

MSc Political Science

Ethnicity and Conflict

Master Thesis

The road to democracy or mission impossible?

An analysis of UN mediation in Myanmar between 1992-2013

10-06-2014

Marlies Litjens

S0817341

16188 words

First supervisor: mw. Dr. M.S. Spirova

Second supervisor: mw. Prof.dr. I.G.B.M. Duijvesteijn

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Acronyms

ASEAN	Association of Southeast Asian Nations
ESCAP	Economic and Social Commission for Asia and the Pacific
EU	European Union
ICMM	Informal Consultation Mechanism for Myanmar
KNU	Karen National Unity
MEO	Mutually enticing opportunity
MHS	Mutual hurting stalemate
NGO	Nongovernmental organisations
NLD	National League for Democracy
ODA	Official Development Assistance
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
PLO	Palestine Liberation Organisation
TCG	Tripartite Core Group
UN	United Nations
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
USDP	Union Solidarity and Development Party

1. Introduction

In October 1948 Burma (Myanmar) gained independence from Britain and ever since Burma has been embroiled in one of the longest running ethnic conflicts. The country has seen diverse ethnic uprisings, various transformations of the national government and a changing structure of conflict. Conflict resolution is a most essential primary need for the people of Myanmar if they want to achieve peace and a stable nation-state (Smith 2007).

1.1 *Historical background*

Upon independence the constitution was designed in such a manner that it provided special rights for different ethnic groups. The attempt to acknowledge the ethnic diverse Burmese population did not transcend into political loyalty for the new state. Similar to other newly independent South Asian states, the ethnic diversity and social uprisings fragmented Burma. In 1949 a revolt initiated by the Karen tribal group led the country in a civil war (Bercovitch and Fretter 2004: 167; Nyein 2009: 128). In 1962, a coup d'état was staged by General Ne Win, his regime was relentless towards accommodating the political hopes of the various ethnic minorities and the fighting continued.

Social uprisings in 1988 changed the internal conflict once again, when General Ne Win's reign ended and the military regime led by Saw Maung took power. A new ruling council – the State Law and Order Restoration Council (SLORC) – was established. The military regime (later known as the State Peace and Development Council (SPDC)) wanted to end the conflict and desired a ceasefire (Nyein 2009: 128). As such the regime started several negotiations with ethnic groups resulting in occasional cease-fires, yet the underlying political issues remained unresolved (Bercovitch and Fretter 2004: 167).

In 1990 multiparty elections were held, the National League for Democracy (NLD)

won with a landslide; the NLD won 392 of the total 492 seats. However, the military regime refused to recognise the elections results and prevented the legislative assembly from convening. Moreover, the regime arrested members of the opposition, including the NLD leader, Aung San Suu Kyi who was put under house arrest. In 1991, Aung San Suu Kyi received the Nobel Peace Prize “for her non-violent struggle for democracy and human rights” (The Norwegian Nobel Institute 2014).

In 1995 the Karen National Unity (KNU) headquarter in Manerplaw was overtaken by the regime's troops, weakening the opposition. Bilateral negotiations between the Karen and the regime continued, yet no agreement was found. Armed conflicts continued and an estimated 140,000 people had lost their lives by the end of 1995 (Bercovitch and Fretter 2004: 167; Nyein 2009: 128-129). In 1997 failed peace negotiations led to the continuation of violence between the SLORC and the KNU.

1.2 *Main argument and outline*

After the 1990 elections, Myanmar has received attention from the international community. The United Nations (UN) has also been sending special envoys to find a peaceful and democratic outcome. Since 1995 four UN envoys have visited Myanmar on numerous visits. Currently, a quasi-civilian government headed by president Thein Sein controls the country and several reforms have been implemented. Moreover, Aung San Suu Kyi has returned to the political arena after being under house arrest for 15 years.

The role of the UN in Myanmar has been widely discussed. To what extent did the envoys influence the current situation? Which mediation strategies did were adopted? This paper will research the UN mediation processes that have occurred between 1992 and 2013 in Myanmar. Furthermore, I will argue that the envoys have made a difference in the conflict.

However sanctions of UN member states against Myanmar have restricted the envoys during the mediation process. These restrictions have limited the prospects of an agreement between the regime and the opposition for a long time.

The second chapter of this thesis outlines the theoretical framework describing several mediation theories. It elaborates on mediation process and strategies in the pre-mediation phase, the mediation phase and post mediation phase. The third chapter describes the research design and introduces the main research question. The fourth chapter describes UN mediation, the envoys and the responses of the military regime and Aung San Suu Kyi. Furthermore, the third chapter connects the theoretical framework with the empirical findings. In the conclusion the main arguments are summarised and the research question is answered. In addition, several other mediation efforts are described and recommendations are made to improve future UN mediation in Myanmar.

1.3 *Myanmar/Burma*

Subsequently, in 1989 the regime suppressed nationwide protests which killed thousands. The then ruling military regime decided to change its name from Burma to Myanmar. Several states such as the US and the UK did not recognise this name change since they also do not recognise the legitimacy of the military regime (The World Factbook 2014). Most other countries and the UN did accept the change and internationally both names are recognised. The democracy movement in Burma prefers the name 'Burma' and the military regime advocates the name 'Myanmar'.

It has been argued that using either Burma or Myanmar can be an indicator to someone's sympathies. The European Union uses Myanmar/Burma to indicate impartiality (Europeaid 2014). In addition, Burma and Myanmar have a similar definition and in the 19th

Century 'Burmah' was an informal alteration of the word 'Myanmar' (BBC 2014). The author of this thesis uses the name 'Myanmar' since this is the officially adopted name by the UN. However no indication of personal sympathies should be concluded from this choice.

2. Theoretical framework: Conflict mediation

Conflict mediation is “a conflict-management method in which an outside party helps adversaries to solve their differences peacefully” (Bercovitch and Fretter 2004: 15). This outside party commonly has no further authority to enforce a peaceful outcome (Wall, Stark et al. 2001). Essential to the concept of mediation is the voluntary aspect for both the disputants and the mediator (Greig and Diehl 2012: 2).

In the period between 1918 and 1996 thirty percent of the crises worldwide were mediated by third parties (Fey and Ramsay 2010). Moreover, conflicts are six times more likely to come to a peaceful agreement when a third-party is present (Duursma 2014). Since mediation is a strategy often used in conflict, extensive research has been done to find the causes of successful or failing mediations. This theoretical framework is set out to explain three different stages in mediation: how does mediation come about (the preliminary phase), which strategies and approaches can be used during mediation and what are the outcomes of these strategies?

2.1.Preliminary phase

Acceptance of mediation

First of all, Greig and Regan's (2008) research indicated the influence of the duration of a conflict and the disputants' acceptance towards mediation (Duursma 2014: 84). Since the duration of a conflict increases the possibility of a military stalemate, the expectations for a victorious outcome will decline on both sides. Assuming that continuation of combat is not the preferred outcome of the disputing parties, the willingness to find alternatives to the fighting will increase. Therefore, the likelihood of the acceptance of mediation will increase when the conflict is complex and long and when there a no victorious outcome for either party

foreseeable (Greig and Regan 2008: 766; Bercovitch and Fretter 2004: 17).

Greig and Regan further find that the likelihood of disputants rejecting mediation is higher in the initial and final phases of conflict. As mentioned before, in the early stages of a conflict, disputants believe that they can be victorious. However, in the final stage of the conflict, the (financial) costs will have risen. Additional social-psychological pressures of retribution might become apparent. Furthermore, the sunk costs might have risen to such an extent that only victory can be an acceptable outcome (Greig and Regan 2008: 767).

Another factor that will motivate conflicting parties to agree to start mediation is when they are in a situation of ‘mutual hurting stalemate’ (MHS). When disputants are in a situation of MHS, they feel that they are locked in a costly conflict from which they cannot victoriously escape. William Zartman used MHS as an indicator in his ripeness theory. According to Zartman a conflict is ready or ‘ripe’ to start de-escalation strategies when the disputing parties are in MHS (Aggestam 2005). In other words, when the disputing parties’ costs of continuing the conflict become greater than the costs of peace, a conflict is ripe. However, MHS is not the only way to conceptualise a ripe moment. In a situation of ‘mutually enticing opportunity’ (MEO) - which underscore the future gains and not the costs - a ripe moment to start mediation can also be theorized to arise. In MEO, parties agree to mediation since they expect to realise certain goals. A ripe moment can thus be characterised as a moment in which disputants either have a prospective view (focus on gains) or a retrospective view (focus on costs avoidance) (Aggestam 2005).

Acceptance of the mediator

Mediators will sooner be accepted by the disputing parties if they have confidence in the ability of the mediator to reach their preferred outcome. However, if the stakes in the conflict

are high, the likelihood that mediation will be refused will increase. After all, disputants do not want to be restricted to certain outcomes and will therefore be less flexible to accept mediation (Duursma 2014).

The reputation of the potential third-party mediator is also of significance in the acceptance of mediation. The reputation of a mediator is known by his prior experience and as his track record in mediation efforts. Mediators who have successfully mediated conflicts will build a reputation. This reputation will increase the willingness of disputing parties to accept the respective mediator as their mediator. Moreover, the involvement and acquaintance of a mediator in a conflict will increase the trust disputing parties have in a mediator. The mediator has to be trustworthy, impartial and work towards a successful outcome. The trustworthiness of a mediator will increase the acceptance of future outcomes (Greig and Regan 2008: 768).

Another factor that might influence disputants to accept third-party mediation is the expected benefit parties can generate. A mediator can bring experience and expertise to the table. In addition, a mediator can potentially overcome a deadlock situation. Disputing parties can compare potential outcomes of mediation with the alternative. The alternative being either a continuation or a definite ending of the conflict. Depending on the conflict both alternatives can be frustrating for the disputants. Additionally, a third-party might agree to take on the role of mediator to benefit its own interests (e.g. money, prestige or reputation building) (Wall, Stark et al. 2001: 373).

