

Time is running out for a genuine dialogue before the election, and the regime is moving ahead despite all appeals by democratic groups and ethnic nationalities.

Maj-Gen Soe Win, the commander for Northern Command, recently commented on the Panglong agreement during a meeting with delegates of the Kachin Independent Organization (KIO), saying, "The age of the Panglong agreement has been canceled, and it is now gone."

Nevertheless, the KIO, and other ethnic groups, support the principle of the Panglong agreement, which was made between the nation's founder, Gen Aung San, and several ethnic groups prior to Burma's independence. The principle calls for the establishment of a federal system between the ethnic groups and the state, granting them a degree of autonomy and self-determination.

The deadline for all ethnic cease-fire groups to transform into border guard forces was the end of February. The military would like to solve the issue before the election.

But the Panglong principle and the 2008 Constitution are on a collision course, with both sides in no mood to compromise.

The KIO has worked to build a foundation for its argument for the creation of a federal system of government. In a statement to Snr-Gen Than Shwe on July 20, 2007, it said: "The 1947 Constitution provides that Burma is a Sovereign Independent Republic known as 'the Union of Burma.' However, in reality the country functions under a unitary system, which exercises rigid centralization. We recommend that appropriate measures be taken to ensure this is not repeated in the forthcoming [2008] Constitution."

The underlying message is that the KIO will not give up its arms unless it is granted autonomy, and it will not support the border guard force order.

Other ethnic cease-fire groups are following the same course. The United Wa State Army supports the principle of an autonomous state based on two districts of a self-administered division.

On Feb. 28, in a written statement the Mongla-based National Democratic Alliance Army (NDAA), one of Kokang groups, proposed to keep Hsaleu and Nampan inside Mongla territory after the regime had placed Hsaleu inside Mongyang Township and Nampan inside Mongyawng Township, according to the new Constitution.

In the 2008 Constitution, only Konkyan and Laukkai townships in Shan State are described as Kokang Self-Administered Zones. The NDAA also called for self-determination in administrative and military affairs. Moreover, relations between the NDAA and the regime have worsened after the assassination of the General-Secretary Min Ein.

Even the Democratic Karen Buddhist Association (DKBA), which had agreed to the border guard plan, has now said it will oppose it. Ashin Thuzana of Myaing Gyi Ngu Monastery in Karen State announced his opposition to the plan in February.

If ceases-fire groups fail to transform into border guard forces, the regime faces a dilemma before the election.

If it holds the election without solving the issue, it could lend support to the idea of allowing more than one armed force in the Union, which contravenes the Constitution as written.

The Constitution, which calls for a single armed forces under the command of the union, will come into effect when the Pyidaungsu Hluttaw (Union Parliament) convenes after the election.

Article 338, under the defense chapter, reads: "All the armed forces in the Union shall be under the command of the Defense Services." Article 340 reads: "With the approval of the National Defense and Security Council, the Defense Services has the authority to administer the participation of the entire people in the Security and Defense of the Union. The strategy of the people's militia shall be carried out under the leadership of the Defense Services."

According to the two articles, all the armed forces in the country must be under the control of the commander in chief of Defense Services. Armies maintained by ethnic groups are unconstitutional.

The Constitution pits the regime against all ethnic armies that fail to transform their forces into border guards under the regime's command.

If the cease-fire group crisis cannot be solved before the election, it will remain one of the biggest issues facing the new parliament.

With such problems after the election, national reconciliation will be difficult to achieve.

How to resolve the issue is anyone's guess. The regime seems little inclined to hold a dialogue with democratic groups, especially the National League for Democracy, before the election.

It is already talking to ethnic cease-fire groups, but so far the dialogue has been limited to enforcing the border guard order.

Any discussion of the Panglong agreement seems to be a non-starter, at least for now.

Many ethnic groups can be expected to hold out for what they see as their rights under the Panglong agreement: equality, self-determination and autonomy.

Time is running out for a genuine dialogue before the election, and the regime appears to be moving ahead despite all appeals by democratic groups and ethnic nationalities.

The same problems that existed before the election will carry over, and the use of military force to compel compliance to the border guard force order would appear to be more likely.