

Introduction

In 2013 the British government controversially announced that it would start providing training for the Burmese Army. This training began in January 2014, with the first round of training costing British taxpayers £87,850. The training is taking place despite the Burmese Army still committing serious human rights abuses which violate international law. Crimes committed by the Burmese Army since the reform process began include rape and gang rape of ethnic women, including children, deliberate targeting of civilians, arbitrary execution, arbitrary detention, torture, mutilations, looting, bombing civilian areas, blocking humanitarian assistance, destruction of property, and extortion. Many of these abuses could be classified as war crimes and crimes against humanity.

The British government claims that the training will help improve human rights and governance, but has been unable to explain how the training will achieve these goals. It has admitted in Parliament it is not possible to monitor whether the training actually leads to any improvements.¹ The Burmese Army does not accept that it has committed and continues to commit human rights abuses, which raises obvious questions about its commitment to ending such abuses. Soldiers who commit abuses and their political and military masters who order abuses continue to do so with impunity.

In October 2013, 133 ethnic civil society organisations from Burma wrote to Prime Minister David Cameron, US President Obama, and Australian Prime Minister Tony Abbott opposing the current form of military engagement and training with the Burmese military until key conditions have been met. As of January 2014, two months after sending the letter, they have yet to receive a response, and military training has gone ahead regardless.



Col Forgrave and Dr Cleary conducting a presentation on risk mapping during the training course "Managing Defence in Wider Security context" in Naypyidaw.

Rather than achieving any real improvement in human rights and governance, the training seems to be part of a general British government policy of moving as close as possible to the government of Burma in order to secure current and future trade and investment opportunities. Some ethnic community leaders in Burma suspect that building closer ties to the Burmese military is part of a strategy to be well-placed to secure future arms sales if the European Union arms embargo is lifted. Burma's military budget is still significantly higher than spending on health and education.

A Surprise Announcement

The British government had stated in 2012 that it intended to reinstate the position of Defence Attaché in the British Embassy in Burma. They argued that this would better enable them to engage in dialogue with the Burmese Army, since the current government members had mostly resigned as serving soldiers, there was no longer much direct contact with the Burmese Army. It was felt important that they directly heard the views of the international community with regards to reforms and human rights. There was no significant opposition to this move.

However, on 14th July 2013, on the eve of the controversial first visit to the UK by President Thein Sein, the British Foreign Office briefed The Telegraph newspaper that they would be providing training to the Burmese Army.² This was obviously going much further than the previously stated policy. Human rights organisations and ethnic communities in Burma affected by conflict had not been consulted. In the article in The Telegraph the government briefed that the training was about human rights.

On 15th July 2013, with Thein Sein now in the UK, the British government released a statement which claimed the training was about governance.³

When Prime Minister David Cameron met President Thein Sein in Downing Street and discussed training the Burmese Army, the issue of how the Burmese Army was breaking an agreement with the United Nations to stop recruiting child soldiers and release all currently serving child soldiers was not listed as one of the issues he raised with President Thein Sein. When a government minister was asked in the House of Lords if the issue has been raised, he was unable say it had.⁴ It appears that the Prime Minister offered training to the Burmese Army without even raising the issue of their violating international law by recruiting and using child soldiers.

On 17th July 2013 the Foreign Secretary submitted a written statement to Parliament which stated: “The Defence Secretary offered to support the participation of around 30 Burmese officers in the British military’s flagship ‘Managing Defence in the Wider Security Context’ course in January 2014.”⁵ The Foreign Secretary also said in this statement that: “The focus of our future defence engagement in Burma will be on adherence to the core principles of democratic accountability and human rights.”

Teaching The Art of War

Despite the pledge by the Foreign Secretary to focus on democratic accountability and human rights, the prospectus for the Managing Defence in the Wider Security Context course makes no mention of human rights. The course, taught by The Defence Academy of the United Kingdom, in collaboration with Cranfield University, does however highlight that it teaches “the art and

science of war”.⁶ The prospectus also states that the course aim is: “To enhance the knowledge, professional understanding and analytical skills necessary to improve and/or transform the governance and management of the student’s defence and security systems, thereby advancing the defence and security interests of the UK.” The prospectus also states that the emphasis of the course: “...is on the identification of appropriate policies, principles and techniques to advance security sector development.”

