US–Burma Relations: Change of Politics under the Bush and Obama Administrations

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Abstract: The article analyses US–Burma relations under two different US administrations. Since the failed 1988 democracy uprising in Burma, the United States of America and the Union of Burma have had a strained relationship. This resulted in the US government’s downgrading of its representative from ambassador to chargé d’affaires. The Republican administration of President George W. Bush pursued an isolationist policy by imposing sanctions on Burma from 2001 to 2009. When President Barack H. Obama took office in 2009, his Democratic administration embarked on a dual-track policy, engaging the Burmese leaders in a senior-level dialogue while continuing with sanctions. Although both the Republican and Democratic administrations pursued sanctions, the dual-track policy of the Obama administration was better received by the Burmese government. Democratic reforms within Burma played an important role in improving the bilateral relations under the Obama administration.

Introduction

US–Burma relations were strained for over two decades from 1988 to 2011. The Burmese military brutally suppressed the pro-democracy uprising and staged a coup in September 1988, which led to the death of over 3,000 people and forced tens of thousands more to flee to neighbouring countries. Two years later in 1990, the Burmese military government, under the aegis of the State Law and Order Restoration Council (SLORC), held a general election that saw the National League for Democracy (NLD) win a landslide victory, but the government did not honour the result. Subsequently, the US government downgraded its level of representation from ambassador to chargé d’affaires. The strained relations further deteriorated after a deadly attack on Aung San Suu Kyi’s entourage in 2003, and were exacerbated by the brutal crackdown of the 2007 pro-democracy demonstrations led by the country’s revered Buddhist monks.

Since May 1997, the US government has prohibited Americans and their firms from investing in Burma. Prior to this official initiative, many US companies had left the country either because of the unhealthy business environment or because of the pressure from human rights groups and other campaigners who advocated the effective implementation of sanctions to punish the military regime and its cronies. The US government had also taken countermeasures to stop money laundering because the Burmese government failed to do so on its own. The deteriorating bilateral relations resulted in the imposition of several unilateral sanctions by the US government, targeting the Burmese government and individuals having links with the government.

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administrations—the Republican government under President George W. Bush (2001–2009) and the Democratic government under President Barack H. Obama (2009–2012). The Bush administration imposed sanctions and although there was no explicit military threat, the relationship between the two nations was tense and at times confrontational. With the election of President Obama, there was an easing of tensions between the two nations. Obama took a different approach by engaging the Burmese military generals while maintaining sanctions. In doing so, he advanced diplomatic engagement over isolationist policy.

The article attempts to explain the circumstances in which President Bush chose an isolationist policy over engagement and why President Obama opted to engage with the Burmese military generals when the situation inside Burma was largely the same as, if not worse than, during the Bush administration. Was the strategy entailed by US domestic politics or was it because of international concerns? Similarly, was the Burmese government reaching out to the US government because of domestic pressure or international concerns? Did international organisations play a role in shaping the relationship between the two nations? An explanatory method is used to analyse data from journal articles, reports, statements, press releases, newspapers and other online materials.

Cooperation theorists argue that different international issues may have different strategic structures that are important for future prospects of cooperation and the nature of specific problems individual states must overcome to achieve their objectives. Both the US and Burma pursued their own strategies that entailed certain compromises. In the process of seeking a better bilateral relationship, both countries adopted a tit-for-tat strategy. In the game theory, both players cooperate on the first move. In the second move, a player reacts to what the other player did in the previous move, and this strategy 'simultaneously offers to cooperate, to retaliate, and to resume cooperation after punishing defection'.