Not only the trustworthiness of the mediator, but also the existence of mutual trust between the disputants is needed in order to start mediation. Kelman (2005) argues that despite a mutual interest in a peaceful outcome, parties can be reluctant to trust to each other. In order to start mediation, mutual trust needs to be present. Yet, since disputants distrust each

other, how are they able to build a relationship of mutual trust if they will not even enter the mediation process to begin with (Kelman 2005: 641)?

Kelman argues that the external third party mediator can have a decisive role in the creation of mutual trust. Since the mediator can serve as a repository of trust, it can overcome the gap between the disputants. Disputants might not be able to trust each other, yet they can trust the setting in which interaction will ensue. The mediator can create a setting where the interests of the disputing parties are protected and in which their confidentiality will be respected. Moreover disputants need to know that they will not be exploited nor that their participation will be used against them (Kelman 2005: 645). The trustworthiness of the mediator can therefore enforce the mutual trust between the disputants.

Devious objectives

Taking the above arguments into account, a necessary precondition to start mediation is the perceived necessity of disputants that a negotiated outcome is preferred to a continuation of the conflict. Yet other reasons can be put forward to answer the question as to why mediation is accepted. Several 'devious objectives' can also be of an influence. First, belligerents and rebel groups might gain recognition if they accept mediation. After all, they would have to be accepted as an official party and thus, governments indirectly recognise and legitimate the negotiation position of the rebel group.

Second, mediation can be used as a stalling tactic, while negotiation processes ensue the disputing parties each get time to reorganise. This might generate a stronger position if combat were to start again in case mediation were not to result in a peaceful outcome (Richmond 1998: 714; Duursma 2014: 84). Other 'devious objectives' to start mediation can be to gain international support (internationalisation), the search for an ally and face saving

(Richmond 1998: 712). Therefore, a theoretical argument can be made why mediation can be accepted, despite the disputing parties having no desire for a peaceful outcome.

From third-party to mediator

Scholars also discuss the reasons for a third party to become a mediator in a conflict. A mediator might have public and private interest to take on this role. Public interests can include a more balanced and stable international environment and therefore decrease the negative consequences of an armed conflict (Duursma 2014: 85). Private interests could include a decrease of negative consequences that directly impact the mediating party. Reducing the spill-over effects of a conflict (refugee inflows, trade disruptions) can act as a prime incentive to start mediation. In addition, private mediation can also be of a more humanitarian conduct since intergovernmental organisations and nongovernmental organisations view peace as a goal in itself (Duursma 2014: 85).

States adjacent to states in conflict are significantly 14 times more likely to offer mediation than to a state at an average distance of 2035 kilometres. Other factors that will increase the likelihood of a third party offering mediation are the existence of a shared defence pact; common historical linkages such as colonial ties or a linkage with the Catholic Church (Greig and Regan 2008: 773).

A prepared mediator

Most studies focus on the question why a mediator decides to mediate, yet the question whether a mediator is ready to take on the role of mediator is a scarcely researched. The readiness of a mediator (carried out by either a governmental, intergovernmental or nongovernmental actors) can be measured using several dimensions: (1) operationally and

politically ready; (2) strategically and diplomatically ready and (3) having the right relationships to be the right mediator (Crocker 2003: 152).

First, operational and political readiness for mediation is indicated by the preparedness of the mediator to start a peace making process with all necessary personal and institutional power to be the main lead channel during the negotiations. Therefore operational readiness can encompass several variables the mediator needs such as the necessary leadership to make an impact; a solid and durable mandate; staff support and other bureaucratic resources (Crocker 2003: 153-155).

Strategic readiness is the second requirement needed for a mediator. Mediation efforts which are tied to strategies of political engagement strengthen the mediation process. When a genuine commitment is made to a policy of regional peace making, stronger political support can be also be given to mediation. This can be of particular interest if early attempts have failed and a conflict has become deadlocked. In such a situation, it will be apparent that walking away from the conflict will threaten the general goals of a regional policy (Crocker 2003: 157-158).

The third requirement to indicate the mediator's readiness is the 'relationship readiness and connectivity'. In order to resolve a conflict the appropriate mediator has to be there. The mediator's identity, cultural and historical linkages and the overall relationship with the disputants, can make a mediator 'a good fit' to mediate between the disputants. In some conflicts, mediating institutions or individuals have devoted years in order to grow in the role of the 'natural' mediator (Crocker 2003: 160).

2.2 Conducting mediation: strategies and approaches

Based on the consent and the acceptance of the disputing parties, a mediator can start the actual mediation process. Mediators are not always passive onlookers, on the contrary, they can be active participants in the negotiations. The style, the strategies and approaches the mediator takes on can have a profound and decisive result on the outcome of mediation. Mediation can take on several forms, these forms will be further discussed in the following section.

Mediation intervention strategies

Mediation intervention strategies can range from low to high. Bercovitch and Gartner (2006) distinguish three strategies along a low-high intervention sequence: (1) communication facilitation, (2) procedural strategies and (3) directive strategies (Bercovitch and Gartner 2006: 338).

Communication facilitation strategies (also known as the consultation model) are adopted by a mediator when he has a passive role. The mediator conveys information between the disputants and facilitates cooperation. The mediator displays little control over the substance of the meditation. Norway's role in the Oslo agreement between Israel and the Palestine Liberation Organisation (PLO) is an example of communication facilitation (Bercovitch and Gartner 2006: 339).

By way of using procedural strategies a mediator takes on formal control over the mediation environment. The mediator can dictate the structural facets of the meetings, the communication process and control media publicity. However, the most powerful strategies are the directive strategies. Using these strategies, the mediator can affect the content of the bargaining process. The mediator can provide certain incentives to the disputants to ensure

that they negotiate. Furthermore, the mediator can issue ultimatums to the disputants (Bercovitch and Gartner 2006: 339).

Communication facilitation strategies appear to be among the most frequently used strategies. However, communication facilitation strategies perform the worst when compared to the other strategies. The directive strategy is more successful in high-intensity conflicts than in less intense conflicts. Whereas procedural strategies are more effective in less intense conflicts than in high-intensity conflicts. So to say, any mediation intervention seems to be helpful in a conflict, the extent to how far mediators should go in depends on the intensity of the conflict (Bercovitch and Gartner 2006: 348).

Good offices and shuttle diplomacy

Several other forms of mediation can be further distinguished such as good offices and shuttle diplomacy. According to Bercovitch and Fretter, good offices is a “passive form of mediation and is often described as a diplomatic method of conflict management”. The mediator in this strategy acts as a coordinator and does not persuade the disputing parties to reach a resolution (Bercovitch and Fretter 2004: 22). The concept of “good offices” originates from the Hague Conventions in 1899 and 1907. It describes the (political) role of the Secretary-General during conflict management. Good offices is not codified in the UN Charter, yet over time it has been developed by several Secretaries-General as a high-profile mediation instrument, intended to prevent intra- and interstate conflicts (Franck 1995: 361).

The mediator merely offers a channel of communication and arranges meeting places and facilities where parties can hold their talks. Therefore, by behaving like a facilitator and being passive in the actual negotiations, the mediator tries to promote a resolution (Bercovitch and Fretter 2004: 23). In a later stage of the negotiations, good offices often grows into a

broader mediation role: conciliation. Conciliation involves the more active role of a third-party during the negotiations. The experiences of the mediator have been found to have a significant influence to come to a successful resolution (Bercovitch and Fretter 2004: 23; Fisher and Keashly 1991: 35). Experience is not the only determinant for successful resolution but other attributes such as expertise, flexibility, knowledge, personality, favourable background of the mediator, impartiality and interpersonal skills have been found to be significant in mediation as well (Bercovitch and Fretter 2004: 23).

Shuttle diplomacy (also known as mediation caucusing) is another mediation strategy where the mediator mainly relays information between the disputing parties. The mediator separately meets with the disputing parties. Organisational representatives have seen mixed successes when using this strategy. Since over the course of a conflict the representatives of disputing parties can change, the dynamics between the mediator and disputants keep changing as well (Bercovitch and Fretter 2004: 23).

The concept of 'shuttle diplomacy' was first mentioned after the Yom Kippur War (1973) when former US Secretary of State Henry Kissinger tried to negotiate peace in the Middle East; Kissinger was 'shuttling' between the disputing parties. Therefore, shuttle diplomacy is mostly used in situations where the mediator has to travel long distances in order to meet with the parties. Yet shuttle diplomacy is also applicable in situations where the disputing parties are in close proximity, but refuse to formally acknowledge the other party or meet face-to-face (Hoffmann 2011: 268).

Potential obstacles

During mediation, mediators have to establish a zone where a possible agreement can exist. In order to do that, they have to overcome possible obstructions that might interfere with an

agreement. One of these obstacles can be the distress of the disputing parties' fear of mutual exploitation (Hoffmann 2011: 279). At the same time mediators need to deal with the 'adverse selection' problem which is caused by parties not disclosing all the information. Hoffmann describes adverse selection as a 'product of informational asymmetry and can result in contracts advantaging the party keeping hidden information (2011: 272). Mediators can resolve the adverse selection problem by sharing the information they gathered during the negotiations. Naturally, conflicting parties would no longer trust and share information with the mediator if they know all information is shared. As such, the mediator has to adopt a compromising strategy called 'noisy translation of private communication' with all the disputing parties: the mediator is imprecise with the information gathered and does not explicitly state what the other parties want (Hoffmann 2011: 273).

Additionally, a mediator can help to deal with the various negotiating problems such as unrealistic expectations, emotional barriers and fear of losing face. Also, the shuttle diplomacy strategy ensures that the mediator can develop a better understanding of the issues at stake and create a better understanding of the interests and needs of disputing parties (Hoffmann 2011: 276-280). Using shuttle diplomacy as a mediation strategy might sometimes be the only workable strategy in order to come to a resolution. However this form has also come under some controversy as shuttle diplomacy can give the mediator too much power and knowledge (at the expense of the disputing parties). In contrast, joint sessions can increase understanding the opposing views of the disputing parties (Hoffmann 2011: 263).