Given that the Burmese Army is committing serious human rights abuses and is not under civilian or democratic control, “advancing security sector development” and “management of defence and security systems” in the context of Burma raises many questions and gives cause for serious concern. Is the British government actually going to enable the Burmese Army to become more professional, efficient and more effective at imposing its will?



Burmese Army soldiers attend the British government training course “Managing Defence in Wider Security context” in Naypyidaw January 2014.

The course is designed for “developed and transitional democracies”. Burma fits neither of these categories. The British government accepts that Burma’s new Constitution is not democratic, and that it needs to change. The Burmese military control key levels of political power in Burma, and are not accountable to the government. The government itself is dominated by military and ex-military personnel, and came to power after a blatantly rigged election in 2010. Burma still has one of the worst human rights records in the world. Burma does not meet the criteria for eligibility to this course. The British government has clearly been premature in inviting the Burmese Army onto this course.

Refusing to Disclose Details of Training

Given the disparity between the course prospectus and public assurances by the British government, on 18th September 2013 Burma Campaign UK asked the Ministry of Defence for details of the coursework and materials on the course. On October 9th 2013 the Ministry of Defence refused to disclose this information, citing as the reason commercial confidentiality. The British government uses this excuse to reject the majority of freedom of information requests submitted by Burma Campaign UK. On 30th October 2013 Burma Campaign UK appealed against the decision to refuse to provide information. The Ministry of Defence is meant to complete requests for reviews of its decisions within 20 working days. However, it was 25 working days before the Ministry of Defence even acknowledged the appeal, and they counted the 20 days from then, not when the appeal was submitted.⁷ They stated that they aimed to respond by 10th January 2014, by which time the training was due to have already started. The January 10th deadline passed without a response.

The British government has repeatedly claimed that the training won't assist the Burmese Army's combat capabilities. If this is completely true, why won't they release details of the coursework and materials? What are they hiding?

"Our concerns are that the British and US are going too far and too fast... The Burmese Army has an abusive modus operandi in its DNA."

David Mathieson, Human Rights Watch

Professionalisation of Burmese Army is Main Aim

Having first briefed that the training was about human rights, and then stating it was about governance and human rights, by the end of 2013 the British government admitted that the main aim was in fact on professionalising the Burmese Army. Government spokesman Lord Astor admitted that the training course would merely "draw attention to human rights and international humanitarian law."⁸

In a debate on Burma in the House of Lords on 9th December 2013 Foreign Office Minister Baroness

Warsi admitted that professionalisation of the Burmese Army is a British goal.⁹ She stated: "...the Burmese military is a core political force in Burma. It is therefore important that professionalism and human rights is an essential element of the work they do is part and parcel of their training." Note the emphasis on professionalism before human rights.

Whilst assuring the House of Lords that Britain will not be involved in the transfer of arms or play a part in military combat, which is in any case prohibited by EU sanctions, Baroness Warsi went on to again prioritise professionalisation when referring to engagement with the Burmese military, this time stating: "We are involved in the professionalisation and accountability that the Burmese army needs to be aware of when conducting operations."

In an answer to a Parliamentary question on 7th January, Lord Astor of Hever, Parliamentary Under-Secretary of State at the Ministry of Defence, went further, revealing that it is professionalisation of the Burmese Army, rather than just governance and human rights as previously claimed, which is the main aim.¹⁰ Listing five objectives for the course, four refer to professionalisation, and none mention human rights.

Yet in an article in the Huffington Post on 12th January 2014,¹¹ obviously written in response to concerns about the training, Foreign Office Minister Hugo Swire MP avoided making any reference to this as the main objective.

The aim of professionalisation in the context of the Burmese Army at the current time is deeply worrying because in Burma this Army is still committing serious human rights abuses, and is not under civilian democratic control. Having professional soldiers does not automatically mean acting in the same responsible way as soldiers under control of a democratic and accountable government where there is the rule of law.