An overview of US sanctions on Burma
US sanctions on Burma began during the SLORC government and continued to increase after the SLORC transformed into the State Peace and Development Council (SPDC) government from 1997 onwards. Sanctions had been a key component of US foreign policy towards Burma. Sanctions were imposed either by Presidential Executive Orders specifically targeting Burma or through broader sanctions imposed on countries over issues such as nuclear proliferation and human trafficking. The sanctions imposed were in the form of restrictions, waiver provisions, expiration conditions and reporting requirements.

impose economic sanctions on Burma unless the president perceives that certain conditions relating to human rights and counter-narcotics have been met. Section 307, as amended by the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 103–236), withheld US contributions to select international organisations operating in Burma. Section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, imposed various sanctions on Burma unless the president certifies that certain standards on human rights and democracy have been met. The Burmese Freedom and Democracy Act of 2003 required the president to impose bans on the import of several products from Burma; freeze assets of certain Burmese officials; block US support for loans from international financial institutions; and visa bans on certain Burmese officials. The Tom Lantos Block Burmese Junta’s Anti-Democratic Efforts (JADE) Act of 2008 banned direct and indirect import of products of Burmese jadeite and rubies, expanded the list of visa bans for Burmese officials and financial institutions, and imposed further restrictions on accounts that provided services to Burmese officials.

US–Burma relations under the George W. Bush administration

Within five months of his inauguration as the 43rd president of the United States of America on 20 January 2001, President George W. Bush had laid the foundations of his administration’s foreign policy towards Burma. In his letter to the US Congress on 15 May 2001, with regard to the continuation of the National Emergency, the president wrote:

Section 202 (d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the emergency declared with respect to Burma is to continue in effect beyond May 20, 2001.

From 2001, the Bush administration renewed existing sanctions every year, and added more that were targeted at specific individuals and institutions. On 18 November 2003, the treasury secretary placed Burma under its jurisdiction of special concern on money laundering and applied a ‘special measure’ under Section 311 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001. The measure prohibited any US financial institutions from ‘establishing, maintaining, administering, or managing in the United States any correspondent or payable-through account for, or on behalf of, a Burmese banking institution’. It also prohibited US financial institutions from maintaining any correspondent or payable-through account in the United States for any foreign bank if the account was used in a foreign country to provide services for Burmese banks. However, this special measure did not apply to US financial institutions that had businesses with foreign banks overseas, which had Burmese government and individual bank accounts.

In his address to the 62nd United Nations General Assembly in New York on 25 September 2007, President Bush publicly criticised the government of Burma
expanded visa bans on officials of the military regime who he said were ‘responsible for the most egregious violations of human rights’. The president added that ‘Americans are outraged by the situation in Burma, where a military junta has imposed a 19-year reign of fear . . . Basic freedoms of speech, assembly, and worship are severely restricted. Ethnic minorities are persecuted. Forced child labor, human trafficking, and rape are common’. The case of Burma was part of the broader agenda of the Bush administration’s policy for supporting democracies and denouncing autocratic and tyrannical regimes around the world. President Bush urged members of the United Nations to stand up for people who were suffering under dictatorships.11

In general, sanctions and pressures marked the Bush administration’s policy towards Burma. Apart from renewing previous Executive Orders and National Emergency Laws, the Bush administration implemented tougher sanctions in an attempt to force the Burmese generals to walk the path of democratic reforms. After Bush’s announcement of new measures of sanctions during his speech at the United Nations, his administration took additional steps to punish the military leaders who were responsible for brutally suppressing demonstrations arising from peaceful protests—initially led by Buddhist monks in September 2007, commonly referred to as the Saffron Revolution.

