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Journal of Advanced Research in Law and Economics

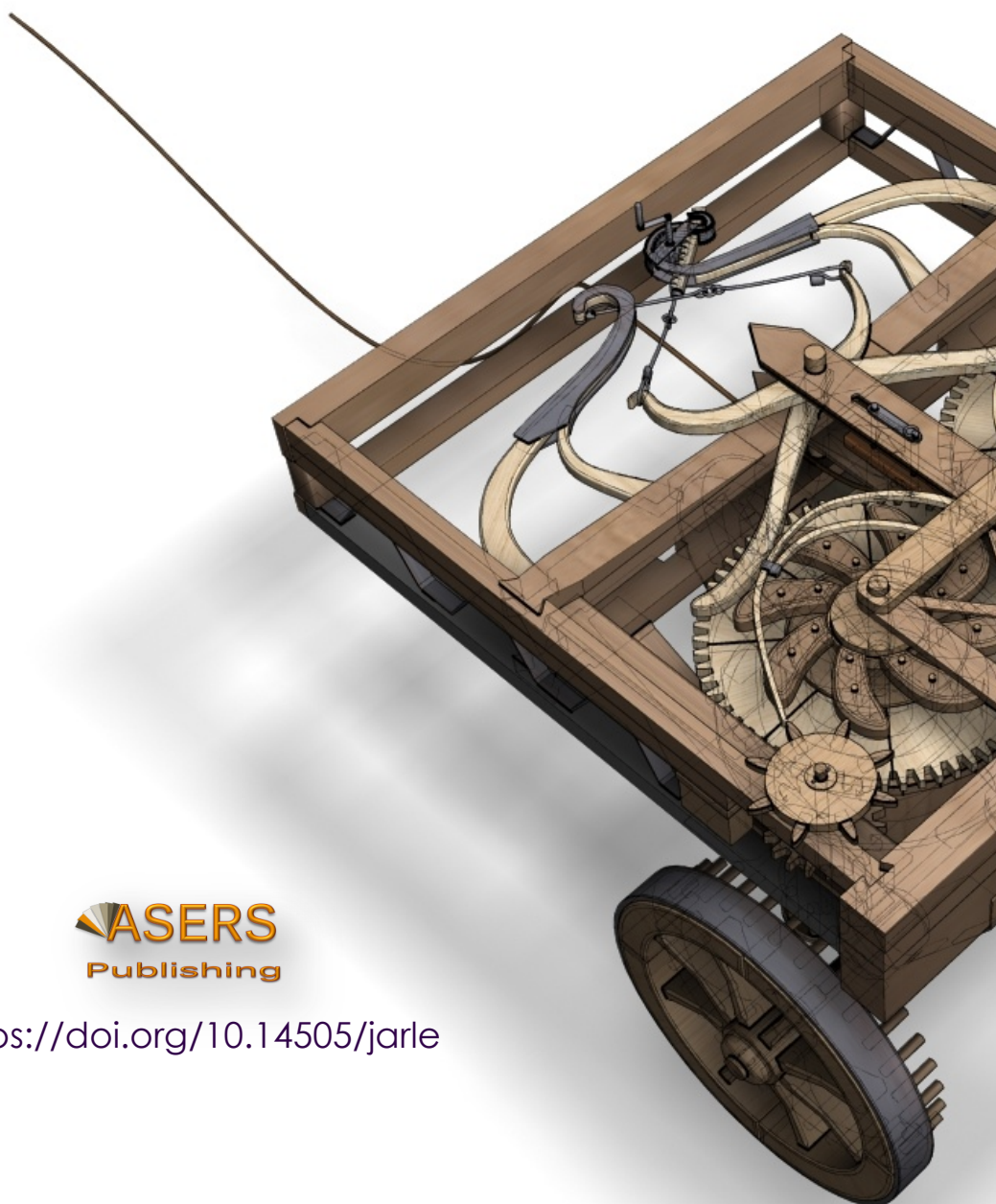
Quarterly

Volume IX
Issue 8(38)
Winter 2018

ISSN: 2068-696X

Journal's DOI: <https://doi.org/10.14505/jarle>

ASERS
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<http://journals.aserspublishing.eu>
ISSN 2068-696X
Journal DOI: <https://doi.org/10.14505/jarle>
Journal's Issue DOI:
[https://doi.org/10.14505/jarle.v9.8\(38\).00](https://doi.org/10.14505/jarle.v9.8(38).00)

