aung has promised to crack down on handpickers; the new government must ensure he sticks to his word. More broadly, however, Parliament must focus on measures that can provide viable alternative livelihoods for these workers.

Second, the NLD should begin a concentrated addiction-treatment campaign aimed at mine laborers and migrant workers in partnership with international donors. The heroin epidemic in the Hpakant area is appalling, but will not require fundamental institutional reform to address – measures can be taken immediately with the help of international civil society.

Third, the NLD should improve oversight in the administration and renewal of mining contracts to cut down on corruption. Reviewing and renegotiating existing contracts, as a number of human rights groups have suggested, may be politically infeasible due to Tatmadaw opposition; but the NLD can control the issuance of new contracts and should do everything possible to ensure the integrity of the process.

To truly address these problems, however, Myanmar will need more than minor policy initiatives. Smuggling and racketeering will continue as long as the democratically-elected Parliament lacks control and oversight over the police, border security, and Tatmadaw. To confront the threat posed by the jade industry to its efforts to reintegrate into the international community, Myanmar will require painful and protracted institutional reform to build a modern civil-military relationship, bolster state capacity, and weed out corruption. These reforms will need to be undertaken incrementally alongside economic development, and will need support, guidance, and patience from the international community.





## **Strengthening Myanmar's biosecurity capabilities**

By Kyaw San Wai

As Myanmar continues its political and economic liberalization, it has stepped up efforts to join and ratify a number of international agreements. In December 2014, it ratified the Biological and Toxin Weapons Convention (BTWC) and, in July 2015, the Chemical Weapons Convention. This highlights Myanmar's seriousness in becoming a responsible and constructive member of the international community.

By ratifying the BTWC, Myanmar promises not to develop, produce, stockpile, acquire, or retain biological agents and weapons. This removes the risk of using such weapons along with that of accidental release or theft of dangerous biological agents. While this is an important step in improving the country's biosecurity, more should be done. Biosecurity – minimizing the effects of bioterrorism and the outbreak of infectious diseases of pandemic potential – will be a global issue in the 21st century. Myanmar's public health challenges, geography, and increasing interconnectivity all contribute to the need for robust biosecurity capacities.

As one of the poorest countries in Asia, infectious diseases are a real problem in Myanmar. According to the World Health Organization, it has one of the highest prevalence rates in Asia and thrice the global average: an estimated 180,000 adults and children developed tuberculosis in 2011. Myanmar also has a high disease burden and mortality rate from malaria, with the WHO estimating 680,000-1.9 million cases in 2013. Worryingly, multidrug-resistant (MDR) and drug-resistant (XDR) forms of malaria and tuberculosis have been reported. Around 210,000 people are infected with HIV, including 20,000 co-infected with tuberculosis. Dengue fever is also experiencing a major epidemiological shift across Southeast Asia and now poses a greater challenge. Myanmar saw a doubling of infection rates between 2014 and 2015 to more than 10,000 cases in the first six months of this year, despite a nationwide preventive campaign.

The impact of communicable diseases is amplified by a chronically underfunded public health system, conflict, poverty, internal displacement, porous borders, and irregular migration. Myanmar's location along migratory bird routes and near emergent disease hotspots also makes it vulnerable to zoonotic epidemics and pandemics. The Myanmar government did not report cases of Severe Acute Respiratory Syndrome (SARS), but at least one human case and three outbreaks of H5N1 in livestock have been reported in rural areas since 2006. The country also experienced over 60 cases during the 2009 H1N1 pandemic.

Bioterrorism is a low probability, high consequence threat. Yet incidents such as the 2001 anthrax letters, the Iraqi biological weapons program under Saddam Hussein, and Al Qaeda's alleged biological weapons program have kept it on the agenda of governments. Agencies are exploring ways to regulate dual-use research, ensuring adherence to biosafety protocols, vetting researchers, expanding bio-surveillance, and improving medical countermeasures, such as vaccine stockpiles. Myanmar's aspirations to be a trade node mean it will need to bolster monitoring, including bio-surveillance, at

ports and land checkpoints so that transnational criminal and smuggling networks cannot exploit connectivity projects for nefarious means such as the transit of dangerous biological agents and toxins.