Amidst sanctions, the Bush administration entered into limited engagement with the Burmese government. With the hope of national reconciliation, the Bush administration encouraged dialogue between Aung San Suu Kyi, leader of the NLD, and the SPDC government. Moreover, bilateral issues such as prisoners of war (POW) and recovery of those missing in action (MIA), and cooperation on counter-terrorism were discussed. In 2002, following a dialogue between Suu Kyi and the Burmese government, the US Agency for International Development (USAID) engaged with Burma in humanitarian assistance programmes and counter-narcotics cooperation initiatives.12

**Block Burmese JADE Act of 2008**

The JADE Act was introduced following the brutal crackdown on the 2007 demonstrations. The H.R. 3890, Block Burmese JADE Act of 2007 was introduced in the House of Representatives on 18 October 2007, and was passed on 12 December 2007. The Senate passed the legislation on 19 December 2007.13 The Block Burmese JADE Act was signed into law by President Bush on 29 July 2008. The Act was primarily designed to supplement the previous sanctions. Among other things, the Act condemned the brutal crackdown of the democracy uprising by the SPDC government, supported a peaceful transition to democratic government, acknowledged the sufferings of the Burmese people, and held the military leaders accountable for the violent suppression of peaceful protesters.

The Act further tightened visa bans on military generals and their cronies, and blocked financial transactions of several individuals and companies. The new wave of restrictions included the former and present leaders of the SPDC, the Burmese military and its organisation, the Union Solidarity and Development Association (USDA). It included not only members but also the immediate family members and cronies of the entire military leadership. In addition, the Act also directed the US president to appoint a special representative and policy coordinator for Burma.14 Under the Burmese JADE Act, the US Customs and Border Protection Agency enforced import and export certifications. According to this rule, any person importing or exporting products consisting
Role of international institutions

Following the 2003 attack on Aung San Suu Kyi’s entourage at Depeyin in central Burma and the 2007 Saffron Revolution, the US government intensified its pressure in the form of sanctions and urged the international community to unite to punish the Burmese military regime. However, the Bush administration did not succeed in winning the support and cooperation of international institutions such as the Association of Southeast Asian Nations (ASEAN) and the United Nations. Because of their economic interests and the bloc’s traditional policy of non-interference in the internal affairs of member states, ASEAN neither supported the imposition of sanctions nor expelled Burma from the regional grouping.

The economic interests of some ASEAN countries were evident from their activities. For example, during the fiscal year 2003–2004, Thailand invested $1.29 billion in 49 projects in 2004 and its imports were valued at $1.06 billion. Singapore’s investment in Burma reached $1.4 billion in 2004. However, in the aftermath of the attack and the re-arrest of Aung San Suu Kyi in 2003, some ASEAN members apparently became somewhat critical of Burma. This was in part due to some member states becoming more democratic. State officials from Indonesia and Malaysia stepped up criticisms of Burma. Some ASEAN parliamentarians formed the ASEAN Inter-Parliamentary Caucus on Democracy. In 2005, ASEAN pressured Burma to give up its rotating chair because of pressures from the international community over rampant human rights violations and lack of democratic reforms. Instead of improving its human rights record and undertaking democratic reforms, the Burmese government chose to forego the 2006 ASEAN chair.

In March 2006, ASEAN sent the Malaysian foreign minister Syed Hamid Albar as a special envoy to discuss democratic reforms, but he returned without accomplishing much. He was not even allowed to meet Aung San Suu Kyi who was under house arrest at the time. Despite some support for the US efforts to push for democratic reforms, the 10-member ASEAN did not commit to endorsing sanctions. Ong Ken Yong, ASEAN secretary general, on 30 March 2006 urged China and India to be ‘more persuasive’ to ensure Burmese democratic reforms.

Indonesia abstained from voting on the January 2007 United Nations Security Council (UNSC) resolution drafted to condemn Burma’s human rights violations and calling for democratic reforms. The Malaysian prime minister Abdullah Badawi expressed his opposition to the US-led Security Council’s resolution. The ASEAN leadership criticised the Burmese government for the excessive force used on the peaceful protesters of the Saffron Revolution, but refused to support a US–EU-led Security Council agenda on sanctions.