Professionalism and respect for democracy and human rights do not always go hand in hand. Many dictatorships have armies which could be described as professional. Professional operational skills can also be used for repression and committing human rights abuses. For many ethnic people in Burma a more professional Burmese Army is a frightening prospect.

No Proper Consultation and Misleading Claims

In an article in the Huffington Post on 12th January 2014¹² Foreign Office Minister Hugo Swire made the following statement: “Let me be absolutely clear: before we took this decision our diplomats consulted many different people across Burmese society, including from the range of ethnic groups, as well Aung San Suu Kyi herself.”

This is a deliberately misleading statement. First, Burma Campaign UK has been unable to find any evidence of any kind of open consultation whereby conflict affected communities in Burma had any opportunity to have input into the decision on whether training should take place. The British government may have informed some people, but there is a big difference between informing people and trying to explain a policy, and a genuine consultation which could have influenced whether or not the training takes place. Secondly, consulting and getting agreement are not the same thing. Note the omission of claims that there was widespread support for the training.

More serious is the misleading impression given by the statement that they have properly consulted ethnic groups. In Parliament Alex Cunningham MP asked the British government what discussion has been had with ethnic civil society organisations in Burma’s conflict zones before offering training to the Burmese Army.¹³

As common in answers to Parliamentary Questions, the government avoided giving a straight and clear answer. Defence Minister Mark Francois was not able to state that there have been any meetings with conflict affected ethnic communities. Instead he stated: “Officials have met with members from NGOs who have interests in Burma, in order to ensure that their concerns about our engagement are listened to and in some cases, our approach has been tailored to support their views.”

The careful wording stating “NGOs who have interests in Burma” means these NGOs may not even be from Burma, let alone from conflict affected communities where the Burmese Army is operating.

Opposition from Ethnic Communities

Burma’s ethnic people have been the main victims of atrocities by the Burmese Army, and remain so despite recent reforms. Burma Campaign UK has been contacted by many ethnic representatives expressing shock and disbelief that the British government has moved so quickly to provide training to the Burmese Army, even while they still wage war against ethnic civilians.

On 17th October 2013, 133 civil society organisations, representing 15 of Burma’s ethnic nationalities, submitted a joint letter to President Barack Obama of the United States, Prime Minister David Cameron of the United Kingdom, and Prime Minister Tony Abbott of Australia, expressing great concern and reservation regarding their military engagement with the Burmese military.¹⁴

The letter stated: “They have destroyed our villages, stolen our land, forced us to serve as their slave labor, to carry their equipment as they hunt down, torture, kill, and enslave our fellow ethnic brothers and sisters, and rape, gang-rape, and sexually assault our women and girls...We know the Burmese military intimately, like no one else could. We speak of the past, and we speak of the present. We do not want this to be our future....The Burmese military’s lack of commitment to democratic reform is evident in its continuing attacks against ethnic minorities and its failure to work honestly toward genuine peace.”



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A 15-year-old girl injured by a Burmese Army mortar in Kachin State. She was held in detention for three days before being released in October 2011.

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The letter went on to say: “The Burmese military does not commit human rights abuses accidentally, out of ignorance, because they do not know any better, or because they are not properly trained. Burmese military leadership orders their officers and soldiers to violate human rights in order to control property and resources... Training junior officers and soldiers does not address the main problem: that soldiers are committing human rights abuses on the orders of their military and political leaders.”

The letter requested preconditions to be met before engagement, let alone training, with the Burmese military. These include:

- Require the Burmese military to demonstrate a genuine interest in reform by stopping all attacks throughout the country in both ceasefire and non-ceasefire areas, withdrawing from conflict zones;
- Require the Burmese government and the Burmese military to publicly acknowledge that human rights abuses have and continue to be committed by the Burmese military and commit to a zero tolerance policy;
- Require the Burmese military to establish, with international support, an independent military police force that will investigate allegations of human rights abuses by soldiers, and the creation of an open judiciary process where such soldiers are given fair trials and sentences.