A successful strategy

For mediation strategies to be successful the timing of intervention is seen as essential. Usually, regional organisations can make a better judgment when to start mediation since they

are in a better position due to logistically smaller travel obstructions. Overall, both good offices and shuttle diplomacy can be implemented swiftly and thus can prevent a total disruption in the dialogue between the disputing parties (Bercovitch and Fretter 2004: 24). Moreover, the role of third parties in mediation is more than just arranging an environment for the mediation process. Additionally, mediators need to allow disputing parties their freedom, informality, privacy and neutrality to conduct a dialogue (Bercovitch and Fretter 2004: 24).

Which mediation strategy is chosen in a conflict is dependent on the nature of the relationship between the disputants. The style of mediation is adapted to the situation of the conflict, a more intense and violent conflict will need a more intense intervention. Since the costs of failed mediation are higher in those conflicts, a mediator will use any 'stick and carrot' in its reach to increase the chances of an agreement. Yet, one also has to take into account that due to intensity of the conflict, the best result that can be achieved could be a hiatus of the violence. If the same 'stick and carrots' were to be used in a low-sensitive conflict, the measurement might be taken into account as too dominant, and thereby in the end, be less effective (Bercovitch and Gartner 2006: 339).

2.3 Mediation outcomes

The mediation efforts and strategies that are undertaken are being pursued with the objective to come to an agreement. The outcome of mediation are here divided in two categories namely the durability and the quality of the peace agreements.

Durability of an outcome

Beardsley (2008) researched the possibility of lasting peace as a result of mediation. The short- and long-term effects of mediation are quite diverse. The short term outcomes lead to satisfying outcomes for all disputants. Yet, in the long run, when the mediator's influence subsides, the settled agreements become outdated. Demands of the disputants are likely to change over time, and an achieved agreement can become less durable than an agreements made without a mediator (Beardsely 2008: 737).

The likelihood that a peaceful agreement will last, will decrease over time. However this does not mean that mediation cannot be worthwhile since mediation can reduce the chances of an immediate violence outbreak of a conflict. The peaceful agreement mediation can have could last for years. Furthermore, agreements based on mediation in which leveraging the costs and the promise of monitoring are used will not be stable. Those more forceful mediation strategies can lead to final agreements which differ from the military reality on the ground. This unstable situation brings forward the uncertainty that one party will not hold on to the agreement as soon as it believes it can gain more (Werner and Yuen 2005: 261; Beardsley 2008: 737; Duursma 2014: 92).

Whether mediation can lead to a lasting peace is undecided. Agreements in which there was no to little mediation are seemingly more stable in the long run. Since mediators try to refrain disputants from using violence as well as solving the controversy between

disputants, mediation ought to focus on solving these two aspects of the conflict. Using manipulative strategies can lead to the establishment of an agreement. If a mediator were to use facilitation strategies at the same time, it could establish a more durable agreement (Duursma 2014: 92).

Quality of an outcome

The second aspect is the quality of the outcome of mediation. A conflict often revolves around issues concerning the control over territory, control over the government of a state or both. Svensson (2009) finds that mediators who have a stronger incentive to reach an outcome to the conflict often do this at the expense of the quality of the outcome. These so-called 'neutral mediators', do not support either side in the conflict. The motives of neutral mediators to get involved in a conflict can differ; humanitarian or altruistic motives might be the leading causes. Other consideration could stem from the protection of the mediator's reputation. Since these mediators are neutral, they have no interest in any particular outcome.

However, they do want the conflict to be resolved sooner than later, since they have to also bare costs (Svensson 2009: 448). On the other hand, biased mediators have an interest in one of the disputants. They will seek to find an outcome in which 'their' parties' interests are protected. Moreover, biased mediators can have a special relationship with one of the disputants such as a historical connection or as a material supplier of goods. Therefore, they might push 'their' side to take on costly concessions in order to come to an outcome. Mediators will decide to take this action when one of the sides has to take on costly concessions. These costly concessions might endanger the future peace of the agreement. In addition, neutral mediators can decide to push 'their' side to take on a part of the costs (Svensson 2009: 448).

Accordingly, these biased mediation efforts are found to be more successful and lasting than neutral mediation. Biased mediation enables the development of a more elaborated institutional system which is more contributory to a durable peaceful outcome and democracy. In neutral mediation the likelihood is higher that outcomes will be accepted without any agreements on (political or territorial) power sharing, security guarantees, promises of reinstatement and dispensation for belligerents (Svensson 2009: 461-462).

Arguably, the bargaining position of a biased mediator is better due to their special relationship with one of the disputants. Three reasons can be found why the quality of neutral mediation is lower in comparison to biased mediation. First, neutral mediators have costs during the mediation process t therefore hey will hasten the process. Second, due to the inability of neutral mediators to put pressure or leverage on the disputing parties they will settle for any outcome. Third, neutral mediators have fewer capabilities to bring about an agreement and disputants will rather ask biased mediators to lead the negotiations (Svensson 2009: 449).

2.3.3. Conclusion

All in all, for mediation to come about at all, disputing parties have to be willing to start the mediation process and to seek assistance of a mediator. Due to the voluntary aspect of mediation, a third-party must be willing to mediate and as such also has to be accepted by the disputants as the mediator. Additionally, disputants are more likely to accept mediation when they acknowledge that there is more to gain then to lose in mediation. Mediation is not only a cost-effective strategy, it can also be usefully applied together with peacekeeping efforts. The United Nations (UN) often combines peacekeeping missions and mediation (Bercovitch and Fretter 2004: 17). A mediator can adopt several mediation strategies such as communication

facilitation, procedural strategies, directive strategies, good offices and shuttle diplomacy. For a strategy to be successful, the timing when a mediator intervenes can be essential. During mediation, the mediator has to be aware of potential obstacles. A fear that disputants might mutually exploit each other can exist. In addition, the adverse selection problem might arise; disputants can decide to not share all information in the process. This problem can be solved by sharing information during negotiations. The capacity for the mediator to use 'sticks and carrots' can increase the chances of an agreement.

Finally, the outcome of mediation can be divided in durable and quality peace agreements. Additionally, a distinction between 'neutral' and 'biased' mediations can be distinguished. Biased mediators have a special relationship with one or both of the disputants. In comparison with neutral mediation, biased mediation is often found to result in a successful and lasting outcome.

3. Research Design

The case

Scholars have written on several issues concerning the mediation role of third parties within conflict management. Some of these concepts are the mediators' influence on the duration of a conflict; the role of a transnational or regional third party and the several mediation techniques third parties adopt in order to peacefully resolve.

This thesis will provide a full in-depth analysis of the conflict in Myanmar and the role of the UN in this conflict between 1990 and 2013. This timeframe is chosen since Myanmar attracted international attention after the 1990 elections. At the time, the NLD won the elections with a landslide victory. However, the regime ignored the election results and arrested members of the opposition.

In addition, the main focus of the analysis will be on the role of the UN as the mediator in the conflict and which mediation strategies the UN used. Bercovitch stated that “UN mediations are less likely to succeed than mediation by states or regional organisations”. This can be explained partially by the states’ distrust of international organisations and their preference for managing conflicts bilaterally or with mediators of their own choosing” (Bercovitch and Fretter 2004: 31). The thesis will discuss Bercovitch's assertion and its applicability to the Myanmar case.

Research question

The main research question addressed in this thesis is: To what extent has the UN mediation effort been effective in Myanmar between 1990 and 2013. The research question will be answered by answering the sub-question: which mediation strategies have been used by the

UN envoys assigned to Myanmar?

Effectiveness is measured in terms of the extent to which the actions of the UN mediation meet the expectations of the disputants and the expectations of the UN member states.

Method of analysis

The study aims at gathering knowledge (descriptions and explanations) about the case, UN mediation in Myanmar. This descriptive approach uses a single case study to research on how the situation was in the past or will be in the present. In this case study we focus on UN mediation in Myanmar over the time period of 1990-2013.

Data collection

Due to the language differences and geographical distance, the prospect to collect original data is unlikely. Furthermore, the research will consist of the necessary literary work written about mediation in Myanmar. These will encompass reports of the UN, NGO's, news reports and policy reports of various organisations. Seeing that the UN mediation processes have been extensively documented and that UN has been the main mediator in the conflict, most attention will be given to this role. However, the role of other mediating actors will also be described in the final part of the thesis. A variety of other primary and secondary sources are used as well, to establish a complete picture of the conflict situation in Burma.

Relevance

Since the end of the Cold War, influencing and managing internal conflict within states has become increasingly important. Several national and multinational (successful) attempts have been undertaken by various third actor parties to resolve intrastate conflicts (Regan 2002: 55).

Intrastate conflicts are challenging the international security, in order to stabilise these conflicts scholars have developed ample strategies to bring conflicts to a peaceful resolution (Carment and Rowlands 1998: 572). When a state is embroiled in a conflict it can find a peaceful solution in two ways: either initiate (open or secrete) bilateral negotiations or procure the support of a third-party as a mediator (Bercovitch and Fretter 2004:14).

This research is of political-societal relevance since it describes the UN mediation process in one of its member states. The UN is a supranational organisations with seemingly limitless authority. Nonetheless, since 1995 the UN has sent four envoys to Myanmar. The current UN envoy however was only able to use his UN mandate effectively after economic sanctions were dismantled by key member states. Key members states can have a big impact on the efficiency of an envoy, which might undermine the mandate given by the General Assembly. Moreover, it was for the first time that the UN sent out the good offices role to mediate between a state and an individual which that state regarded as a dissident. In addition, lessons learned from the UN envoy in Myanmar can be used by other mediators to make informed decisions. Therefore, it could be beneficiary to prevent and resolve other conflict.

3. The case: Myanmar

3.1 The start of UN mediation in Myanmar

In January 1949 the Karen tribal group led a revolt which turned into a civil war. The fighting and ethnic conflict continued with no side achieving a conclusive victory. The conflict occurred not only within Burmese borders; in 1969 Chinese soldiers fought with Burmese troops on Burmese territory. Furthermore, Karen rebels were very much active along the Thai border (Bercovitch and Fretter 2004: 191). Despite the continuing conflict, very few attempts (especially by external mediators) were made to manage the conflict (Bercovitch and Fretter 2004: 167). Chaim Kauffman speculated in his research in 1996 that 'ethnically based conflicts are harder to resolve than other forms of civil war' (Regan 2002: 57). This could have been one of the reasons as to why there have been few attempts to mediate in the Burmese ethnic conflict.