The strained relationship between the United States and Burma reached the floor of the UNSC. The US government tried, and on different occasions attempted to convince the Security Council members, to intervene in the political problems of Burma. In a major development, the US and its allies were successful in placing the issue of Burma on the formal agenda of the Security Council on 15 September 2006, which paved the way for any member in the Council to bring up the agenda for discussion. Moreover, it enabled the Council to get regular updates on the situation in Burma from the UN secretariat. Although it was a procedural vote, meaning no permanent member could
allies. The US needed nine votes to win the motion.

Out of the 15 Council members, 10 voted in favour, four against, and one abstained. The US, the UK, France, Argentina, Denmark, Greece, Japan, Ghana, Peru and Slovakia voted in favour; China, Russia, Qatar, and Congo voted against; and Tanzania abstained. In his letter to the rotating Council president, Adamantios Vassilakakis of Greece, the US representative John Bolton said: ‘The United States and other members of the Security Council are concerned about the deteriorating situation’ in Burma. The US argued that Burma’s refugee crisis, illicit narcotics trade, HIV-Aids problem and human rights situation were ‘destabilising’ factors in the region. However, China’s permanent representative, Wang Guangya, termed the move ‘preposterous’ and an act of interference in the internal affairs of a sovereign state. China, a close ally and major trading partner of Burma, has been protective of Burma. The Chinese ambassador added: ‘This means that all countries, any country, that faces similar issues should all be inscribed on the agenda of this council’. Following the vote, the Council requested a formal briefing from the UN special envoy Ibrahim Gambari, who had visited Burma earlier in the year and met Aung San Suu Kyi.

The Council’s resolution was criticised by the Burmese government. In his address to the United Nations General Assembly on 26 September 2006, the Burmese foreign minister, Nyan Win, said that his country was not a threat to the peace and security of any country or region. Making an indirect reference to the United States and its allies for placing the Burma issue on the Council’s formal agenda, Nyan Win said: ‘To our dismay and frustration, there has been a glaring abuse of the mandate entrusted to the Security Council by its member states by unjustly placing the situation of Myanmar on the agenda of the Security Council by alleging that it poses a threat to regional peace and security’.

After the placement of Burma as a permanent agenda item for over three months, the United States and its allies were finally able to put the issue to a Council vote on 12 January 2007. The resolution called upon the Burmese government to release all political prisoners, to begin wide-ranging dialogue and end its military attacks and human rights abuses against ethnic minorities. Nine out of the 15 Council members voted in favour of the resolution, two vetoed, one voted against and three abstained. The nine countries that voted in favour of the resolution were Belgium, France, Ghana, Italy, Panama, Peru, Slovakia, the US and the UK. China and Russia vetoed, South Africa voted against, and Indonesia, Qatar and the Republic of the Congo abstained. Although the nine votes were enough for the resolution to pass, the two vetoes blocked its passage.

Echoing his comments during the placement of Burma on the Council’s agenda, the Chinese ambassador to the UN, Wang Guangya, said that the issue was irrelevant to the Security Council and that the government of Burma could handle it domestically. The Russian ambassador, Vitaly Churkin, said the issue would be better handled by other UN organs, particularly the Human Rights Council, the General Assembly and humanitarian agencies such as the World Health Organisation. Both China and Russia argued that any such action by the Security Council could hamper the efforts of the UN secretary general, who had sent the under-secretary general for political affairs, Ibrahim Gambari, to the country. The US acting ambassador, Alejandro Wolff, said that the Burmese military junta ‘arbitrarily arrests, tortures, rapes and executes its own people, wages war on minorities within its own borders, and builds itself new cities, while looking the other way as refugee flows increase, narcotics and human trafficking
the United Nations, Kyaw Tint Swe, said the charges levelled against his country by the United States were ‘patently false’. The multiple vetoes at the UNSC were used for the first time since 1989.