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<http://journals.aserspublishing.eu>

ISSN 2068-696X

Journal DOI: <https://doi.org/10.14505/jarle>

Journal's Issue DOI:

[https://doi.org/10.14505/jarle.v9.8\(38\).00](https://doi.org/10.14505/jarle.v9.8(38).00)

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<http://journals.aserspublishing.eu>
ISSN 2068-696X
Journal DOI: <https://doi.org/10.14505/jarle>
Journal's Issue DOI:
[https://doi.org/10.14505/jarle.v9.8\(38\).00](https://doi.org/10.14505/jarle.v9.8(38).00)



DOI: [https://doi.org/10.14505/jarle.v9.8\(38\).23](https://doi.org/10.14505/jarle.v9.8(38).23)

Normalization of Bilateral Relations between the USA and Myanmar (2008-2009)

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Suggested Citation:

Podbereznykh, Inna E. *et al.* 2018. Normalization of Bilateral Relations between the USA and Myanmar (2008 – 2009). *Journal of Advanced Research in Law and Economics*, Volume IX, Winter, 8(38): 2740 – 2745. DOI: [10.14505/jarle.v9.8\(38\).23](https://doi.org/10.14505/jarle.v9.8(38).23). Available from: <http://journals.aserspublishing.eu/jarle/index>

Article's History:

Received 22 August, 2018; *Received in revised form* 28 September, 2018; *Accepted* 25 October, 2018;

Published 31 December, 2018.

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Abstract:

In the article, pre-conditions and circumstances of adjusting of bilateral relations are illuminated between the USA and Myanmar at the first administration of Barack Obama. The special attention is spared to the stages of bilateral relations of the USA with Myanmar from 2008 – 2009 and directions of their improvement. The theoretical and methodological basis of the article is a modern understanding of the principles and methods of historical research. The main ones are the method of comparative analysis, descriptive and historical retrospectives, which made it possible to reveal the essence of US bilateral relations with Myanmar in the post-bipolar period. The purpose of this article is to study the normalization of US-China relations during the first Obama administration. 2008 was decisive for American-Myanmar relations. The Obama administration was still able to focus attention and effort on the implementation of a number of tasks designed to promote successful implementation of an active, balanced and pragmatic policy in Myanmar. The reform process has brought great benefits and advantages for Myanmar. These benefits have been able to help stimulate the regime to continue the reform process. The reformers of Myanmar themselves are also confident that cooperation with the United States and its allies helped reduce the country's dependence on China. Washington played an important role in the democratization of Myanmar, and the Aung San Suu Kyi team was well aware of this in the country's international integration process.

Keywords: Obama administration; international relations; Myanmar; regional politics.

JEL Classification: F50; K14; K37; P16.

Introduction

At the turn of 2008-2009, radical transformations took place in Myanmar's political life. This state was considered one of the most brutal dictatorships. First of all – due to its closed nature. Since 1962, ruling regimes in the country have long hindered the development of contacts with the outside world. This was facilitated by the national ideology of the Party of the Burmese Socialist Program – a kind of analogue of national socialism, focused on its own strength and protection of national traditions. Second, there has been a continuous civil war in a number of Myanmar provinces and states since the late 1940s. Separatists fought against government troops and against each other, communists opposed government troops and separatists, government troops opposed communists and separatists. Because of the military dictatorship, the country was off-limits to the West. The centralization of economy with a large share of public sector and regulation led to substantial changes, which resided in the fact that, at a very difficult and, to some extent, controversial time when, amid the inability of the current government to address urgent economic development issues and systematically modernize the society, Myanmar still made its decisive choice on the road to 'regime change.' A new historic milestone in the development of US-Myanmar relations began at the end of 2008. Before that, their bilateral relations were strained and there was almost no diplomatic link between the two countries.