The main obstacle to strengthening biosecurity capacity is the lack of human, technical, and material resources. Agencies such as the Ministry of Health's Department of Medical Research and the Ministry of Science and Technology lack trained staff and adequate access to modern equipment due to sanctions. The health and education sectors suffer from chronic neglect under previous governments, hampering efforts to build a talent pool to operate and expand Myanmar's biosecurity and bio-surveillance infrastructure. The high disease burden also means that few resources can be spared for projects beyond the scope of traditional infectious diseases.

Myanmar has two Biosafety Level 3 (BLS-3) laboratories – one in Yangon and one in Mandalay – and another one planned in Taunggyi. The labs serve as tuberculosis reference libraries, but their roles have expanded to rapid diagnosis of emerging disease threats. There is a need to ramp up their expertise, capacity, and capabilities: some suspected tuberculosis samples are sent to Thailand for testing due to limited capacity, and when a suspected case of Ebola was detected at Yangon International Airport in August 2014, the samples had to be flown to Germany for testing. In discussions, staff from the Ministry of Health stress that Myanmar lacks the capacity and expertise to tackle pandemics and that more resources are needed to address familiar infectious diseases.

There are a number of platforms that Myanmar can use to bolster its biosecurity capacities. The recently-launched Global Health Security Agenda, which focuses on preventing, detecting, and responding to infectious disease threats and includes many of Myanmar's neighbors, is one. There is also growing multilateral interest in biosecurity at the regional level that Myanmar should use. For instance, the US Department of Defense's Asia-Pacific Center for Security Studies, the Philippines' Department of Health, and the National Defense College of the Philippines co-hosted a workshop on "Biosecurity in Southeast Asia" in November 2014, involving eight Southeast Asian nations. The "Multilateral Strategic Dialogue on Biosecurity" involves government agencies and research institutions from the United States and certain Southeast Asian states. Recognizing that biosecurity is becoming a major international issue and exploring avenues for cooperation will enable Myanmar to benefit from the pooled resources and expertise to identify issues, weak spots, and opportunities.

BTWC ratification also paves the way for foreign academic and research institutions to collaborate with Myanmar universities on biotechnology research. Building the capacity of Myanmar's BSL-3 laboratories will enable faster disease testing and provide training opportunities. Myanmar is aiming to achieve universal health coverage by 2030, and the expansion of public health infrastructure to meet this objective can incorporate guidelines and resources that can be easily mobilized for biosecurity emergencies. Improved surveillance networks can better monitor and report familiar and novel emergent diseases faster, and a robust community health worker network can be utilized for vaccinations and other responses.

As a developing country that has recently opened up to the world, Myanmar has a laundry list of issues to tackle. In the health arena, the emphasis will be on familiar communicable diseases due to the staggering number of Myanmar people affected annually. Strengthening biosecurity capabilities to tackle emerging infectious diseases or possible bioterror threats occupies a low rung on Naypyidaw's agenda. As the country works on achieving universal health care, however, it would be beneficial to do so because these foundations and resources can serve more than one purpose. In short, improving the country's biosecurity capacities will go a long way and have multiple benefits, contributing to public health, scientific innovation, and national security.



# **Challenges to Myanmar's energy security**

By Aiko Shimizu

With an abundance of resources yet to be tapped, a location strategically sandwiched between two economic giants – China and India – and recent opening to the world, Myanmar is on track to become a major player in Asia's energy security. Yet the Southeast Asian nation must overcome numerous challenges before it can achieve this role, and implementing regulations that attract financial investments in infrastructure and reforming the energy sector will not be enough. To create an investment-friendly environment to achieve energy security for the long-term, Myanmar must also manage internal ethnic conflicts and juggle its relationships with China and the West.