US–Burma relations under the Barack H. Obama administration

After eight years of a Republican administration, Barack Obama took oath of office as the 44th president of the United States of America on 20 January 2009. In his inaugural speech, Obama hinted as to how his administration would shape foreign policy. Referring to authoritarian and dictatorial regimes, the president said that the US wants to ‘extend a hand if you are willing to unclench your fist’. Upon assuming office, the president appointed his presidential campaign rival, Hillary Rodham Clinton, as secretary of state. The new administration emphasised the need for diplomatic engagement in international relations, marking a change from his predecessor’s isolationist approach towards critics of US government and other non-democratic nations.

The Obama administration’s Burma policy was officially announced when Hillary Rodham Clinton made her maiden visit to Asia as the US secretary of state. In the course of her speech in Indonesia, Clinton revealed that the Obama administration was reviewing its policy vis-à-vis Burma. Clinton said both the sanctions imposed by the United States and the engagement policy pursued by ASEAN had been ineffective in bringing about democratic change in Burma. She said: ‘Clearly, the path we have taken in imposing sanctions hasn’t influenced the Burmese junta ... and ... Reaching out and trying to engage them hasn’t worked either’. It was the first time the Obama administration publicly announced that the US Burma policy was under review. Although the administration did not lay out any specifics, it was evident that the government was considering a strategy somewhat different from that of the Bush administration. This was at a time when the US government was seeking to improve relations with the 10-member ASEAN, of which Burma is a member.

While the policy was under review, the issue of Burma received wider attention from the international community. Although no concrete steps were announced, the Obama administration refrained from characterising Burma as ‘the outpost of tyranny’, a phrase used by the former secretary of state Condoleezza Rice to describe the situation inside Burma and how the Burmese government treated its own people. However, the Obama administration did not distance itself from its predecessor’s view that Burma was a threat to regional peace and security, as well as to the interests and security of US foreign policy. This was evident from Obama’s statement at the White House on 14 May 2009: ‘The actions and policies of the Government of Burma continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States’.

Announcement of policy review

After several months of policy review, Secretary of State Clinton announced the Obama administration’s policy at the United Nations in New York on 23 September 2009, and said:

First, the basic objectives are not changed. We want credible, democratic reform; a government that respond to the needs of the Burmese people; immediate, unconditional release of political
A beginning of high-level engagement

A few days later on 28 September 2009, Kurt M. Campbell, assistant secretary for the Bureau of East Asian and Pacific Affairs, further elaborated that during the policy review the administration held close consultations with the US Congress, the international community, and a wide range of stakeholders inside Burma, including the NLD. Campbell stated that for the first time in recent memory, the Burmese leadership had shown an interest in engaging with the United States. The fundamental demands of the US government included the unconditional release of all political prisoners including Aung San Suu Kyi, an end to human rights abuses and cessation of conflicts with ethnic minorities. The US demanded that the Burmese government fulfil its international obligations on non-proliferation and end illicit military cooperation with North Korea, by complying with UN resolutions 1874 and 1718. The Obama administration said that lifting of sanctions would depend on how the Burmese government responds to the US engagement and the extent to which the core demands are met. The US government made it clear that it would impose more targeted sanctions if the situation inside Burma warrants it.29

The Obama administration, for the first time, engaged in a high-level dialogue with Burmese officials in New York on 29 September 2009. Kurt Campbell led the US delegation; the Burmese delegation was led by U Thaung, minister for science and technology and former ambassador to the United States. The Burmese permanent representative to the United Nations, Than Swe, also participated in the bilateral meeting. It was the first substantive meeting between the two nations at a senior level under the Obama administration. The US maintained that lifting of sanctions without any concrete and meaningful progress inside Burma would be untenable. While some argued that sanctions hurt the people and not the military junta, the US government clarified that sanctions were targeted at the military leadership, its networks, state-owned companies and wealthy cronies and individuals who supported the military junta through their activities. The US was prepared to implement its strategies on a step-by-step basis.30