Since 1990 the UN started to show some involvement in Myanmar. This interest arose after the Burmese regime annulled the 1990 election results in which the National League of Democracy (NLD), led by Aung San Suu Kyi, had won with a landslide victory. However, Aung San Suu Kyi was at the time already placed under house arrest by the military regime in 1989. Aung San Suu Kyi was internationally regarded as the winner of the elections and when her story became more widely known, her struggle to establish a democratic country 'freedom from fear' received worldwide attention (Kyi 1992: 5).

The UN recognises in their Article 33 of the UN Charter several conflict management strategies: "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice" (UN Charter, chapter

VI).

Western and regional countries were hesitant to interfere in the country's internal affairs and looked at the UN's Secretary-General's good offices to lead the negotiations in Myanmar (Magnusson and Pedersen 2004: 2). Between 1991 and 1992 the Swedish Under Secretary-General Jan Eliasson visited Myanmar on several occasions (Lewis 1992). With his assistance the General Assembly accepted the first resolution on Myanmar on 17 December 1991. The resolution was meant as a reminder for the Myanmar regime to establish a democratic state, and urged the regime to “allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights” (UN General Assembly 1991).

A year later, Francesco Vendrell was appointed as director of the UN's Asia and Pacific Division. Vendrell felt a stronger commitment to Myanmar, and especially towards the democratic case of Aung San Suu Kyi. However, within the UN it had been found to be highly unlikely that the General Assembly were to appoint a special representative in a good offices role and be sent to Myanmar (Magnusson and Pedersen 2012: 8).

In the history of the UN, never before was a good offices role sent out to mediate between a state and someone that state perceived as a dissident. UN member states that felt strongly towards the non-interference principle were not willing to give their support to such a mandate. Further, the Myanmar regime would not easily accept the good offices role in Myanmar. With the guidance of Eliasson and Vendrell, several Western member states agreed to carefully phrase a Myanmar resolution during the 85th plenary meeting in 1993. They put a sentence in the resolution which created opportunities for the a broader mandate but would not raise questions. Number 15 in the Myanmar resolution stated: “Requests the Secretary-General to assist in the implementation of the present resolution and to report to the General

Assembly at its forty-ninth session” (UN General Assembly 1993: 4).

As such, the UN General Assembly requested the assistance for the implementation of its annual resolutions on Myanmar in 1993. The subsequent mandate implied several political reforms with the purpose to end the ethnic conflict and issues related to human rights, socioeconomic and humanitarianism. However, in reality the UN was only focused on promoting democracy in Myanmar. As a biased mediator, the UN was focused on establishing a dialogue between the regime and Aung San Suu Kyi and restoring political freedom (Magnusson and Pedersen 2012: 83).

As a result of the resolution, the then Secretary-General, Boutros Boutros-Ghali laid out a plan to initiate UN involvement in Myanmar. By early 1994, the Pakistani Rafeuddin Ahmed was sent out as the first representative of the Secretary-General to Myanmar. Rafeuddin was never an official envoy for Myanmar, but was asked to deliver a letter from the Secretary-General to the military regime in Myanmar. In the letter Boutros-Ghali asked for the establishment of a dialogue between the regime and the UN: “The main objective of such dialogue would be to exchange views on the various issues of common concern and to consider how the United Nations can assist in facilitating continued progress towards the resolution of these issues. I sincerely hope that Your Excellency's Government is agreeable to this quiet approach” (UN General Assembly 1994).

Boutros-Ghali started his mediation effort at a low-intervention sequence as he offered to help with facilitating the process, more powerful strategies could have intimidated the regime and refuse mediation. The Myanmar regime response: “I have also noted with deep respect the desire you conveyed [...] to establish dialogue with the Government of the Union of Myanmar to exchange views on the various issues with a view to considering how the United Nations can assist in facilitating continued progress towards the resolution of these

issues. I hope to communicate with Your Excellency on this subject in the near future [...] (UN General Assembly 1994). As such, Rafeeuddin paved the way for the first official Myanmar envoy, led by the Peruvian Alvaro de Soto (then Assistant Secretary-General for Political Affairs (Magnusson and Pedersen 2012: 9-10).

As Hoffmann (2011) noted, a mediator has to find common ground on which a possible agreement can exist. Since the situation in Myanmar garnered more international media attention, the UN was seen as the ideal mediator to intervene. As such, the UN had both public and private interests to become the mediator. The letter from Boutros Boutros-Ghali was the first step to find common ground.

1.2 The first envoy - Alvara de Soto (1995-1999)

The first official UN envoy, Alvara de Soto, made six visits to Myanmar during his time as envoy. In 1995 formal mediation efforts of the UN started, negotiations ensued between the Karen rebels and the military regime, yet no agreement was established. In September 1994, for the first time since Aung San Suu Kyi was placed under house arrest, she met with the regime's General Than Shwe and Intelligence Chief Brigadier General Khin Nyunt. (Magnusson and Pedersen 2012: 13).

Alvaro de Soto had plenty of experience when he started his role as mediator in Myanmar. He had previously worked as a successful mediator in conflicts in Guatemala, Nicaragua and El Salvador. De Soto's experiences and expertise made him a trustworthy mediator. However, during previous mediations de Soto had the support of the UN and its member states, the same could not be said when he went to Myanmar (Magnusson and Pedersen 2012: 14).

De Soto first visits to the country were mainly intended to create more personal

relations on the ground. At the time it was known within the UN that even if the envoy would be unable to come to an outcome, at least they would have tried (Magnusson and Pedersen 2012: 15). In interviews with Magnusson and Pedersen, de Soto made it clear that these visits to Myanmar felt like “visits to the dentists”. The visits were part of the requirements of a mediator to build a relationship of trust between the disputants and the envoy. General Than Shwe did not receive de Soto at any time during these first missions; instead de Soto held his meetings with Khin Nyunt (SLORC secretary-1, the Intelligence Chief) and Aung Toe (chairman of the Constitution Drafting Committee, Chief Justice). During these visits de Soto noted that there was much suspicion and distrust between the Burmese generals.

Shortly after de Soto's second visit, Aung Sun Suu Kyi was released from her house arrest on the 10th of July 1995. She was given the same limited rights as the other citizens had in Myanmar (Silverstein 1996: 212). However, de Soto's second visit and the release of Aung Sun Suu Kyi were merely coincidental. Nonetheless, in August de Soto hoped that the situation had improved and tried to get the military regime and Aung Sun Suu Kyi to continue the talks. The SLORC refused to do so, stating that they regarded Aung Sun Suu Kyi as merely an ordinary citizen. De Soto did not return to Myanmar in that year (Magnusson and Pedersen 2012: 17).

Secretary-General Boutros Boutros-Ghali proposed in a letter to the to Senior General Than Shwe, Chairman of the SLORC another visit from the envoy to Myanmar in early September. Boutros-Ghali wanted de Soto to meet with the authorities and other relevant political personalities in Myanmar. The regime was willing to meet de Soto but “it could not agree to private meetings with all the personalities” (UN General Assembly 1996).

The UN tried to improve the good offices with the formation of a so called 'Group of Friends', officially titled the Informal Consultation Mechanism for Myanmar (ICMM). The

group consisted of several countries who desired a peaceful outcome to the conflict (Australia, Canada, Japan, Malaysia, Sweden, Thailand, the UK and the US). There were no sympathisers of the military regime; also India and China were left out. During the meetings of the ICMM the US and the UK pressed for extra pressure on Myanmar from the Asian countries (Magnusson and Pedersen 2014: 17).

In 1997, de Soto visited Myanmar for the third time. Kofi Annan had been appointed as the new Secretary-General of the UN and US president Bill Clinton had announced a ban on all US investments in Myanmar. With this step Clinton instantly put more international pressure on Myanmar. De Soto was appointed as a special envoy of the Secretary-General but his new title had little practical influence. Additionally, the UN did not have all the necessary information available and as such they were unable to make an informed and updated analysis of the conflict at the time.

In 1997 peace negotiations once again failed to establish an agreement which led to renewed fights between the SLORC and the Karen National Unity (KNU). In response to the 'severe repression' of the political opposition, the US enforced economic sanctions against Myanmar. A year later, 1998, the UN tried a new strategy; instead of pressure and threats, de Soto wanted to introduce more positive incentives for the military regime. The envoy also looked at the possibilities to resolve the underlying ethnic problems in the region. However, the regime was especially sensitive towards the ethnic problems and viewed it as an internal issue.

Consequently, the positive incentive de Soto wanted to create was economic development for Myanmar with the help of the World Bank (Magnusson and Pedersen 2012: 20). De Soto hoped that a positive incentive for the regime would encourage them to start negotiations again. The World Bank estimated the Official Development Assistance (ODA)

at \$1 billion. Yet, before the deal could even be offered to the Myanmar regime, a journalist from the New York Times caught wind of the deal - which was about to be submitted to Myanmar - and headlined the story: “\$1 Billion if Generals Will Talk with the Opposition” (Crampton 1998). A Yangon-based diplomat was cited in the article “A lot of sticks have been used — and they remain in place — but now we are also offering the government some carrots.” The Myanmar regime felt humiliated by this action and despite a worsening economic situation the regime refused the financial stimulus. Foreign minister Win Aung stated: “This is like offering a banana to a monkey and asking it to dance. We are not monkeys. We won't dance” (Mitton 2000).

Not only the Burmese regime was reluctant to accept UN help, Aung San Suu Kyi made her own preconditions clear to Washington. She demanded the release of all political prisoners before any 'carrots' were to be given, Washington adopted this viewpoint. With this move, the envoy was unable to adjust to any of the regime's interest. De Soto had a hard time finding support for any Myanmar-strategy within the UN and the US. By December 1998, Washington had not changed their foreign policy view towards Myanmar. In contrast, Aung San Suu Kyi had softened her demands but the US did not want to soften its policies towards the military regime (Magnusson and Pedersen 2012: 26).