In the national historiography, the first attempt to cover the development of bilateral relations between the United States and Myanmar in the first half of the 2000s was made by N. Gorodnya in the article 'Myanmar's inclusion strategy in US policy under B. Obama's presidency' (Gorodnya 2013). She analyzed changes in US policy toward Myanmar under President Obama; the factors that caused them; their preliminary results and perspectives, which are being considered in the context of Washington's implementation of the 'Myanmar' strategy and reforms in Myanmar by the Thein Sein government. Some aspects of Myanmar's political situation and economic cooperation have been covered by Shherin (2011). Representatives of contemporary Russian science Koldunova (2012), Maletin (2007), Simony (2017) focused on the role and place of Southeast Asian states in US foreign policy in general, as well as bilateral relations with other countries in East Asia.

In foreign historiography, strategic interests of US policy in Southeast Asian countries, including Myanmar, have been studied by A. Acharya, M. Bison, M. Wesley, M. Gund, D. Emerson, R. Emmers, A. Collins, and M. Lifer, K. Neger, G. Nesadurai, and J. Ravengill. In general, the problem remains understudied by Ukrainian scientists. Theoretical and methodological basis of the article is represented by a modern understanding of the principles and methods of historical research. The principles of historicism and scientific impartiality have been relied on. Applied as a general scientific (analysis, synthesis, comparison, generalization), and special historical methods. The main ones are comparative analysis, descriptive and historical retrospection, which revealed the essence of US bilateral relations with Myanmar in the post-bipolar period. The purpose of this scientific paper is to investigate the normalization of US-Myanmar relations under the first Obama administration. In describing the efforts of the Washington administration to develop a meaningful relationship with the country, the author reveals both objective and subjective reasons for a sufficiently long partnership period.

1. Stages of Bilateral US-Myanmar Relations Development

The modern bilateral dialogue between the United States and Myanmar was complex and developed in four stages. The first phase lasted from late 2008 to April 2009. The Obama administration was aware that the US was facing many internal and diplomatic issues, especially in the wake of the 2008 global financial crisis. Therefore, they had to pursue a more pragmatic foreign policy and use 'reasonable force'. In his inaugural presidential speech, Obama stated that the United States is capable of developing relations with undemocratic countries (Full transcript... 2009). Since then, the Obama administration has gradually begun to adjust its policy on Myanmar. On February 18, 2009 in Jakarta, Secretary of State Hillary Rodham Clinton stated that economic sanctions imposed by the US and other Western governments did not put pressure on the Myanmar government. To demonstrate its human rights progress, the Myanmar government released more than 6,300 prisoners on February 21, 2009 (Yunfei 2009). March 25, Southeast Asia State Department Director for Mainland Affairs Stephen Blake meets with Myanmar's Foreign Minister Nyan Win in Naypyidaw on the reopening of Myanmar-US bilateral relations (Kessler 2009).

The second phase lasted from May to early August 2009, when the development of bilateral relations was adversely affected by the sentence passed for Aung San Suu Kyi. In particular, on May 3, 2009, a Myanmar political activist, Nobel Peace Prize laureate, allowed American human rights activist John Yettau to stay at her home, and shortly after May 13, she was arrested for violation of house arrest conditions. The court found the two-day visit to be a violation of house arrest and sentenced Suu Kyi to three years in prison, but the ruling junta in the country reduced the sentence to 18 months. On August 11, after a three-month trial, Aung San Suu Kyi was sentenced to three years in prison, but Tan Shwe, Myanmar's military dictator (from September 23, 1992 to May 30, 2011)

reduced the sentence to one and a half years of house arrest. John Yettau was sentenced to seven years of prison for violating Myanmar's immigration laws and other legal provisions. Aung San Suu Kyi's verdict negatively affected the process of improving bilateral relations. In May 2009, the Obama Administration reinstated sanctions against Myanmar (Overview of Burma sanctions 2009). On August 11, Barack Obama declared that Aung San Suu Kyi's sentence was unfair and violated her human rights. The president also called for her and other political prisoners in the country to be released. According to Secretary of State Clinton, Aung San Suu Kyi 'should not have been tried and sentenced' (Kaufman 2009). Clinton also said that the 2010 elections in Myanmar would have absolutely no legitimacy unless the government decided to 'immediately end repression in the country and engage in dialogue with the opposition and ethnic groups' (Kaufman 2009).