Since 2011, the quasi-civilian government under President Thein Sein has undertaken a number of economic and political reforms that were designed to stimulate Myanmar's economy, attract foreign investors, alleviate poverty, and create a path toward sustainable growth. Addressing energy challenges was a part of these measures as Myanmar's economy is highly dependent on its energy sector. In 2012, the president pledged to reduce government control of a number of sectors including energy. A few months later, he approved the Foreign Investment Law, which aimed, among other things, at ensuring the extraction and export of natural resources for the benefit of its own people and the development of infrastructure for energy production and electricity generation.

These reforms produced remarkable results. As Myanmar opened after a long period of isolation, relations with other countries improved. International powers removed sanctions and reestablished diplomatic relations with the nation.

More importantly, the reforms stimulated Myanmar's economy. Since the beginning of reforms in 2011, Myanmar's economy has grown at about 6.5 percent. Foreign direct investment (FDI) in the country has increased from \$900 million to \$2.3 billion between 2010 and 2013. According to the government, Myanmar's FDI was over \$8 billion by March 2015. Companies like General Electric began to invest in Myanmar and announced plans to operate businesses there. This increase in foreign investment was especially significant in the oil and gas sectors: 35 percent of FDI entered the energy sector, the majority share of the country's FDI. International investors entered into partnerships to begin exploration. India's Reliance Industries (RIL) and national oil company Myanmar Oil & Gas Enterprise (MOGE) signed a production sharing contract (PSC) for two offshore blocks in the Tanintharyi basin. Unocal Myanmar Offshore Co, a subsidiary of Chevron, also signed a PSC with MOGE for oil and gas exploration in the Rakhine Basin. Such partnerships pave the way for Myanmar to become a major regional player in this sector.

Numerous challenges hinder Myanmar's quest to achieve energy security.

First, while foreign energy companies have signed contracts with the MOGE for oil and gas exploration in Myanmar, military control of natural resource sectors persists. Often this comes in the form of front companies – companies that are created to protect parent companies from liability.

Second, although the 2011 reforms have stimulated foreign investment, Myanmar's energy infrastructure is poor due to years of underinvestment arising from sanctions and weak governance. While Myanmar has an abundance of energy sources and energy exports are a driver of the economy, energy is not benefiting its own people, as most production is exported to neighboring countries like China, India, and Thailand. Many people in Myanmar experience power outages due to poor infrastructure and inadequate supplies. As a result, Myanmar has one of the lowest electrification rates in Asia: only about a third of the population has access to electricity.

Third, recent trends in the global economy hurt Myanmar's resource-dependent economy. Declining global oil prices and collapsing credit have slowed many exploration projects. Many foreign oil companies have expressed disappointment with the progress of the blocks that they secured.

Fourth, while Myanmar's reforms and the opening of its economy have brought positive results in its domestic economy and foreign relations, it has increased tensions with the country's biggest neighbor and investor, China. During Myanmar's isolation, China was its greatest economic and political ally. Although some of China's investments were controversial, Myanmar reaped great economic rewards from them. Today, China is still the top investor in Myanmar, with Chinese FDI totaling over \$14 billion and the majority of it going into energy and mining industries. In this sense, Myanmar's economy is still heavily reliant on Chinese investment. As global firms entered Myanmar, China called for the protection of Chinese companies' rights – such as in 2011 when Myanmar suspended construction of the \$3.6 billion Myitsone hydroelectric dam project that the state-owned China Power Investment Corporation was to build in Kachin state in northern Myanmar.