The ethnic organisations were also concerned that premature training and engagement will actually undermine progress towards democratic reform and improving human rights, stating:

“Allowing military engagement with the Burmese military without requiring the Burmese military to demonstrate an interest in genuine reform and to adhere with the established preconditions conveys an undeserved legitimacy on the Burmese military and will jeopardize any effort to persuade the Burmese military to agree to national reconciliation.”

Almost three months since sending the letter, no response had been received from any of the three leaders.

£87,850 Cost to British Taxpayers

Despite opposition in Burma from the communities most affected by Burmese Army abuses, and

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domestic opposition in the UK, including questions in Parliament, the British government has pressed ahead with the training, at a cost of £87,850 to the British taxpayer.¹⁵

At the same time as spending this significant sum on training Burmese Army soldiers, refugees in camps in Thailand, who have fled attacks by the Burmese Army and are still unable to return home, have faced cuts in rations and other support because donors are cutting support. The British government has consistently rejected calls for a more significant increase in aid to help these refugees.

The Course in January 2014



Burmese Army soldiers attend the British training course in Naypyidaw in January 2014.

The course has now been specially adapted and instead of a seven week course taught in the UK, it is a two week course taught in Naypyidaw. No explanation has been given for this change. The training started in Burma's capital, Naypyidaw, on 6th January 2014, lasting two weeks. It was reported that twenty-two officers and eight senior officials from government and other agencies were attending.¹⁶

It is expected that this course will be just the first in a series of training provided to the Burmese military. There are already plans for a Burmese Army officer to attend the full length course in the UK later in 2014.¹⁷ During the training in January 2014, Col Tony Stern, the British Defence Attaché in Burma, reportedly told Eleven Media that both parties are “learning much from each other.”¹⁸

No Way to Assess Impact

In an answer to a question in Parliament by Paul Bloomfield MP¹⁹, the British government admitted it has no way of assessing whether the

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training course will actually make any difference in improving governance and human rights. Defence Minister Mark François stated: “...active post-course monitoring of participants is not practicable although through long-term dialogue, we will enquire about their progress.”

He also stated: “...It is our desire that the enduring lessons of this course will form a part of the process to ensure the Tatmadaw continues on its road to reform.” It is extraordinary that such significant sums of money would be spent on controversial training opposed by communities impacted by Burmese Army abuses, and the British government cannot state that it makes any tangible difference apart from stating a “desire” that it helps.

This reinforces the impression that the training is motivated more by attempting to build a close relationship with the Burmese government and military in order to promote trade and investment opportunities than about genuinely attempting to improve human rights.

Even Human Rights Training is Too Soon

Even if the training provided by the British government does include significant sections on governance and human rights, or was solely about human rights, there is still significant cause to doubt that such training could have a positive impact. It is far too soon to be offering to train an army which is committing war crimes and crimes against humanity, refuses to acknowledge it has committed and continues to commit abuses, and which is constitutionally not under control of the government.

What is the point in training Burmese Army soldiers about human rights when it is their military and political masters who are the ones ordering them to commit human rights abuses? In addition, soldiers know that if they do commit human rights abuses, there will be no consequences, they will not be punished by their commanders. They act with impunity.

What happens if a soldier trained in human rights by the British Army goes on to refuse an order to take military action which results in human rights abuses? Are soldiers on the training told to refuse orders which lead to human rights abuses? What

will happen to a Burmese Army soldier if they did refuse such an order after receiving training? The British government has admitted it has no way of knowing what happens to soldiers it trains, let alone having influence regarding their future, so is unable to provide any form of assistance or protection for a Burmese Army soldier they have trained who goes on to refuse orders to commit human rights abuses.

The problem of human rights abuses committed by the Burmese Army is not one of individual low level soldiers who commit one-off abuses or who are out of control. The problem comes from the top. In their 2002 report ‘License to Rape’, the Shan Women’s Action Network and Shan Human Rights Foundation documented how a great many of the rapes committed by the Burmese Army were committed by officers, and often in front of their own soldiers.²⁰ When Thein Sein was a regional commander in Shan State in the 1990s he allowed his soldiers to rape with impunity. At least 45 women were raped by soldiers under his command, and Thein Sein remains one of the few top military leaders in Burma who has been personally named by the UN for ordering soldiers to commit human rights abuses.²¹



24 year old Rutha was brutally gang raped by Burmese Army soldiers. She was five months pregnant at the time.