Phase three – from mid-August 2009 to the end of the year, a major resumption of US-Myanmar dialogue. From August 14 to 16, US Senator Jim Webb, Chairman of the Senate Subcommittee on International Relations in East Asia and the Pacific, visited Myanmar, met with the head of the government, General Tang Shwe, Aung San Suu Kyi, and promoted the release of an imprisoned U.S. citizen. The high level of reception of J. Webb contributed to the development of further activities between the countries.

In September-October 2009, high-level bilateral formal meetings became more frequent. To demonstrate Myanmar's desire to promote a process of national reconciliation, on September 17, the government released 7114 prisoners, including 119 political prisoners (Pomfret 2009). The United States, in turn, lifted the ban on issuing visas to Myanmar officials. On September 18, 2009, the Obama administration allowed Myanmar's Foreign Minister Nyan Win to visit the White House (Pomfret 2009), and on September 26, 2009, Myanmar's Prime Minister Thein Sein visited New York to attend the UN General Assembly (Charbonneau 2009). On September 28, US Assistant Secretary of State for East Asia and the Pacific, Kurt Campbell, announced the results of a review of US policy on Myanmar. The main point of his announcement was that since the Myanmar leadership has shown interest in engaging with the US, the Obama administration will pursue a policy of engagement and sanctions to promote democratic change in Myanmar. Strategic goals and interests of the United States in this regard continued to support a unified, peaceful, prosperous, democratic Myanmar that respected the human rights of its citizens. To this end, the United States demanded the unconditional release of Aung San Suu Kyi and all political prisoners, the termination of conflicts with ethnic minorities and grave human rights abuses, and initiated a robust internal political dialogue with democratic opposition leaders and ethnic minorities with elements of reform and ethnic minorities (Campbell 2009).

It can be argued that 2008 became a crucial year for US-Myanmar relations since it was on August 29 that the officials of the two countries began the first higher-level dialogue in ten years. US Republican Politician K. Campbell led a delegation that met with Myanmar's Minister of Science and Technology U Thaug and Myanmar's Permanent Representative to the United States Than Su, and discussed issues and ways to improve relations between the two countries. In November 2009, bilateral meetings reached their peak. During Campbell's visit with his deputy, November 3-4, to Myanmar, the context of US security policy was explained to key parties, ethnic minorities (Marciel 2009). The Myanmar government has allowed US delegations to engage with representatives of all political forces in the country.

In November 2012, Obama and Thein Sein exchanged a handshake at a meeting with ten ASEAN leaders, the first ever meeting with the US president. The president also endorsed a proposal to improve ties with Washington if the military government pursues democratic reforms and releases political prisoners, including opposition leader Aung San Suu Kyi (Zengerle and Tarrant 2009). This meeting indicated that both countries had taken a decisive step towards the development of bilateral relations. The tendency of relations between the two countries seemed to be moving in a positive direction. In January 2010, the fourth phase began, with bilateral relations deteriorating and the Myanmar government taking no steps to promote national reconciliation. In particular, election law completely excluded Aung San Suu Kyi from Myanmar's politics. In May 2010, K. Campbell paid a working visit to Myanmar, noting that election laws were disappointing for political dialogue with Washington (Burma election laws... 2010). On May 14, the White House decided to extend the sanctions imposed on Myanmar for one year, as it believed that the actions and policies of the Myanmar government continued to be a major threat to US national security and foreign policy (U.S. extends sanctions... 2010).

2. An Analysis of the Factors That Complicate the Harmonization of US-Myanmar Relations

Changes in US policy were driven by the following factors. First, the United States was aware that a long-term policy of sanctions, isolation and diplomatic pressure was virtually futile and did not turn Myanmar into a democratic country. That is, the sanctions imposed by the United States and other Western countries were ineffective because one of the important reasons was that these sanctions were not supported by most Asian countries. On the contrary,

this policy harmed the mainstream population, not the high-ranking officials in Myanmar. Therefore, the main reason for the ineffectiveness of the sanctions was that Myanmar was able to withstand the pressure of the United States. Politically, the government has taken various measures to strengthen its rule. In particular, by 2006, ceasefire agreements were concluded with 25 different ethnic armed groups (Smith 2007). Second, since the 1990s, US companies Pepsi, Apple and Coca Cola have lost the opportunity to use Myanmar's rich natural resources and left the market (Shengda and Chenyang 2009). As the law prohibits trade with Myanmar, their bilateral trade was virtually absent.