Moreover, some energy projects are located in areas where there are frequent clashes, especially along the Chinese border. For decades, minority groups have fought for greater political autonomy in Myanmar; many fights were over control of natural resources that China has tried to exploit through its investments. Since 2011, the government of Myanmar has called for a nationwide ceasefire, but peace talks have been fitful and clashes have continued, especially in Kachin. As China has major stakes in this region, it has called on both the rebel groups and the government of Myanmar to speed up the peace process. Such security risks also impact the willingness and ability of other foreign companies to invest and operate in these areas.

At the same time, the slowdown in China's economy has reduced its appetite for Myanmar's energy sources. For example, China National Petroleum Corporation invested \$1 billion in a pipeline in Myanmar's Shwe field in the Bay of

Bengal, but the economic downturn has led to the pipeline operating at under half its capacity. Today, Myanmar is earning \$4 billion per day less than at the beginning of 2014. The 2011 reforms meant increasing investment from nations other than China and decreasing dependence on China, especially when China's contribution to Myanmar's economy through energy exploration had lessened. This increasing economic interdependence with the rest of the world and decreasing reliance on one country (China) has created a new dimension in the geopolitics of energy for Myanmar.

As the country welcomes a new civilian government, energy security will remain a key issue for the National League for Democracy (NLD). While this will not be an easy task, it presents an opportunity for the new government to legitimize itself in the eyes of its citizens who seek improvements in their lives and to bring the nation toward sustainable development. Continuing the efforts of the outgoing government to create and implement regulatory reforms to attract investment in infrastructure development and sectors such as energy will play a major part in this, but fostering an investment friendly climate cannot be accomplished by policy and regulatory reform alone. Equally important, the new government must simultaneously address traditional security issues that affect its ability to achieve energy security. Two key issues are the continuation of the peace process in Myanmar and balancing engagements with China and the West.

The new government will have to juggle the geopolitical complexities erected by the 2011 reforms. In other words, Myanmar will have to continue forging new ties with other countries while maintaining its relationship with China. Although foreign sanctions are unlikely to tighten (they would either remain as is or be suspended), the new government must continue to foster diplomatic relations with the international community. Progress in the country's peace process will play a large part in improving Myanmar's international image and the strengthening of ties with the rest of the world. For example, while Aung San Suu Kyi has remained silent on the issue of the persecution of the Rohingya people, she and her party cannot ignore this important issue once they are in power. Addressing it will present an opportunity for the new government to gain legitimacy within the international community and to improve its image, which could be leveraged for attracting foreign investment. After all, without a physically secure environment and the assurance that employees' rights would be respected, foreign companies would find Myanmar too risky. Companies, especially in the extraction industry, have become increasingly sensitive to corporate social responsibility as well and would not want to be seen as investing in a country that does not respect human rights.

Still, cutting ties with China would ignore Myanmar's economic and political realities. Although China's demand for Myanmar's energy sources may be declining, Myanmar still needs Chinese investment to sustain its own economy. Second, although the NLD won a landslide victory in the 2015 elections, the military still controls 25 percent of the Parliament and the country's key sectors. This means that the NLD must work closely with the military to maintain domestic stability. Central to stability is avoiding conflict with China. China should welcome the NLD's

victory and hope for continued improvement in relations between Myanmar and other nations. While a stable Myanmar will benefit other countries that are also trying to gain access to Myanmar's energy markets, China's explorations have been hampered by instability and conflict in Myanmar. As the NLD, which is known to value the liberal democratic principles that the West champions, tries to improve Myanmar's international image, China can be reassured of physical security in operating its businesses. In this sense, China and the West have a shared interest in Myanmar's stability and peace.

If Myanmar is to achieve energy security, it must not focus on the energy sector alone. Because the country's energy future is deeply tied to its security, the new government should not separate reforms in its energy sector from security more generally.