De Soto's intended visit to Myanmar in mid-September 1999 was indefinitely postponed by the regime. De Soto had intended to use the visit to unlock the political stalemate. Upon hearing of the postponement of de Soto's visit, the UN again considered to use World Bank aid to encourage the military regime to engage in talks (CNN 2000).

Washington eventually aligned their viewpoint with Aung San Suu Kyi three months later, which made it possible for the World Bank to accompany the envoy to Myanmar and discuss an aid program. A month later, de Soto did travel for his fifth visit to Myanmar, once again in

an attempt to start negotiations between the disputants and in return the UN and the World Banks would provide for financial aid (CNN 2000). However, both the SPDC and Aung San Suu Kyi had retreated on the idea of brokering a deal. For the first time in years, the SPDC and the opposition seemed to have created common ground to start negotiations. However, due to the US economic sanctions, the UN was unable to assist the disputants. The UN envoy lacked the necessary political and operational readiness. The respective institutional power and a solid mandate were absent (Crocker 2003: 153).

At the end of this first envoy, Alvaro de Soto was criticised for being indifferent and unsympathetic. His mediation attempts between the regime strategist Lieutenant-general Khin Nuynt and Aung San Suu Kyi led to no improvements between the two parties. The efficiency of de Soto's visits were questionable, however one also had to take into account that de Soto could not dedicate all of his time on the conflict in Myanmar. At the end of his envoy, de Soto himself noted that he was deeply pessimistic about a possible peaceful outcome in Myanmar. He sketched the situation in Myanmar as being not ripe for mediation (Magnusson and Pedersen 2012: 27). Indeed, despite the duration of the conflict in Myanmar, the disputants are in a MHS. The costs for the disputants to continue the conflict are lower than the costs of peace (Aggestam 2005).

As the first official UN envoy, de Soto adopted a facilitation strategy, yet whether any side in Myanmar regarded the UN strategy as beneficiary to the process is doubtful. From the start the good offices had focused on establishing democratic engagement in Myanmar. Since the UN focused primarily on promoting democracy in Myanmar, the economic and humanitarian cooperation with the World Bank was purely an incentive for the regime to start political reform.

Moreover, the release of Aung San Suu Kyi become a focal point during the meetings

between the envoy and the regime. As such, the regime perceived the envoy choosing the side of the opposition. Due to the financial restrictions imposed on the Myanmar by several Western states, de Soto had nothing to offer the regime. Therefore, de Soto tried to engage the regime by creating financial incentives. However, Aung San Suu Kyi showed no interest in cooperating with the regime and since the US unconditionally supported Aung San Suu Kyi, they did not support de Soto's idea to create financial incentives for the regime in 1998. Furthermore, Myanmar was not a high priority on the agenda of the US, therefore the US had no direct incentive to push for peaceful solution in Myanmar. These aspects taken together severely limited the prospects of the first envoy.

According to Greig and Regan (2008) the mediator's involvement and acquaintance in a conflict will increase the trust disputants have in the mediator. However in the five years de Soto served as an envoy, he visited Myanmar six times. De Soto tried to arrange more visits to Myanmar yet the regime was not eager to meet him. Several reasons can explain why the military regime was not willing to accept de Soto as an mediator. First of all, The General Assembly had repeatedly expressed concern over several issues in Myanmar such as the procedures of the National Convention and the withdrawal and subsequent expulsion from the Convention of NLD. Due to economic sanctions and the influence of the US, de Soto could not offer the military regime financial assistance. He had nothing to offer the regime, therefore the regime had no incentive to meet with de Soto.

3.3. The second envoy (2000-2005)

The new envoy - led by Malaysian Razali Ismail – made its first trip to Yangon in June 2000. The change in envoy was well received news in Myanmar. The then foreign minister Win Aung commented on Razali's assignment: "I hope as an Asian he will understand more of our

program” (CNN 2000). Since Razali originated from the same region, the new envoy fulfilled Crocker's third criterion: relationship readiness and connectivity (2003: 160).

However, the second envoy did ignore for the most part the advice of its predecessor. Shortly after Ismail's appointment the new UN Special Rapporteur on human rights in Myanmar, Brazilian Sergio Pinheiro, was also appointed (Magnusson and Pedersen 2012: 31).

In 2000 talks started between the SPDC and the NLD. These 'secret' talks were mediated by Razali. The choice for Razali Ismail as the new representative was a strategic one since Razali was from the region and had already met with the Senior General Than Shwe on several occasions. Razali's objectives were crystal clear: free Aung San Suu Kyi and establish a dialogue between her and the SLORC. How these objectives were to be achieved was unclear as a coherent UN strategy was not drafted (Magnusson and Pedersen 2012: 33).

Along the way Razali stipulated his own strategy; first he would stop the Westerns antics of 'pressure politics' and encourage Myanmar to look and learn from their neighbours. Second, Razali put the importance of reconciliation of the ethnic minorities on the agenda. He was the only one of the four envoys who put an emphasis on the ethnic debate and as such extended the agenda of the good offices. Third, Razali refused to simply follow Aung San Suu Kyi's righteous position, and urged the opposition leader to change her position to a more pragmatic stance. Razali seemed to be especially successful on this third point (Magnusson and Pedersen 2012: 34).

Razali chose his native Malaysia as the location of his office and he also chose his own assistant. By doing this, Razali not only distanced himself from the UN bureaucracies but also from the international pro-democracy protests and he moved the issue away from the attention of international media (Magnusson and Pedersen 2012: 34). This all led to Razali having more space than his predecessor to plan his mediation efforts. Razali's mediation

efforts was further strengthened by the presence of Leon de Riedmatten, a Swiss with previous negotiation experience in Myanmar. De Riedmatten had successfully negotiated the Red Cross' access to Burmese prisons. Razali received on his visits to Myanmar a warm welcome, something that sceptical observers viewed as an attempt of the regime in trying to get more support from the Asians. The meetings with the leaders of the SPDC were similar to de Soto's, yet with the help of de Riedmatten, Razali was able to schedule his own appointments with people he seemed to be of strategic importance (Magnusson and Pedersen 2012: 35).

Additionally, Razali was able to use shuttle mediation in his first years as envoy. Razali could meet both Aung San Suu Kyi and the SPDC twice during his visits; in his first rounds he would meet with the SPDC and later with Aung San Suu Kyi. During the second round of his visit to Myanmar he would see the government again and afterwards meet Aung San Suu Kyi. Razali softened the confrontational tone of the previous envoy as he put less emphasis on human rights and more on the opportunity for Myanmar to learn from its neighbouring countries (Magnusson and Pedersen 2012: 36; Bercovitch and Fretter 2004).

As mentioned before, Razali was the only envoy who considered the ethnic minorities as a part of the conflict. Razali's envoy held on a regular basis meetings with several ethnic minorities where he urged them to take a common position in case a tripartite dialogue could ensue. Yet, the start of a tripartite dialogue was unlikely since the relationship between the NLD and the SPDC deteriorated further with the extension of Aung San Suu Kyi's house arrest in August 2000.

However, the situation did not deteriorate as much as it might have been expected. Upon Razali's second visit in October 2000 he was assured by Khin Nyunt that Aung San Suu Kyi's house arrest was only a provisional measure and that it would be lifted eventually. Aung

San Suu Kyi seemed prepared to compromise with the SPDC and secret talks between the two parties started for the first time since 1994. In order to show goodwill, the regime released several political prisoners and the NLD was allowed to open party offices around the country again. In 2002 Aung San Suu Kyi was no longer placed under house arrest. However it remains unclear to what extent the good offices had any influence as Razali himself was not present during these talks. What is more, the talks were even held in secrecy, without the knowledge of the UN. Razali later commented that he had a role as 'a facilitator, not a mediator' (Magnusson and Pedersen 2012: 37-38).

Despite many other complications, the release of Aung San Suu Kyi was a success for the UN. However a year later Aung San Suu Kyi would be detained again. This is however not surprising since mediation outcomes in which costs are used as leverage are not stable. Moreover, the military regime controlled the country and could arrest Aung San Suu Kyi again anytime they wanted. Razali had the idea to create a humanitarian council in which both Aung San Suu Kyi and the SPDC could discuss humanitarian issues. Through the council, Razali was optimistic that he could bring the regime and the NLD together, build confidence and trust between the two parties whilst at the same time establishing a way to help the Burmese citizens out of their dire situation (Magnusson and Pedersen 2012: 39). As such, Razali tried to use the humanitarian council as 'carrot'.

In 2001 Razali had already mentioned the prospect of a humanitarian council to both Khin Nyunt and Aung San Suu Kyi; they dismissed the idea immediately. Yet, due to the Asian economic crisis Khin Nyunt was trying to rekindle the relationship with the West. Supporting the idea of a humanitarian council would garner more international support. Aung San Suu Kyi was invited by the regime to visit several infrastructure projects, which she agreed to. Despite these small steps a humanitarian council never was established. Razali later

stated that the regime was too distrustful towards Aung San Suu Kyi and there was simply not enough support for the idea from the UN Secretariat and the regime (Magnusson and Pedersen 2012: 40). Despite his facilitation attempts Razali had been unable to create mutual trust between the disputants.

In May 2002, Razali continued his facilitating role when he organised a lunch where both Aung San Suu Kyi and the regime's three top officials (General Than Shwe, Vice Senior General Maung Aye and General Khun Nyunt) were present. As a result, the regime created a ministerial team which was assigned to continue talks with Aung San Suu Kyi. Yet Aung San Suu Kyi grew impatient with the lack of process and she found it condescending that she was not talking with the regime's top officials directly. By November 2002 the negotiations were going nowhere and in another attempt to bridge the differences Razali suggested that the regime would reassemble the National Convention. Further the NLD was to be invited to discuss constitutional changes. To prevent the regime from breaking of the talks Razali promised several financial incentives and immunity for human rights violations (Magnusson and Pedersen 2012: 41).