Third, a stronger factor in the strengthening of relations with Myanmar was the increased attention of the United States to ASEAN. In this regard, the Obama administration was aware that ignoring the ASEAN co-operation with the Bush administration was incorrect, and led to increased influence of China, Japan, India and Russia in the NEA countries (Shashkova *et al.* 2017). That is why the Obama administration started to step up its strategic cooperation in the sub-region. For example, on July 22, 2009, a U.S. accession to the treaty of amity and cooperation in Southeast Asia was signed (U.S. accession to treaty... 2009). However, the issue of Myanmar was an obstacle to a deeper relationship between the United States and ASEAN, as the Association maintained a mechanism for constructive engagement with Myanmar.

Fourth, the United States sought to counter the growing influence of China in Myanmar and in the subregions. Myanmar has a geographically strategic location and is an important regional country as it possesses rich natural resources and borders on the west with Bangladesh, on the northwest with India, on the northeast with China, on the southeast with Laos and Thailand, on the southwest is washed by the waters of the Bay of Bengal. Myanmar's progress in improving relations with other countries certainly diminishes its value as a strategic asset for China, and is an incentive for US strategic interests in Asia. But since Myanmar went through a long period of sanctions and pressure from the US and the EU, the country focused on its cooperation with the PRC, and over the past two decades, China's influence in Myanmar and even in the sub-region has rapidly grown. China has become the third largest investor in Myanmar (China has become... 2010). In addition, China has built gas and oil pipelines from Myanmar's west coast to China, indicating China's growing influence in Myanmar.

Fifth, the United States sought to impede military cooperation between North Korea and Myanmar with a purpose of prevention of possible proliferation of weapons of mass destruction and even nuclear weapons from North Korea to Southeast Asia. On November 21, 2009, Secretary of State Hillary Clinton expressed concern over military ties between Myanmar and North Korea after information emerged that Myanmar may be trying to acquire nuclear technology from Pyongyang (Borger 2009). Thus, while the United States lacked strong evidence for this relationship, it required Myanmar to perform its international non-proliferation obligations, to cease nuclear cooperation with North Korea, and to fully comply with UN resolutions 1874 and 1718.

The Myanmar government sought to improve relations with the United States for the following reasons: first, the military government hoped that the United States would lift strict sanctions and reduce political pressure on the country. For example, in 2003, a law on freedom and democracy in Burma was enacted, including a ban on food imports from Myanmar and export of financial services to the country. In particular, in 2003, Myanmar's exports to the US dropped to \$ 2.355 billion, while exports in 2002 were \$ 3 billion (Bureau of East Asian... 2010). From January to May 2003, Myanmar's garment exports lost \$ 220 million, which was a major blow to the textile industry. Second, the Myanmar government hoped that the United States would recognize the results of the 2010 general election. Than Shwe sought to create a so-called 'disciplined democracy' that was intended not only to regularize military rule but also legitimized it through elections (Marshall 2009). Third, the Government of Myanmar has sought to establish economic and military relations with as many countries as possible in order to make full use of its strategic value and rich natural resources.

At the same time, along with a number of factors in Naypyidaw's domestic political and domestic economic life, the issues in the development of bilateral relations between the US and Myanmar in the post-bipolar period have to be highlighted. First, the two countries had different, even conflicting values and interests. In its semi-annual reports to the Myanmar Congress, the US government has consistently called on the Myanmar government to recognize the 1990 election results. The military has played a dominant role in the modern history of Myanmar and, even after the elections, has firmly held power to properly protect its interests. For example, under the 2008 Constitution, the armed forces were allowed to continue to retain power in the country. In August 2009, a Myanmar court sentenced Aung San Suu Kyi to house arrest for a term of 18 months after the Yetau incident. On August 11, 2009, Hillary Clinton noted that the 2010 Myanmar election 'would have absolutely no legitimacy' unless the government decided to 'immediately end repression and engage in dialogue with the opposition and ethnic groups' (Crowley 2010). In addition, on April 21, 2010, Philip Crowley of the State Department stated that in these circumstances, the US did not recognize the election results (Kaufman 2009).