In a culture like Burma’s, and with a military like Burma’s, bottom up training of soldiers won’t end human rights abuses. The problem is at the top.

As ethnic civil society organisations have also pointed out, military training and engagement confers a legitimacy on the Burmese Army which it has not yet earned.

For there to be significant cultural change in the Burmese Army, there needs to be commitment from the political and military leadership. This is true in any organisation, and especially so in a military

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structure with rigid chains of command. The political and military leadership do not accept that they have and continue to commit human rights abuses. They are showing no leadership in addressing the problem of human rights abuses committed by the Burmese Army. Without the political and military leadership accepting there is a problem and taking active steps to address the problem, there will not be any progress in addressing human rights abuses by the Burmese Army.

Another Opportunity for Leverage Thrown Away

By dropping all forms of pressure without key demands for human rights improvements being met, and then following a policy of closer engagement and now partnership with the Burmese government, the British government has already thrown away the sticks and given away most of the carrots, thereby reducing its leverage to promote greater reforms. Military engagement and training was another opportunity to elicit practical commitments and actions from the Burmese Army in order to promote genuine change. This opportunity has now also been lost.

The Burmese Army is desperate for acceptance and legitimacy. This provides leverage which could have been used. However, it appears no preconditions were set by the British government before offering and then providing military training. In an answer to a question in Parliament by Sir Alan Beith MP, Foreign Office Minister Hugo Swire MP avoided giving a straight answer.²² Sir Alan Beith MP asked a simple and specific question: “what pre-conditions he has set before the UK will provide training to the Burmese Army.” Instead of listing preconditions, Hugo Swire repeated past statements making general comments about the training. It is therefore reasonable to assume that he used this avoidance tactic to avoid having to admit that there were no specific preconditions.

Further evidence of a lack of preconditions comes from Hugo Swire’s article in the Huffington Post on 12th January 2014,²³ in which he states that “Our work with the Burmese military is not, and never will be, unconditional”, and is then unable to list a single condition that has been set. He states that the EU arms embargo should remain in place, which is not

a condition. He says the military must demonstrate their genuine commitment to reform, which they have not done. He says that he will: “...continue to use discussions with them to tackle issues such as the use of child soldiers, and to bring to an end once and for all the horrifying sexual violence in conflict areas.” Using discussion is not a condition. Insisting on the Burmese military ending the use of child soldiers and rape as a weapon of war before providing training would be conditions, but the British government has not done that.



Sumlut Roi Ja, an ethnic Kachin woman, was abducted by the Burmese Army in 2011. She was later seen at a military camp but has not been seen since. It is presumed that she has been raped and killed. Her husband took the case to the Supreme Court but the case was dismissed.

Preconditions such as those articulated by ethnic civil society organisations make moral and also practical sense.

So it is now clear that no preconditions seem to have been agreed for the Burmese Army to make commitments to improving human rights and supporting democratic change before receiving training by the British Army. Assurances should have been sought in areas such as agreeing to constitutional change, ending current human rights abuses, ending impunity, and even simply accepting that there is a problem and that human rights abuses by the Burmese Army are being committed on a widespread and systematic scale.

At the very least the British government could have insisted that the Army it is providing training for signs up to all provisions of the Geneva Conventions, which include the Articles on protection of civilians in conflict, and also sign the Rome Statute.

In addition to no real conditions being set on the Burmese military making commitments to human rights and political reform, the British government has also not stated, despite many opportunities to

do so, that conditions were set on who receives training. How can the British government be sure that the people it is training are not responsible for committing serious human rights abuses, including violations of international law, in the past? There has already been speculation that the reason for providing training in Burma instead of the UK is that they were unable to be sure that the soldiers they are training are not responsible for committing crimes such as torture where universal jurisdiction applies.

Contravening the Declaration on Ending Sexual Violence in Conflict?