Khin Nyunt was open to the idea to negotiate with Aung Sun Suu Kyi, yet his superior, General Than Shwe, was not so keen. Razali urged Aung Sun Suu Kyi to write a personal letter to the General, Aung San Suu Kyi was unresponsive to this idea. The NLD and the SPDC were again in a political stalemate. According to Razali, the stalemate was a result of a personality conflict between Aung San Suu Kyi and General Than Shwe: "Each one is imperious in his own way and neither is ready to compromise" (Wikileaks 2002). General Than Shwe failed to respond to any of Razali's suggestions. The General was further angered by Razali's plans to visit Aung San Suu Kyi who was at the time visiting the Shan State. Razali was instructed by Khin Nyunt that such a visit would endanger the UN's impartial

status. (Magnusson and Pedersen 2012: 41).

Aung San Suu Kyi continued her trip throughout Myanmar in order to reorganise and encourage the NLD. On May 30 2003, her trip was disrupted by a mob attack on her convoy. Aung San Suu Kyi's car was able to escape but an estimated seventy people were killed. Following the attack Aung San Suu Kyi was once again arrested and detained. Her renewed detainment resulted in international protests, especially in the US where financial sanctions were implemented by the Congress. The UN Secretary-General urged Razali to take on an active role as facilitator of the negotiation (Wikileaks 2004).

Razali's envoy designed two options for the UN; they could either put the Secretary-General's good offices on hold and wait for the regime to initiate negotiations or the UN could use a 'stick and carrot approach'. The later approach entailed an increased involvement of the international community and the international normalisation of Myanmar. Before these plans were even brought to the discussion table, the Myanmar regime had already initiated a Seven-Point Road Map to Discipline-Flourishing Democracy (Magnusson and Pedersen 2012: 43). The seven points described in the roadmap were: “1. Reconvening of the National Convention that has been adjourned since 1996; 2. After the successful holding of the National Convention, step by step implementation of the process necessary for the emergence of a genuine and disciplined democratic state; 3. Drafting of a new constitution in accordance with basic principles and detailed basic principle laid down by the National Convention; 4. Adoption of the constitution through national referendum; 5. Holding of free and fair elections for Pyithu Hluttaws (Legislative bodies) according to the new constitution; 6. Convening of Hluttaws attended by Hluttaw members in accordance with the new constitution and 7. Building a modern, developed and democratic nation by the state leaders elected by the Hluttaw; and the government and other central organs formed by the Hluttaw” (Burma Today

News: 2004). In the years following this roadmap several points were boycotted by the opposition (Magnusson and Pedersen 2012: 43-44).

During his visits (in June and October 2003 and March 2004) to the country, Razali continued his efforts to start an engagement between Aung San Suu Kyi and Khin Nyunt. He succeeded to persuade the regime to change Aung San Suu Kyi's detainment from prison to house arrest. In July 2004 de Riedmatten and Razali spoke with Kofi Annan to discuss the next steps in their strategy. The Secretary-General urged Razali to be more proactive and be less responsive to events controlled by the SPDC in Myanmar. Moreover, the military regime was in a political stalemate again and according to Riedmatten the generals were 'very comfortable with the status quo and not feeling any particular international pressure' (Wikileaks 2004).

In the fall of 2004 several moderates in the Myanmar regime (including Khin Nyunt) were purged and the entire military network was dismantled. From this moment on Razali was also no longer allowed to attend and influence future events. In March 2004 he made his final visit to Myanmar. In the following two years no other UN senior official would be able visit the country (Magnusson and Pedersen 2012: 46). During the next fourteen months since Khin Nyunt's purge, Razali continued his attempts to influence the international community to pursue cooperation with Senior General Than Shwe. In the end he was unable to do so and Razali, frustrated with the lack of progress resigned in January 2006 (Rieffel 2010: 19; UN News Centre 2006).

During his time as envoy Razali Ismail encountered the same problems de Soto had: the lack of support from the UN member states. Due to the economic restrictions Razali had nothing to offer to the regime. Razali also tried specifically to garner support with the Association of Southeast Asian Nations (ASEAN) countries, but they were also not willing to

support Razali's idea. The UN envoy was unable to unite the international community behind his mission. The UN envoy was also unable to convince key member states to use economic sanctions against Myanmar in correspondence with the UN missions.

Since this did not succeed, Razali tried to start a humanitarian engagement with both the regime and Aung San Suu Kyi. With several moderates present in the military regime, the regime showed concessions. They released several political prisoners and started a drug eradication program. However, the international community did not recognise the concessions the regime was making. Therefore, by the time Aung San Suu Kyi was willing to cooperate with the regime in 2004, the regime had already purged the moderate members of the regime and no deal was made. In hindsight Razali was right in his assessment that the NLD had to find some way to work together with the regime if change were to come about at all.

According to Crocker's requirements, Razali has been the most 'prepared' mediator. Razali showed operational readiness by appointing his own staff and setting up his office in Malaysia. Moreover, Razali showed political readiness since he had de Riedmatten on the ground in Yangon which opened doors that were previously closed. However, the UN had not drafted a clear strategy, a durable mandate lacked once again.

Razali however had stipulated his own strategy. First, he wanted to put a hold on the Western pressure politics and encourage Myanmar to look and learn from their neighbours. Second, Razali wanted to put reconciliation of the ethnic minorities on the agenda. Razali was unsuccessful in both regards. Razali was more successful with the third part of his strategy: he urged Aung San Suu Kyi to change her position to a more pragmatic stance. Progress was made between Aung San Suu Kyi and Khin Nyunt, yet General Than Shwe hindered any concrete progress.

3.4.The third envoy (2006-2009)

The Nigerian scholar and diplomat, Ibrahim Gambari, was appointed as the new Secretary-General's Special Advisor for the third envoy (UN News Centre 2007). After Razali's failed efforts, expectations were extremely low and the UN adopted a passive attitude towards Myanmar. At the time of his appointment Gambari also held the rank of UN Under-Secretary-General for Political Affairs. Therefore, the regime held Gambari in a higher regard since previous envoys had held lower ranks (Magnusson and Pedersen 2012: 51).

Gambari adopted a different work style and did not reject the regime's roadmap it had outlined in 2003. Instead he emphasised from the start his desire to make the process all-encompassing. Gambari had to start from scratch, he therefore chose to use a low-intervention strategy since he passively communicated with the military regime. These quiet talks the envoy held with the General Than Shwe were ultimately successful. In May 2006 – after more than two years – the UN envoy was finally allowed to visit Myanmar again (Magnusson and Pedersen 2012: 53). The visit was perceived as a success since Gambari visited the regime's elite and Aung San Suu Kyi. Moreover, both parties conceded that the UN had a role to play in the process. During a press conference Gambari stated “They want to open up another chapter of relationship with the international community” (The World Post 2010). For the first time in the history of the UN envoys in Myanmar both disputants announced that they accepted the UN envoy as a mediator. Gambari's appointment was regarded by the regime as a new opportunity since he did not dismiss the regime's roadmap immediately. Gambari continued to focus on re-establishing trust between the UN envoy and the disputants.

However, three days after Gambari's visit, the regime once again prolonged Aung Sun Suu Kyi's house arrest. Six months later Gambari visited Myanmar again, similar to his first visit, he was able to convene with both General Than Shwe and Aung San Suu Kyi. As a

gesture of goodwill, the regime had released several imprisoned NLD members. Whether this gesture had anything to do with Gambari's envoy is uncertain. In the same time period the Myanmar regime received increased attention from the UN Security Council.

In August and September 2006 the situation in Myanmar deteriorated after the regime crushed protests in which an estimated thirty people were killed. The international community severely condemned the actions taken by the Myanmar regime. With help from the Chinese – who ensured the visa - Gambari was able to visit the country again for the first time in nearly a year. During his visit Gambari spoke with General Than Shwe and twice with Aung San Suu Kyi. General Than Shwe made several concessions; Aung San Suu Kyi was permitted to talk to senior party officials, the regime started talks with the UN humanitarian liaison again and political prisoners were allowed visits from their families. For the first time, Aung San Suu Kyi declared she saw a positive development in her country (Magnusson and Pedersen 2012: 58).

Moreover, in September of the same year, the situation in Myanmar was put on the agenda of the Security Council. The UK and the US perceived Myanmar as a 'threat to international peace and security'. As a result international lobby groups demanded a Security Council resolution on Myanmar. To the regime's relief a draft-resolution was double-vetoed by China and Russia in January 2007 (UN Security Council 2007). The double-veto was perceived by the regime as a diplomatic victory. However, with the resolution Western diplomatic efforts pushed the regime too far and the prospect of slow engagement (and long term results) were put on hold (Magnusson and Pedersen 2012: 55).

While relations between the regime and Aung San Suu Kyi seemed to improve, the relationship between the regime and the UN deteriorated further. Charles Petrie (UN Resident and Humanitarian Coordinator) was expelled from Myanmar in October 2007. Furthermore,

Gambari's proposal to start a dialogue between the SPDC and Aung San Suu Kyi, led by the UN was refused. In the eyes of the SPCD, the UN envoy was too closely connected to several superpowers and had failed to prevent new economic sanctions by the US, the EU and Australia (Magnusson and Pedersen 2012: 58-59).

In addition, Gambari had read a statement written by Aung San Suu Kyi during a press conference in Singapore. In the statement Aung San Suu Kyi wrote that she was 'ready to cooperate' (NBC 2007). Gambari felt he could not decline to read it, since otherwise it would have created friction with the NLD (and several Western governments). However, the regime perceived it as a violation of their trust in the envoy and regarded Gambari as a liaison for Aung San Suu Kyi. Additionally General Than Shwe was also frustrated with Gambari for the way he used the Chinese to get a visa, for holding his press conferences after his visit not in Myanmar and they accused Gambari of selective reporting (Magnusson and Pedersen 2012: 59). Gambari's reputation was damaged and the prospect of an breakthrough diminished likewise. Despite the regime's frustrations Gambari continued to work as envoy and he assembled a 'Group of Friends of the Secretary-General on Myanmar' which was set out to establish international consensus for a constructive approach for the good offices. The group consisted of Australia, Indonesia, the US, Russia, Japan, Singapore, China, India, Vietnam, France, Norway, Thailand, Portugal and the UK. Especially the involvement of China was found to be of substantive help for Gambari. With the exception of the US, the involvement of the other 'friends' seems exaggerated and counterproductive since it could lead to Myanmar being over pressured and misunderstood. Yet at the same time, the regime once again questioned Gambari's role as impartial advisor due to his talks with other nations in March 2008 (Magnusson and Pedersen 2012: 60; USA Today 2008).