At the same time, it is noteworthy that the United States distrust Myanmar's government with regard to the latter's treatment of ethnic minorities, which accounted for about one-third of the country's nearly 60-million population. In view of the above, a civil war between ethnic armed groups and the central government continued for some 40 years after independence, but 2006 ended a large-scale civil war. The central government sought to control the ethnic territories in order to eliminate the danger of the country being divided. The United States has called on the military government to engage in a genuine dialogue with ethnic minority groups on their democratic process and protection of interests. Thus, the Obama administration was faced with the slow progress of Myanmar's democratic development.

Second, the Obama administration encountered many difficulties in adjusting its policy on Myanmar domestically. The new US policy on Myanmar has required the support of large bipartisan congressional groups, but the Obama administration has met with pressure from Congress and public opinion. In particular, if the Obama administration planned to introduce any significant changes to its policy on Myanmar, the decision would have to be ratified by the House of Representatives and the Senate. For example, lifting all sanctions imposed on Myanmar or reassigning an ambassador to Myanmar.

Third, the two countries lacked mutual trust and the Myanmar government was suspicious of the US goals in Myanmar. The two countries were hostile to each other for 20 years from 1988 to 2008 and had virtually no direct, positive contact with each other during this period. In addition, their political values and goals are opposite. Therefore, any actions could be misunderstood, which would damage their relationship.

Conclusions

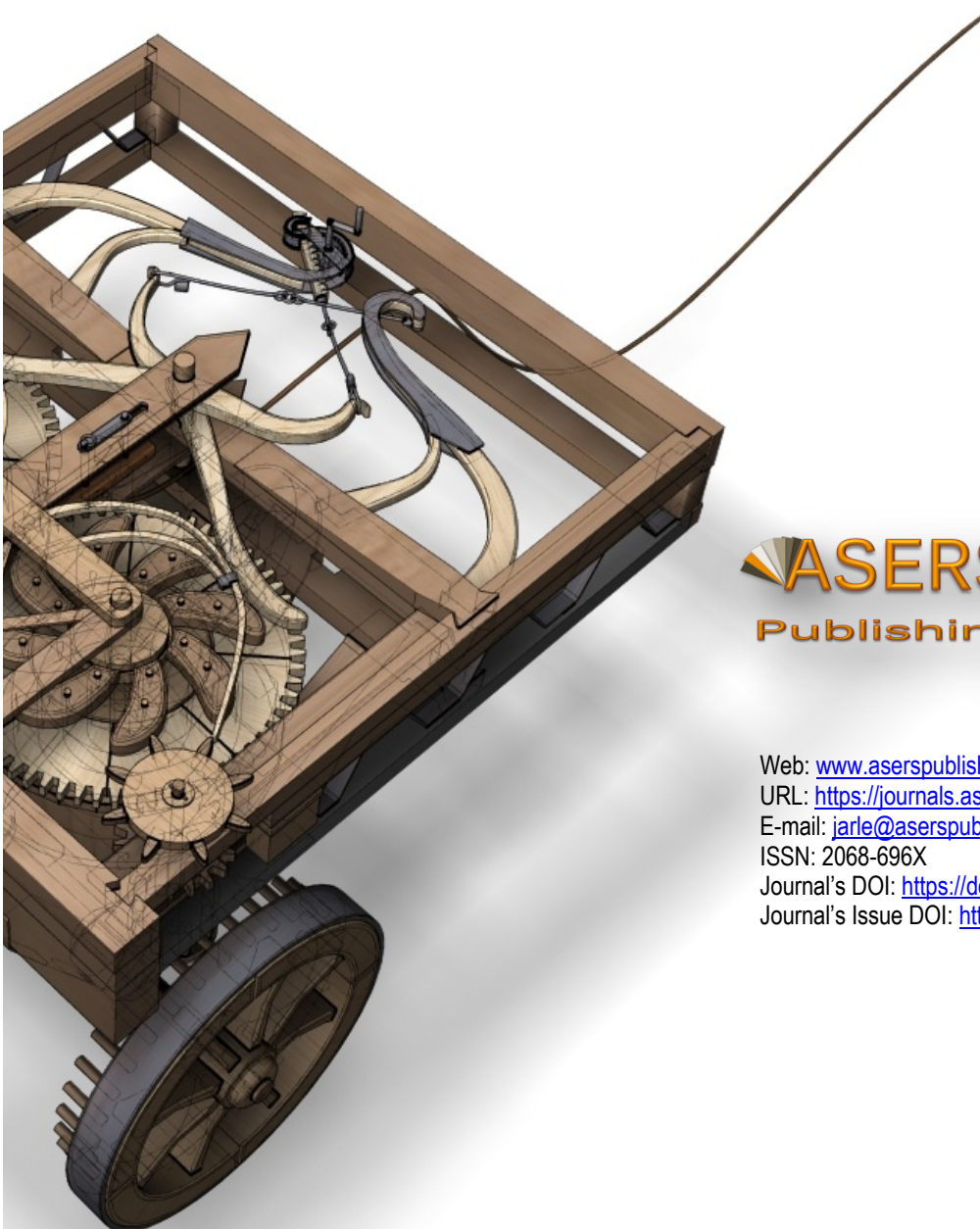
Thus, the Obama administration managed to focus its attention and efforts on an array of objectives designed to promote the successful, active, balanced and pragmatic policies of Myanmar. The reform process has brought great benefits to the country, especially when it comes to greater strategic independence and increased economic development. These benefits could help stimulate the regime to continue the reform process. Obviously, the closer the relationship between the US and Myanmar, the more beneficial it is for both parties. Myanmar's reformers themselves were also confident that working with the US and their allies would help reduce the country's dependence on the People's Republic of China.