The dialogue between the two nations continued with a visit from two US senior-level officials to Burma. Kurt Campbell and his deputy, Scot Marciel, made a two-day visit to Burma in the first week of November 2009. The primary purpose of the visit was to explain the new US policy towards Burma to different stakeholders—democratic opposition political parties, ethnic minorities, and civil society groups. It was an opportunity for the American officials to observe the political situation and listen to the views of the military government.31

As engagement and sanctions continued under the Obama administration, the Burmese government took another step and for the first time since 1990 held a general election on 7 November 2010. Despite the US government’s request, the Burmese government did not allow international observers to monitor the election. Since the NLD did not re-register as a political party as per the conditions laid down in the 2008 constitution, it was a win-win election for the military-backed Union Solidarity
and its outcome, President Obama said:

The November 7 elections in Burma were neither free nor fair, and failed to meet any of the internationally accepted standards associated with legitimate elections. The elections were based on a fundamentally flawed process and demonstrated the regime’s continued preference for repression and restriction over inclusion and transparency. One of the starkest flaws of this exercise was the regime’s continued detention of more than 2,100 political prisoners, including Aung San Suu Kyi, thereby denying them any opportunity to participate in the process.32

Although President Obama condemned the 2010 election and its result, the administration did not abandon its dual-track strategy of engagement and sanctions. Amidst criticisms and condemnation of the general election in the international media, the Burmese government released Aung San Suu Kyi from house arrest on 13 November 2010. Although it was welcome news for governments and human rights organisations that had long demanded her release, it did not have an immediate impact on US–Burma relations. President Obama in his statement on the release of Suu Kyi urged the government to do more and said:

The United States looks forward to the day when all of Burma’s people are free from fear and persecution. Following Aung San Suu Kyi’s powerful example, we recommit ourselves to remaining steadfast advocates of freedom and human rights for the Burmese people, and accountability for those who continue to oppress them.33

The release of Aung San Suu Kyi was a significant boost for the Burmese democratic opposition and for the US government’s engagement strategy.

**Appointment of US policy coordinator for Burma**

US–Burma relations took on significant momentum with the nomination and the confirmation of Derek J. Mitchell as special representative and policy coordinator for Burma, with the rank of ambassador. He was nominated by President Obama on 14 April 2011 and confirmed by the US Senate in early August 2011. With Mitchell’s appointment as full-time coordinator for Burma, the US engagement policy became more focused. The policy coordinator made his first visit to Burma in early September 2011 and spent five days in the country meeting different political stakeholders.

Mitchell, in his capacity as the new point person for Burma, acknowledged the recent political gestures of the Burmese government, including President Thein Sein’s meeting with Aung San Suu Kyi on 19 August 2011, the establishment of a National Human Rights Commission on 5 September 2011, the government’s initiation of a dialogue with ethnic minority groups, and the moderate easing of media censorship. Like other senior officials who had visited Burma earlier, Mitchell urged the government to implement more democratic reforms, including the release of all political prisoners, to engage in inclusive dialogue with the opposition groups and ethnic minorities, and to comply with all UN resolutions regarding nuclear non-proliferation.34

**Secretary of State Hillary Rodham Clinton’s visit to Burma**

The day after ASEAN awarded its 2014 chairmanship to Burma at its 19th summit in Indonesia on 17 November 2011, President Obama announced that Secretary of State
after the Thein Sein government’s reform initiatives addressed some of the concerns of the US government, including dialogue with Suu Kyi, ceasefire agreements with some armed ethnic groups, easing of media censorship, and the passage of legislation that could free up the political environment. Obama, who was attending the ASEAN summit with Clinton, made an announcement that would take US engagement with Burma to another level:

Last night, I spoke to Aung San Suu Kyi, directly, and confirmed that she supports American engagement to move this process forward. So today, I’ve asked Secretary Hillary Clinton to go to Burma. She will be the first American Secretary of State to travel to the country in over half a century, and she will explore whether the United States can empower a positive transition in Burma and begin a new chapter between our countries.35