The fact that no preconditions relating to the ongoing use of rape and sexual violence by the Burmese Army also appears to contravene the Declaration on Ending Sexual Violence in Conflict which the British government initiated.

At the launch of the Declaration William Hague stated: "First, we have agreed that rape and serious sexual violence in conflict constitute grave breaches of the Geneva Convention and their first Protocol. This means that suspects can be apprehended wherever they are in the world. Second, we have pledged not to allow amnesties for sexual violence in peace agreements, so that these crimes can no longer be swept under the carpet."²⁴

Instead of taking action to hold members of the Burmese Army responsible for sexual violence accountable, the British government is providing unconditional training.

False Alternatives Offered in Defence

When facing criticism about the military training, the British government has consistently tried to portray the only alternative as doing nothing. This is a completely false and unfounded argument to put forward. An example is when in December 2013 a 'defence source' told The Telegraph: "The Burmese military will be key to the process of political reform. To ignore the military puts the entire process of political reform at risk."²⁵

It has never been suggested that the British government ignore the Burmese military. There are simply no grounds for making this statement except attempted deflection of criticism of a policy which is very hard to defend. There are plenty of alternatives in between ignoring the Burmese Army and befriending and training them.

Accountability Critical to Ending Abuses

The best first step towards ending human rights abuses by the Burmese Army would be for soldiers who commit human rights abuses, and those who order them to commit human rights abuses, to be put on trial and jailed.

As ethnic organisations from conflict affected communities have called for, an independent military police force which has the power to investigate and ensure the prosecution of soldiers who have committed human rights is also necessary. If there is any training and support at all to happen at some point, surely if human rights are a genuine priority then this would be one obvious place to start.

The British government and others should also keep their previous pledge to support an international commission of inquiry into violations of international law in Burma.²⁶

The British government supported such a commission but has been silent on the issue since late 2011, after reforms began. This is despite the fact that with increased conflict and violence in Kachin, Shan and Rakhine State since Thein Sein became President, human rights abuses which violate international law actually increased.

Ongoing Human Rights Abuses by the Burmese Army

Human rights abuses are not historical or legacies of the past.

The most recent Human Rights Council resolution on Burma, passed in March 2013, highlighted many serious human rights abuses which could violate international law, including "...arbitrary detention, forced displacement, land confiscations, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, as well as violations of international humanitarian law,.... violence, displacement and economic deprivation affecting persons belonging to national or ethnic, religious and linguistic minorities...armed conflict in Kachin State and the associated human rights violations and allegations of international humanitarian law violations, desecration of places of worship, sexual violence and torture..."

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In July 2012 Burma Campaign UK published a briefing: 'Human Rights Abuses Since Thein Sein Became President' which details multiple human rights abuses which violate international law that have been committed by the Burmese Army since Thein Sein became President. The briefing is available here: www.burmacampaign.org.uk/index.php/news-and-reports/burma-briefing/title/human-rights-abuses-since-thein-sein-became-president

According to Karen News, the day after Britain began training the Burmese Army, they broke the ceasefire in Karen State, firing mortar bombs into a civilian area.²⁷



Villagers flee attacks in Kachin State in 2011.

Negotiating in Bad Faith

The latest round of ceasefires with armed ethnic political organisations has been cited as an example of progress and reform in Burma, and justification for building closer ties with the government and military in Burma. However, the way that ceasefire negotiations are taking place, and the continuing conflict in Kachin State give cause for great concern.

It has now been more than two years since many ceasefires were signed, but there has still been no significant progress towards discussions on addressing the root causes of the conflict.

The official position of the Burmese government remains that armed ethnic organisations need to surrender their arms, apply for permission to

become political parties, stand for election, even though electoral laws are not free and fair, and then seek to achieve their goals within a Parliament where 25 percent of seats are held by the military, ensuring that the military can veto anything the majority of Parliament supports. Even if by some miracle Parliament did vote for constitutional reform of the kind sought by ethnic organisations, the military can still constitutionally override decisions by Parliament.