On May 2 2008, Myanmar found itself again in the international spotlight when the

category-four cyclone Nargis devastated the country and severely affected 1.5 million people. According to official numbers 140,000 people died, other sources stated that the death toll was an estimated 200,000. However, the Myanmar regime refused international assistance and prevented international aid workers from entering the country. This led to an intensified protests in the international community (Telegraph 2008).

Tensions decreased after the ASEAN established a Humanitarian Task Force which facilitated foreign aid. Furthermore, Ban Ki-moon personally spoke with General Than Shwe to assure him that international aid was purely meant as humanitarian aid. To emphasise that politics were not involved Gambari did not accompany Ban Ki-moon. Aside from the ASEAN Humanitarian Task Force, a Tripartite Core Group (TCG) was founded. The TCG consisted of representatives from the UN, the Myanmar regime and ASEAN, and continued to play a humanitarian role after Nargis (Magnusson and Pedersen 2012: 63).

The TCG established a diplomatic opening on which Gambari had waited for a long time. As a last resort option, Gambari wanted to see whether humanitarian cooperation would lead to confidence building and cooperation in other fields. Gambari returned to Myanmar in August 2008, with him he brought a personal letter from Ban Ki-moon and a five-point agenda from the Group of Friends. The points called for: 1. release of political prisoners including Aung San Suu Kyi; 2. dialogue with Aung San Suu Kyi; 3. a credible political process; 4. addressing socio-economic issues including the idea of an economic forum and 5. regularisation of the Good Offices role (including some regular representation on the ground) (Security Council Report 2008; Magnusson and Pedersen 2012: 65).

This time Gambari tried to take on the role of mediator between Aung San Suu Kyi and the regime, and between the international community and the regime. The regime was not interested and tried to persuade the envoy that the NLD and Aung San Suu Kyi were no

longer held in high regard with the populace (Magnusson and Pedersen 2012: 65). Moreover, Aung San Suu Kyi tried to send a message to the regime and refused to meet with Gambari. Two UN staff-members tried to persuade Aung San Suu Kyi to meet Gambari anyway. They stood outside her house with her megaphone shouting: 'Mr Gambari wants to meet you' (The Age 2008). Additionally, the NLD scolded Gambari for his praise towards the TCG: 'We feel that he [Gambari] is trying to appease the junta so much that he is being derailed off his main track' (Mizzima News 2008).

Both the regime and the main opposition party no longer held any confidence in Gambari and the good offices of the UN. As a result the US concluded that it could no longer support an UN envoy led by Gambari. However, this did not stop Ban Ki-moon from personally pursuing a breakthrough in talks between the SPDC and Aung San Suu Kyi. Despite the disappointing previous eighth visit from Gambari to the country in June, Ban Ki-moon decided to visit Myanmar in July 2009. Ban Ki-moon met General Than Shwe twice, but was denied seeing Aung San Suu Kyi. Ban Ki-moon farewell speech contained numerous references to the lack of human rights in Myanmar, much to the dismay of the regime. The relationship between the UN good offices and Myanmar had deteriorated even further (Magnusson and Pedersen 2012: 68-69).

This however did not mean that the relationship with the UN was completely shattered, on the contrary, the UN Under-Secretary-General and executive secretary of the UN Economic and Social Commission for Asia and the Pacific (ESCAP), Noeleen Heyzer, was received with open arms in Myanmar. Heyzer spoke with Prime Minister Thein Sein and several ministers but she also talked with ordinary civilians during her visit through the country. Heyzer's approach was well received in Myanmar and in July 2009, Minister Htay Oo announced the beginning of a partnership between Myanmar and the ESCAP (Magnusson

and Pedersen 2012: 70).

In his final report, Gambari formulated the ESCAP successes as if they were part of the good offices. Yet it is unlikely that ESCAP and the good offices have influenced each other since ESCAP resulted from the TCG initiative. At the start of his envoy, Gambari had realised that if mediation were to lead to some outcome, previous strategies had to be drastically altered. Consequently, Gambari changed the agenda, tried to persuade UN member states to use 'carrots' to let the regime enter mediation. Using a new approach – the three-pillar approach – Gambari tried to incorporate a political, humanitarian and a development agenda.

However by creating this three-pillar approach, each particular approach did not receive full attention and development. Therefore, the humanitarian and development agenda could not have grown to their full potential. Yet in hindsight Gambari was right to establish a three-pillar approach since a humanitarian initiative had created an opening for the mediation process. Furthermore, Gambari did not want to dismiss the roadmap the Government had created since ignoring the roadmap would have distorted the relationship with the Government.

3.5. The fourth and current envoy (2010-....)

Despite the strained relationship between the UN and the regime, the UN member states were not willing to implement a hiatus in the efforts of the good offices. Ban Ki-moon's chief of staff, the Indian diplomat Vijay Nambiar, was appointed as the new envoy. Nambiar was the former Indian ambassador to China and established during that time a good relationship with Beijing (Buenos Aires Herald 2010). To what extent Nambiar used his good connections with China – viewed as an important ally to the regime – is unknown. However, the network, experience and expertise Nambiar had built during his diplomatic career reinforced his role as

UN envoy. (United Nations 2014).

The international community was still very much involved in the political affairs in Myanmar. On the one hand, the US had - aside from maintaining the already existing sanctions – decided to initiate direct involvement in Myanmar by sending a senior US official. On the other hand, China and the ASEAN had decided to support the roadmap set out by the Myanmar regime. It was during the complementation of the fifth point (multiparty elections) of the roadmap, that Nambiar was invited to the country. At the same time, the envoy maintained connections with member states, international financial institutions and local civil society. Furthermore, the UN stressed their willingness to support Myanmar with technical assistance during the elections in order to ensure fair elections (Magnusson and Pedersen 2012: 75).

During talks with India, China and Singapore it was clarified to Nambiar that they had a strong preference for the UN to continue its three-pillar strategy in order to ensure stability in Myanmar. The regime in Myanmar was at the time solely focusing on the upcoming elections in November 2010. The regime was determined that no actor such as the UN or the NLD (which boycotted the elections) would distort the elections. Consequently, the government party - the Union Solidarity and Development Party (USDP) won the elections with an overwhelming majority. Shortly after the elections results, the government released Aung San Suu Kyi after spending seven and a half years under house arrest (Magnusson and Pedersen 2012: 77).

In November 2010, during Nambiar's first visit to Myanmar and a few weeks after the first elections, Nambiar focused on furthering the democratisation process to the best of his abilities. As such, Nambiar could not tolerate neglecting parties (e.g. ethnic minorities and the NLD) which had not participated in the elections. As mentioned before, Nambiar focused on

the three-pillar strategy and emphasised that the UN was committed to support Myanmar in those areas. Nambiar chose to meet with all the respective ministers in the political, humanitarian and development areas. However, the regime's military top generals were not willing to meet with Nambiar. The strained relationship between the UN and the regime had not improved and ignoring Nambiar was a clear sign that the regime had no wish to cooperate with the UN (Buenos Aires Herald 2010).

Nonetheless the UN envoy was able to meet with Aung San Suu Kyi and several civil society organisations without the direct supervision of the regime. Aung San Suu Kyi had realised that working together with civil society groups would be beneficiary for both sides (UN News Centre 2013). Aung San Suu Kyi remained suspicious of the UN and demanded more support from the UN for her case: “the UN should do more to express concern over developments and that she [Aung San Suu Kyi] expected to have frequent interaction with the UN through a more active good offices, preferably with a full-time special envoy” (Magnusson and Pedersen 2012: 77).

In addition Aung San Suu Kyi called the 2010 elections “illegal” and “a parody of democracy”. Nambiar later described his response to Aung San Suu Kyi: “At that stage, for various reasons, I mentioned to her that while I agreed with her, it was important to probably look at this new development in a slightly different manner and perhaps to help in moving that progress towards democracy. She said at that time that she had just come out of detention and there was a need for her to look at how things were developing inside the country.” In hindsight Nambiar was right to suggest to Aung San Suu Kyi to support the quasi-civilian government, despite its undemocratic character. Nambiar's suggestion ensured that the regime saw goodwill on the side of the opposition.

After his first visit as UN envoy to Myanmar, Nambiar concluded that the deadlock

between the NLD and the regime could be interrupted by the introduction of civil societies. Several civil society groups would concentrate on critical issues they viewed most important, but they would do their work within the constitutional framework designed by the regime. By trying to find common ground, Nambiar tried to save the good offices' reputation as a honest and reliable mediator. Additionally, Nambiar saw opportunities for the UN to engage in socioeconomic areas since ethnic parties were keen for more assistance. At the same time, several ministers in the regime asked for the annulation of restrictions on the UNDP's mandate (Magnusson and Pedersen 2012: 78). Nambiar could use this situation to find room for more UN engagement in Myanmar

In February 2011, the newly elected president Thein Sein (and the first civilian head of state) caught the international community by surprise when he announced his new reform agenda. Included in this agenda were national reconciliation measures, economic reform, poverty reduction and anti-corruption regulations (Magnusson and Pedersen 2012: 78). In May 2011, Nambiar visited Myanmar again, yet due to protocol issues he was not able to meet the new president.

Despite the new changes in Myanmar, Aung San Suu Kyi remained suspicious of the reforms President Thein Sein was planning to implement since the government still maintained complete control. Yet to Nambiar's assessment, there was no way to negotiate around the government's control since the explicit approval of the government was necessary if the political process were to make any progress. Additionally, from the perspective of the government, they had already showed enough commitment. Making more concessions to please Aung San Suu Kyi was not an option (Magnusson and Pedersen 2012: 79).

Eventually, Aung San Suu Kyi became convinced of the sincerity of the regime's reforms when President Thein Sein publicly stated that the 1990 elections results were

historical valid. This statement coincided with the Nambiar's third visit to Myanmar. After a meeting with president Thein Sein, Aung San Suu Kyi agreed to work with the government towards democracy, despite retaining a number of reservations about the army and the structure of the government (UN News Centre 2013).