## **(Demonstrated) silence is a virtue: severing Myanmar's ties with the DPRK**

By Tyler J. Hill

Myanmar's transition from military rule to a civilian-led liberal democracy has drawn praise from the international community, and with good reason. Previously regarded as a pariah state allied with rogue nations, the country has undertaken a remarkable transition toward democratic statehood, culminating most recently in parliamentary elections that were lauded as free, fair, and (largely) inclusive. Yet, there exist a myriad of reforms – both domestically and within the global arena – that remain outstanding. And, while few doubt the direction that Myanmar is headed, many have questioned whether the country possesses the capacity to implement the needed reforms. Against this backdrop, Myanmar's management of its relations with North Korea emerges as a focal point.

### **Cutting ties with the DPRK**

The international community – in particular, Western powers – has remained skeptical about Myanmar's ties to the DPRK. While under military rule, it was no secret that the Burmese government maintained close political and military relations with North Korea. Starting in the mid-1990s, following a decade-long pause in the relationship, Myanmar re-commenced governmental exchanges with Pyongyang. This, in part, caused former Secretary of State Condoleezza Rice to in 2005 call Myanmar and the DPRK, among other countries, “outposts of tyranny.” Notwithstanding the international rebuke, Myanmar continued to do business with North Korea. In 2006, DPRK tunneling experts were spotted in Naypyidaw assisting the Burmese military in constructing underground bunker complexes, and, in 2008, Myanmar and North Korea executed a Memorandum of Understanding that further solidified their commitment to collaborate in military exchanges. One year later, it was reported that Myanmar was working with Pyongyang to build a nuclear weapons program.

Beginning, however, in 2011, when Myanmar commenced its transition toward democratic statehood, DPRK-Myanmar ties began to change. This thaw in relations culminated in 2012 with then-Myanmar President Thein Sein declaring that relations with the Hermit Kingdom would come to an end.

Yet, Thein Sein's announcement proved questionable. In 2012, the US imposed sanctions on a high-ranking Burmese official for conducting arms sales with the North, and, later that year, a North Korean ship was intercepted en route to a Myanmar port. This led then US Defense Secretary Chuck Hagel to openly challenge Myanmar to sever its ties with North Korea, a challenge that apparently has gone unanswered. As late as September 2015, Myanmar sent a foreign ministry delegation to the North for talks.

Thus, while much has changed in Myanmar, the country's ties with North Korea remain an area of concern. Under the leadership of Aung San Suu Kyi, there is little basis to surmise that Myanmar has deepened its ties with North Korea; however, doubts

remain as to whether Myanmar has done enough to sever its relationship with the DPRK. The Myanmar-North Korea link remains ambiguous, and this uncertainty triggered dismay from foreign governments. To this end, Myanmar should affirmatively and transparently terminate its relations with North Korea, *and* communicate its silence vis-à-vis Pyongyang to the international arena.

### **Benefits of a post-DPRK Myanmar, and the capability to achieve them**

Disassociating from the DPRK would demonstrate to the world that Myanmar has shed this vestige of its past. Doing so will support development of Myanmar's relations with countries such as the United States, the United Kingdom, and Japan. These states will be more likely to contribute aid, participate in politico-military exchanges, and provide security if Myanmar divorces itself from North Korea.

Bolstering relations with foreign governments will also help attract foreign direct investment (FDI) from outside private sector firms. Cutting ties with North Korea would promote – by further legitimizing – Myanmar's image abroad, thereby increasing investor confidence. Further, the benefits that will flow to a post- DPRK Myanmar – in the form of FDI and stronger relations with foreign powers – will help remedy the capacity problem it faces. FDI will bring public goods such as improved transportation systems, technology transfers, and public utilities, which are all necessary predicates to a revitalized economy.

Like other challenges facing Myanmar, the DPRK issue is one that, though promising much reward, will take time and coordinated effort from within the leadership. Progress on the DPRK front, however, is distinguishable from many other issues on the reform agenda, in that it can be completed notwithstanding any lack of capacity. Public infrastructure, societal norms, geopolitical capital, human resources, and know-how are not required for Myanmar to terminate its ties to the Hermit Kingdom.