Subsequently, Clinton began a three-day visit to Burma on 30 November 2011. The visit, the first by a US secretary of state since John Foster Dulles in 1955, raised hopes of normalisation of the relationship between the two nations. During her visit, Clinton thanked the Burmese government for the recent democratic reforms, but said more reforms were necessary before the United States could consider resuming full diplomatic relations. She demanded the release of all remaining political prisoners, the ending of decades-old conflicts with ethnic minorities, holding of free and fair elections, full compliance with the UN resolutions on nuclear non-proliferation and a complete stop to any ‘illicit’ cooperation with North Korea. One immediate effect of Clinton’s visit was the passing of a law permitting peaceful protests in the country as long as permission was sought five days in advance. On the final day of her visit, 2 December 2011, the Burmese government signed a ceasefire agreement with one major armed ethnic group, the Shan State Army – South.36

US–Burma relations further improved when, in compliance with one of the US core conditions to normalise bilateral relations, a total of 651 political prisoners were either released or offered presidential pardon by the Burmese government on 13 January 2012. Those released included prominent political prisoners, including leaders of the 1988 democracy uprising, the deposed prime minister General Khin Nyunt, and key leaders of ethnic minorities. The US secretary of state officially welcomed the news and said:

As I said last December, the United States will meet action with action. Based on the steps taken so far, we will now begin. In consultation with members of Congress and at the direction of President Obama, we will start the process of exchanging ambassadors with Burma. We will identify a candidate to serve as US Ambassador to represent the United States Government and our broader efforts to strengthen and deepen our ties with both the people and the government.37

The Obama administration also welcomed the ceasefire agreement signed between the Burmese government and the country’s oldest armed ethnic group, the Karen National Union (KNU), on 12 January 2012. The KNU, which had been a symbol of ethnic minorities’ movement, began its armed struggle against the central government in 1949, a year after Burma’s independence from the British on 4 January 1948.38

The democratic reforms also encouraged some of the fiercest critics of the Burmese government in the US Congress to visit the country, including Senators Mitch
imposition and renewal of sanctions each year. Upon his return from a visit to Burma in January 2012, Senator Mitch McConnell, who was also the Senate Republican leader, made a statement in the Senate on 26 January 2012, when he said:

As the new government enacts reforms, we should respond with meaningful gestures of our own in hopes of encouraging further positive developments from Burma’s leaders. Reformers like new president Thein Sein, whom I also met on my trip, are strengthened when they can show results. Steps like exchanging ambassadors with the United States would enable them to do just that.39

Conclusion

Presidents George W. Bush and Barack H. Obama had similar approaches but different strategies towards Burma. Both presidents pursued a similar policy in terms of sanctions until the Obama administration completed its policy review in September 2009. The two administrations thus had similar goals but adopted different methods to accomplish them. While President Bush believed that sanctions were the appropriate strategy to respond to the intransigent nature of the Burmese military junta, the Obama administration acknowledged that sanctions alone could not pressure the Burmese military government to relinquish power. The Obama administration believed that neither the sanctions pursued by the US nor the engagement policy by ASEAN produced the desired results.

President Bush renewed the Executive Orders imposed during his predecessor’s term, and signed new Executive Orders during his presidency. Like his predecessor, President Obama renewed the sanctions imposed by Executive Orders. Since the US Congress was overwhelmingly supportive of sanctions, there was no difficulty in renewing them. The policies of both Presidents Bush and Obama towards Burma were largely shaped by their administrations’ foreign policies with regard to other nations around the world.

The Obama administration had the benefit of appointing a policy coordinator for Burma, who worked as a full-time official at the rank of ambassador. The appointment enabled the US envoy to engage more seriously with his assignment. With his position as the point person for Burma, the special envoy had more time to focus on extensive interaction with different stakeholders, which enabled him to reach a greater understanding of the situation inside Burma. The progress of engagement policy was contingent upon the progress inside Burma and the extent to which the Burmese leadership was willing to cooperate.