After the 2010 elections the Myanmar government initiated a democratisation process. The government claimed that this process was a result of the seven-point roadmap, yet interestingly enough Nambiar links the democratisation process to the release of Aung San Suu Kyi and her subsequent decision to support the democratisation process (UN News Centre 2013). New laws were designed which allowed the NLD to re-register as a political party in November 2011. Regardless of all the good news, Nambiar naturally continued his efforts to enlist Myanmar in new engagements. In September 2011 he facilitated a meeting between several Myanmar ministers and member states (the US, China, Russia, Australia and six ASEAN countries). The meeting, designed to build trust and confidence between the parties and to familiarise the Myanmar government with the outside world, was held in the offices of the Asia Foundation in New York. The idea of the meeting had twice before been declined by the Myanmar government. The meeting was perceived as successful since two days later, the Myanmar delegation continued bilateral negotiations with US officials (Magnusson and Pedersen 2012: 81).

Nambiar again visited Myanmar in November 2011 and February 2012, and during the by-elections in April 2012 the Myanmar government invited the UN to observe the elections. The UN sent a political team which included a staff member of Nambiar's office. In the ensuing by-elections (in which 10 percent of the parliamentary seats became available) in April 2012, the NLD secured a majority of the votes and the political team assessed the elections positively. As a result, Aung San Suu Kyi became a member of Parliament in May

2012 (Magnusson and Pedersen 2012: 79-80). The international community welcomed the reforms in Myanmar and member states stopped most of the implemented sanctions. Within the next six months, both the foreign ministers of Australia (Kevin Rudd) and the US (Hillary Clinton) visited Myanmar (The Australian 2011; Lee Meyers 2011). Accordingly, Ban Ki-moon visited Myanmar for the third time in April 2012. During his visit he clarified the desire to normalise international relations with Myanmar and he assured the government that the UN would support them: “I welcome Myanmar’s desire for guidance and advice from the United Nations and other multilateral institutions” (United Nations 2012).

Nambiar, made his sixth visit to Myanmar in June 2012 during which he made more promises to the government to help with transitional challenges. As such, the role of Nambiar had changed since he mainly acted as facilitator in the process of democratisation. Since the international restrictions implement against Myanmar had been dismantled, the UN envoy was able to work freely – without any restrictions – in Myanmar. Despite several problems and obstacles, Nambiar believes that the work of the UN became better understood and accepted (UN News Centre 2013).

In 2013, Nambiar put forward three priorities for the UN. In the first place the UN should guide Myanmar in facilitating the democratisation process: in terms of electoral processes and procedures; an office of the High Commissioner for Human Rights has to be set up in Myanmar and in 2014 the government will conduct a population census in which the UN's help will be vital. Second, the UN can consult between ethnic groups and the central government, the experiences the UN has can be helpful in the reconciliation process. Finally, the UN can play a fundamental role on the development side. The United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC) are some of the agencies that are actively aiding the government already (UN

News Centre 2013).

However, since the Government started its nationwide reforms, violence has up surged throughout the state. Since June 2012 several clashes between Buddhists and Rohingya (the Muslim minority) occurred in the state Rahkine; 200 people died and thousands fled the region. In the states Kachin and Shan fights ensued between the army and ethnic groups (Rijksoverheid 2014; BBC 2014). Nambiar called on the Government to punish those responsible for the violence and further promised that the UN would provide assistance to rebuild the region (CBC News 2013).

On the 26th of September 2013, the Secretary-General convened a meeting of the 'Group of Friends' on Myanmar to discuss recent developments in the country. For the first time, Myanmar itself was present at one of these meetings, the other members of the Group praised Myanmar for the democratisation processes, national development and reconciliation. However, the Group not only complimented Myanmar, but also urged the country to find the underlying causes of violence and continue its development.

During this meeting Ban Ki-moon remarked: “But there is still much to be done to ensure accountability for the perpetrators and restitution for those who have suffered. The fears, vulnerabilities and suspicions of the minority community have yet to be fully alleviated, [...]. I also hope that the positive engagement between the Myanmar authorities and armed ethnic groups will result in a nationwide ceasefire very soon. [...]. In this broad context, the United Nations will stand ready to continue scaling up its support activities to the Government and all key stakeholders as requested” (UN Secretary General 2013).

Nambiar continued the three-pillar strategy his predecessor Gambari had established in his role as envoy in Myanmar. Yet, due to constitutional reforms in Myanmar, Nambiar had more freedom to pursue objectives than his the previous envoys ever had. Not only were the

restrictions by UN member states lifted, Nambiar also had more freedom to organise his program during his visits (Magnusson and Pedersen 2012: 77).

Conclusion

The Secretary-General's mandate from 1993 can be traced back to an request made by the General Assembly. The mandate entails several issues, from political reform to socioeconomic and humanitarian issues. However the UN has always focused on two objectives in Myanmar: to promote democracy and the release of Aung San Suu Kyi. Four different UN envoys have attempted to achieve the goals set by the UN. First of all, Alvaro de Soto (1995-1999); Razali Ismail (2000-2005); Ibrahim Gambari (2006-2009) and Vijay Nambiar (2010-). These four envoys have nearly made forty visits in total to Myanmar yet have reached little success. The UN envoys were unable to offer the military regime anything of interest since key UN member states adopted economic sanctions against Myanmar.

This thesis addressed the research question: to what extent has the UN mediation effort been effective in Myanmar between 1990 and 2013? To answer this main question another sub-question will be answered: which mediation strategies have been used by the UN envoys assigned to Myanmar? The UN envoys have made a difference in the Myanmar conflict. However economic sanctions by UN member states against Myanmar have restricted the envoys during the mediation process. These restrictions have limited the prospects of an agreement between the regime and the opposition for a long time. The limitations due to economic sanctions restricted the movements of the envoys. Each envoy adopted a passive mediation strategy: good offices. Here the mediator acts as a coordinator and does not try to persuade the disputants to come to an agreement. Since each envoy started from scratch, they had to start initial talks with each disputing party for them to even consider coming to the mediation table. When this first step had been accomplished, the envoy took on the additional role of facilitator; arranging meeting places and offering to be a channel of communication. These so-called communication facilitation strategies were useful due to their low

intervention sequence. The mediator merely offers a channel of communication and arranges meeting places and facilities where parties can hold their talks. Therefore, by being passive in the actual negotiations, the mediator tries to promote a resolution.

The distrust between the military regime and the NLD often resulted in the accusation of impartiality of the envoy. Impartiality, personality and interpersonal skills were important determinants for the UN envoys. The second envoy, Razali Ismail, used shuttle mediation in his first years as envoy. Razali would meet in his first rounds with the SPDC and later with Aung San Suu Kyi. During the second round of his visit to Myanmar he would see the government again and afterwards meet Aung San Suu Kyi. Also, Razali was the only UN envoy who changed the agenda of the good offices. Since he considered ethnic minorities as a part of the conflict he held on a regular basis meetings with several ethnic minorities. During these meetings he urged them to take a common position in case a tripartite dialogue could ensue. Additionally, during his envoy Razali created promising opportunities for reconciliation. Arguably, Razali's mediating efforts have impacted the Myanmar regime to such an extent that they wanted to improve their international reputation.

Bercovitch's assertion that "UN mediations are less likely to succeed than mediation by states or regional organisations" is partly applicable to the Myanmar case. Yet Bercovitch explanation that it is due to "the states' distrust of international organisations and their preference for managing conflicts bilaterally or with mediators of their own choosing" has also proven partially true. Due to the restrictions the UN had during the good offices efforts it was unable to have any real impact.

However one should not neglect the fact that the UN envoys were among the first international actors to engage with Myanmar officials and the NLD. They have played an important role in pulling Myanmar out of isolation. They developed a strong understanding of

the opportunities in Myanmar. Western policies which impacted Myanmar were formulated by normative perceptions instead of an empirical views based on facts. Moreover, the UN envoy succeeded to establish a dialogue with the military regime on humanitarian issues and democracy.

The UN is not the only actor who has launched peace making initiatives in Myanmar. Other international bodies, superpowers and friendly countries have tried to mediate in the conflict (Rieffel 2010: 63). The United States mediation efforts have been unsuccessful. On several occasions China has hosted and provided logistical support during the mediation efforts between the US and Myanmar. China's role in the ethnic conflict is ambiguous. On the one hand, China upholds a policy of non-interference. Yet, on the other hand, China is uncomfortable with the Burmese regime being unable to uphold domestic stability (Rieffel 2010: 63). Other international actors such as the European Union have tried to resolve the conflict.

The EU appointed Italian diplomat (Piero Fassino) as a special envoy for Myanmar. However, after his appointment Fassino has not been issued a visa to enter the country and was thus unable to facilitate mediations. The ASEAN has stayed for the most part out of the mediation processes. In 2008 the ASEAN initiated a humanitarian mission together with the UN, after the cyclone Nargis hit the country and devastated the rice crops and fish industry initiated (Rieffel 2010: 65). In exchange for humanitarian changes the regime received aid, the initial optimism changed after the regime quickly resorted back to old antics of corruption and human rights violations. As a neighbouring state, Thailand has had an interesting role in the peace making conflict. Myanmar and Thailand were once imperial rivals and fought several wars. To this day the military elites in both countries still distrust the other. Nonetheless both countries have entangled their economies out of necessity and convenience.

Thailand has become a passive mediator in which several successive Thai governments have mediated between the KNU and the military regime (Rieffel 2010: 66).

In 2011, an end came to the military regime in Myanmar. Currently, President Thein Sein heads a quasi-civilian government which was installed after the 2010 elections. In addition, after spending 15 years under house arrest, opposition leader and Nobel peace prize laureate Aung San Suu Kyi was released. She is now a member of Parliament and can freely travel abroad. At the moment, Myanmar is a country in transition, the UN has on multiple occasions offered its assistance which the Myanmar government has accepted. Further, the conflict between the military and the opposition is not officially resolved. The conflict which started generations ago is entrenched in the two parties, distrust and caution are evident. Yet despite the longitude of the conflict, the disputing parties have never been in a mutual hurting stalemate. Therefore, the possibility for compromise might be in the future.

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