The landslide victory of Aung San Suu Kyi's party, the National League for Democracy (NLD), in parliamentary elections held in November 2015 indicates that Myanmar's civilian-led government is capable of controlling the course of the North Korea relationship. The NLD secured an absolute majority of seats in the Parliament, which enables it to push through legislation and set policy objectives. The NLD ran on a platform of continuing the reforms initiated in 2011, and the election has been characterized both domestically as well as abroad as signaling an end to military rule. Following the election, the military conceded the NLD's victory, indicating that a new governmental apparatus is calling the shots. Equipped with a majority presence in Parliament and standing among the people, Myanmar's civilian government is in a position to assert control over the North Korea issue.

In short, Myanmar's management of relations with North Korea can be viewed as a microcosm of the country's larger transition. The DPRK, as an ally of the old Myanmar regime, is a relic of the past. Eradicating its connection to this vestige would signify a new beginning. And, following the November 2015 elections, the civilian-led

government has the capital to effect change on the North Korea front (and, consequently, reap the benefits that will follow).

**Steps forward: *communicating its silence***

It is difficult to see benefits that Myanmar gleans from remaining aligned with North Korea. In all likelihood, the Myanmar government is aware of the benefits it will gain from disassociating from North Korea. Further, under the leadership of Suu Kyi and the NLD, it stands to reason that Myanmar will soon terminate its dealings with North Korea. Indeed, perhaps, the Burmese government has already done so; it is difficult to prove a negative, that Myanmar is not maintaining ties with North Korea.

Yet, ceasing contact with North Korea, in and of itself, will not reap for Myanmar the benefits outlined above. Myanmar needs to affirmatively and explicitly communicate to the world that it will (or, in fact, already has) cut relations with North Korea and prove it. It needs to demonstrate its silence vis-à-vis North Korea.

This can be accomplished through public speeches by Myanmar government leaders and bilateral talks with foreign states. The NLD-backed government needs to undertake a coordinated and transparent campaign before world leaders that conveys its new policy of silence toward the Hermit Kingdom. Additionally, Myanmar should realign its geopolitical posture with nations that strongly oppose the DPRK, including the United States, Japan, and European Union members. These steps will enable Myanmar to communicate to the world its silence toward North Korea.

What Myanmar has accomplished is remarkable. The transition from a deemed “outpost of tyranny” to a liberal democracy is a process that, as for any country, will require aid and assistance from its neighbors and friends. Those neighbors and friends, however, are challenged to offer such aid when ambiguity persists over the country’s relations with a state such as North Korea. Thus, adopting the recommendation advanced above – to terminate relations with the DPRK *and* affirmatively communicate such to the global community – will help others help Myanmar.



# Myanmar's maritime security

By Maile Z. Plan

As Myanmar's security shifts from internal to external threats, it is beginning to focus more on the protection of growing maritime assets and trade. With a deep-sea port and special economic zone being created to spur international trade, it is important for Myanmar to ensure the security of its exports and imports especially if the country aspires to become a transshipment hub and entice businesses to its ports. Myanmar continues to make progress in adhering to international norms and ensuring its ports do not become a criminal hub in the transfer of nuclear, chemical, or biological materials, which is critical since maritime security has become increasingly important for nonproliferation. Myanmar has an opportunity to join different multilateral maritime security initiatives and learn best practices to secure its ports and maritime boundaries. Furthermore, its location by the Indian Ocean and the opening to the Strait of Malacca gives Myanmar a compelling reason to be more interested in anti-piracy operations to protect its trade and people.

Along with increased trade and traffic flowing into Myanmar's ports and harbors, Myanmar also has offshore marine oil and gas development projects. These maritime assets and increased shipping require security while transiting through Myanmar's exclusive economic zones (EEZs) and territorial waters, as well as in the country's internal waterways, and while in port. While the Myanmar Port Authority has been implementing security measures outlined in the International Ship and Port Facility Security Code since 2004, the *Myanmar Times* has reported incidents of river piracy and port thefts. These incidents highlight a need for Myanmar to focus on naval and maritime law enforcement, and to seek international assistance in identifying best practices.