More than two years since ceasefires were signed, not all ceasefires have been formally confirmed. For example, the ceasefire with the Karen National Union is only provisional, and the Burmese government is failing to enter into proper discussions on finalising details of the ceasefire. The government of Burma also appears to be attempting to 'buy' peace by giving car 'permits' to armed ethnic groups, and buying cars and other gifts for leaders.²⁸ Attempting to bribe people in this way rather than negotiating in good faith should be causing great alarm in the international community about the true intentions of the Burmese government.

There is a growing perception among civilian populations in conflict affected ethnic states that their political leaders are being bought and not representing them anymore. This could also cause significant problems in the future, as ethnic communities may not accept any future agreements with the government if they feel their leaders have been bribed to accept compromises which don't protect them.

The focus of the Burmese government is almost entirely on securing a nationwide ceasefire that it can trumpet to the international community at a ceremony with world leaders in attendance. It is also attempting to focus on development issues rather than political issues, in the hope that development can 'buy off' demands from ethnic people for political reforms to protect human rights and their culture.

This approach, and the unwillingness to attempt to address and understand the genuine concerns of ethnic people, is only storing up problems for the future, leading to the current ceasefires to be described as pressing a pause button, not a stop button.

Increasing Militarisation

In addition to bad faith in negotiations with armed ethnic organisations, the Burmese Army is also taking advantage of ceasefires to increase its military presence in ethnic states, rather than withdraw from conflict zones. This is causing considerable concern among ethnic populations, and is also preventing refugees and internally displaced people from returning to their homes once ceasefires have been signed. Withdrawal from ethnic states where the Burmese Army has been committing human rights abuses and sending the army back to barracks would be a sign that the Burmese Army is genuine about peace.

Conflict in Kachin State

At the same time as signing ceasefires with many armed ethnic organisations, the Burmese Army has broken a 17 year ceasefire with the Kachin Independence Organisation. Since breaking the ceasefire in 2011 the Burmese Army has committed widespread and systematic human rights abuses targeted at the civilian population, including the use of rape and sexual violence.²⁹

There appears to be twin motivations in the decision to break the ceasefire. First is to try to use violent armed force to pressure the Kachin Independence Organisation to capitulate to the government's political demands. Second is to secure control over areas relating to natural resources. What is clear from both of these motivations is that the Burmese Army and Burmese government are not acting in good faith and showing a genuine commitment to changing the way in which they operate.

Given the scale of the human rights abuses they have committed, it also demonstrates a lack of any genuine commitment to improving human rights. The scale and nature of the atrocities committed by the Burmese Army in Kachin State would have caused international outrage had they taken place in Rangoon.

Unanswered Questions

Given the many problems associated with the British government providing training for the Burmese Army, the British government needs to answer key questions.

Questions the British government needs to answer:

1. What evidence can they provide that training the Burmese Army will lead to any improvement in governance and human rights in Burma?
2. Was professionalisation of the Burmese Army always the main focus of training, and if so why did the British government initially claim the main focus was human rights?
3. To alleviate concerns that the training is linked to possible future arms sales, will the British government make a commitment that there will be no arms sales to Burma, even if the European Union arms embargo is lifted, until Burma is fully democratic, there is constitutional reform creating a federal system, genuine peace with ethnic groups, the Army has a clean human rights record, and the military is under full control of a democratic government?
4. Does the training advise soldiers to refuse orders which will lead to human rights abuses?
5. Can the British government assist or protect soldiers who refuse orders which will lead to human rights abuses?
6. How does the British government vet those attending the course to ensure that they have not been involved in human rights abuses and violations of international law?
7. Were any preconditions on human rights and democratic reform discussed before training was offered?
8. Why didn't the British government consult people in conflict affected areas before going ahead with the training?
9. Was training a military police force to investigate human rights abuses committed by the Burmese Army considered as an option to improve human rights?
10. Has the British government raised with the Burmese Army withdrawing soldiers from ethnic states where there has been conflict?