International institutions have played a role in US–Burma relations but not in any significant way. Although a draft resolution on the issue of Burma was vetoed by China and Russia in January 2007, the efforts of the United States and other like-minded countries successfully placed Burma on the formal agenda of the UN Security Council, which drew the wider attention of the international community. The United Nations special rapporteur on human rights in Burma, Tomas Ojea Quintana’s, recommendation of an international commission of inquiry to investigate the allegations of crimes against humanity and war crimes against the Burmese generals helped the Obama administration in its diplomatic engagement. The Burmese military generals were worried about the possible establishment of such a commission, which already had the support of 16 nations—Australia, Belgium, Canada, the Czech Republic, Denmark,
Slovakia, the United States and the United Kingdom. Since the US wanted to improve its relations with ASEAN and expand its presence in the Asia-Pacific region, the unanimous decision of the ASEAN leadership to award its 2014 chair to Burma was significant. The implementation of some of its core demands for normalisation of bilateral relations, and ASEAN’s greater engagement with the Burmese leadership following the 2008 Cyclone Nargis humanitarian disaster, helped to boost the dialogue between the US government and the Burmese leadership on the one hand, and the Burmese government and the country’s ethnic minorities on the other. The signing of ceasefire agreements between the Burmese government and the country’s armed ethnic groups boosted hopes for progress in the national reconciliation process. This reconciliation process, in turn, provided a greater space for cooperation between Washington and Nay Pyi Taw.

The US benchmark for complete normalisation of bilateral relations was that the Burmese government must demonstrate its sincere commitment to democratisation by reaching a peaceful political settlement with the country’s ethnic minorities, release all political prisoners, and convince the US government that it has no links with North Korea on nuclear programmes. Some of these demands have been met, but the question of whether the Burmese military is genuinely willing to relinquish power remains to be seen. The 2008 constitution reserves 25 per cent of parliament seats for the military, which also has the power to appoint key cabinet members and take total control of the government in a state of emergency.

The release of prominent political prisoners, including Aung San Suu Kyi, and the NLD rejoining the electoral process were important for the US government to review its diplomatic relationship with Burma. Aung San Suu Kyi played a pivotal role in shaping US–Burma relations. However, Burma’s decades-old fundamental problem has been neither the issue of political prisoners, nor the confrontation between the NLD and the military, nor the sanctions. It is the successive central government’s (both civilian and military) reluctance to grant equality of rights to all citizens, and the refusal to grant autonomy to ethnic minorities.

The bigger question is whether the dual-track policy followed by the Obama administration can lead to full normalisation of the bilateral relationship between the United States and Burma. If the present trend of democratic reforms in Burma continues, there is huge potential for full normalisation. However, as I stated in my article ‘Prospect of Peace, Stability in Myanmar:

Despite recent positive developments, the democratization process has the probability of either reversing back to military dictatorship or another form of authoritarian regime. However, if there is mutual participation and cooperation, the ongoing democratic reforms have the potential of a successful national reconciliation...

The progress of democratic reforms in Burmese domestic politics will determine the pace of full normalisation of US–Burma relations. The confirmation of Derek Mitchell as the new US ambassador to Burma on 29 June 2012 and the lifting of US investment sanctions on 11 July 2012, followed by an announcement on 27 September 2012 that import bans on goods from Burma will be eased, are signs of improved bilateral relations.
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**Notes**

1. The Burmese military government changed the country’s name from Burma to Myanmar in 1989 and the name of the capital city from Rangoon to Yangon. However, the Western nations, including the US and the Burmese opposition groups, continue to use the old names. Old names are used consistently in this article except for direct quotations.


3. Ibid.

4. This article looks at only the first four years (2009–2012) of Obama’s presidency.


8. Ibid.


17. Ibid., p. 102.


23. Ibid.

38. Ibid.