Myanmar is geographically situated in areas with the potential for multilateral maritime and naval cooperation for regional and global benefit. As Myanmar opens to international commerce, its location at the northern opening of the Strait of Malacca and its coastline on the Indian Ocean will enable an increase in its maritime trade. In these regions, piracy and armed robbery remain an issue, both at sea and in ports.

To combat criminal behavior, a piracy/armed robbery reporting center was created and based in Singapore: the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). As a party to ReCAAP, Myanmar should learn from the anti-piracy experiences of other members and take part in information sharing so the country can demonstrate it is serious about securing its ports. In turn, being involved in regional maritime security can serve as another indication of Myanmar's commitment to responsibly integrating with and contributing to the international community.

As a part of ASEAN, Myanmar should use the ASEAN Navy Chiefs' Meeting (ANCM) to discuss regional naval cooperation, which includes anti-piracy measures, multilateral exercises, and humanitarian and disaster relief assistance. Since the 2004 Indonesian tsunami devastated Indonesia, countries in ASEAN have been more open to

multilateral approaches to transnational security issues, and topics like maritime security can be another venue for Myanmar to establish its multilateral, cooperative commitment to maritime security.

Since 2003, Myanmar has participated with 16 other nations in the Indian-led Exercise *MILAN*, which is intended to encourage closer ties through exercises in disaster relief and humanitarian assistance as well as cooperation on other maritime security issues like piracy, smuggling, and terrorism.

## **Challenges**

It will not be easy for Myanmar to shift its security concerns to the sea. Myanmar's military historically favored the army and identified internal security issues, such as fighting against ethnic insurgents, as the top priority. The navy was used to bolster the army and air force in securing internal waterways, combatting illegal fishing along the coastline, and supporting counterinsurgency missions. But with negotiations underway with some separatist groups, Myanmar's security concerns may soon shift to more external threats, such as securing maritime borders and EEZs. Moreover, the naval standoff between Myanmar and Bangladesh in 2008 demonstrated the importance of a strong naval presence.

Although Myanmar has slowly upgraded its naval equipment since the 1990s, the navy received greater attention only after 2008. Such upgrades included purchasing or indigenously building new frigates, offshore patrol vessels, and corvettes to perform sustained offshore operations. According to IHS Jane's, new frigates were commissioned in 2010, 2014, and December 2015, and two of the newest additions have stealthy superstructures. However, Myanmar's increasing participation in multilateral exercises will influence the types of arms and equipment it will buy, from whom, and how these will be interoperable with its regional partners in South and Southeast Asia.

## **Future opportunities**

Myanmar has both the incentives and opportunities to boost its naval and maritime law enforcement to combat maritime security threats like piracy through regional, multilateral forums. To that end, Myanmar would gain from joining or helping the Combined Task Force 151, the multinational naval task force in the Gulf of Aden and off the eastern coast of Somalia. Involvement in CTF 151 could provide Myanmar with more training and hands-on experience in maritime law enforcement and help to improve its economy and security. Working with other international navies enables Myanmar to see best practices up-close, to foster closer ties with participating countries, and to strengthen its international credentials.

Another way to gain more international experience would be through participating or observing in the *Rim of the Pacific Exercise* (RIMPAC), the world's largest international maritime exercise. In Hawaii in 2014, 22 nations participated. Myanmar stands to gain more contacts and training opportunities with the world and its neighbors.

If Myanmar continues to expand its maritime law enforcement presence, Myanmar should consider creating a coast guard. For Malaysia, Singapore, and Indonesia, the creation of their respective coast guards has helped with the coordination of maritime law enforcement, improving security in territorial waters, and gaining international assistance while freeing up their navies to take on other tasks.





# APPENDIX A

## About the authors

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