Goals in Return for Training

The British government should work to achieve the following goals before continuing any further training of the Burmese Army:

1. Require the Burmese Army to end all military attacks in Burma.
2. Require the Burmese Army to withdraw from conflict zones.
3. Require the Burmese Army to abide by agreements with the United Nations to end child soldier recruitment and release all current child soldiers.
4. Require the Burmese military to publicly acknowledge that it has and continues to commit human rights abuses, and to commit to ending such abuses.
5. Require the Burmese military to establish, with international support, an independent military police force to investigate allegations of human rights abuses by soldiers, and the creation of an open judicial process where such soldiers are given fair trials and sentences.
6. Require a commitment from the government and military for the military to be placed under control of a civilian democratically elected government.
7. Secure agreement from the government and military to accede to all articles of the Geneva Conventions and to sign the Rome Statute.
8. Focus future training once these conditions have been met on training an independent military police force which can investigate human rights abuses.

Update 20th February 2014

Since this briefing paper was published in January 2014 there have been some developments, and responses from the British government:

- The training went ahead, and created controversy in Burma, with widespread media coverage. This issue dominated questions when Foreign Office Minister Hugo Swire visited Burma in February.
- Concern about the training in the British Parliament was demonstrated by 19 Written Parliamentary Questions on this issue tabled during January 2014, and the issue being raised by Kerry McCarthy MP during Defence questions.
- The Ministry of Defence has removed from its website any reference to the training teaching the art and science of war. They have not denied that the main training course in the UK which Burmese Army officers will be attending teaches the art and science of war.
- In a very small shift in the British government line regarding the lack of any conditions being set before providing the training, the government stated on 5th February 2014 in answer to a Parliamentary Question:
“We have communicated to the Burmese military that our engagement with them is subject to continuous review and satisfaction on the part of Her Majesty’s Government of their continued willingness to reform.”
- In an apparent response to criticism that the British government had not met with or consulted ethnic representatives from conflict zones in Burma, in February 2014 British Army and Foreign Office officials did finally meet some such representatives.
- At the time of this update Burma Campaign UK was still waiting for a reply to its letter to the Ministry of Defence asking for information and clarification regarding the policy of providing military training to the Burmese Army.
- At the time of this update Burma Campaign UK had still not received a response to our appeal regarding the refusal to reveal details of the training being given to the Burmese Army. Under government guidelines Burma Campaign UK should have received a response in November 2013.
- A Burmese Army officer has been invited for military training in the UK in March 2014.

Footnotes

1. <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm131126/text/131126w0002.htm>
2. <http://www.telegraph.co.uk/news/worldnews/asia/burmamyanmar/10178638/Britain-to-offer-military-training-to-Burma-to-help-end-ethnic-conflicts.html>
3. <https://www.gov.uk/government/news/president-thein-sein-makes-historic-visit-to-the-uk>
4. <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/130718-0001.htm>
5. <https://www.gov.uk/government/speeches/visit-of-president-u-thein-sein-of-burma>
6. <http://www.da.mod.uk/prospectus/cmt/mdwsc> accessed July 2013
7. Email received 11/12/2013
8. <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140107w0001.htm>
9. <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/131209-0001.htm>
10. <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140107w0001.htm>
11. http://www.huffingtonpost.co.uk/hugo-swire/burma-military-reform_b_4576133.html?utm_hp_ref=uk
12. http://www.huffingtonpost.co.uk/hugo-swire/burma-military-reform_b_4576133.html?utm_hp_ref=uk
13. <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm131126/text/131126w0002.htm>
14. <http://www.burmacampaign.org.uk/index.php/news-and-reports/news-stories/133-ethnic-civil-society-organizations-express-concern-regarding-military/111>
15. Answer to written Parliamentary question 7th January 2014. <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140107w0001.htm>
16. <http://www.elevenmyanmar.com/national/4682-uk-conducts-training-course-on-managing-defence-for-myanmar-military>
17. <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm131205/text/131205w0003.htm>
18. <http://www.elevenmyanmar.com/national/4682-uk-conducts-training-course-on-managing-defence-for-myanmar-military>
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22. <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm131204/text/131204w0004.htm>
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26. <http://www.burmacampaign.org.uk/index.php/news-and-reports/burma-briefing/title/support-for-a-united-nations-commission-of-inquiry>
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