Washington played an important part in the democratization of Myanmar, and Ms. Aung San Suu Kyi's team was well aware of the process of international integration and transformation. In conclusion it should be noted that, in the political climate, it is important to deepen the dialogue between the United States and the countries of Southeast Asia. Key players in the subregion aspire for the consolidation of public diplomacy, which is an effective confirmation that they have promising goals on an array of matters regarding regional security strategies in military, economic, political and cultural contexts, which need to be addressed in the shortest possible time, factoring in the role and current 'weight' of the PRC.

References

- [1] Borger, J. 2009. *Burma suspected of forming nuclear link with North Korea*. Guardian. Available at: <https://www.theguardian.com/world/2009/jul/21/burma-north-korea-nuclear-clinton>
- [2] Bureau of East Asian and Pacific Affairs. Background Note: Burma. 2010. U.S. Department of State. Available at: <http://www.state.gov/r/pa/ei/bgn/35910.htm>
- [3] Burma election laws a 'setback' for dialogue, says US. 2010. BBC News. Available at: <http://news.bbc.co.uk/2/hi/asia-pacific/8563870.stm>
- [4] Campbell, K.M. 2009. U.S. Policy toward Burma. U.S. Department of State. Available at: <https://2009-2017.state.gov/p/eap/rls/rm/2009/10/130769.htm>
- [5] Charbonneau, L. 2009. Myanmar PM meets U.S. senator, promises reforms. Reuters. Available at: <http://www.reuters.com/article/idUSTRE58R5FQ20090928>
- [6] China has become the third biggest investor in Myanmar. 2010. Economic and Commercial Counselor's Office of the Embassy of the People's Republic of China in Myanmar. Available at: <http://www.mofcom.gov.cn/aarticle/i/jyj/j/201004/20100406869752.html>
- [7] Crowley, P.J. 2010. Daily press briefing. U.S. Department of State. Available at: <http://www.state.gov/r/pa/prs/dpb/2010/4/140649.htm>

- [8] Full transcript: President Barack Obama's inaugural address. 2009. ABC News. Available at: <http://abcnews.go.com/print?id=6689022>
- [9] Gorodnya, N. 2013. Myanmar's 'engagement' strategy in US politics for B. Obama's presidency. *Bulletin of the Taras Shevchenko National University of Kyiv. History*, 4(117): 13–17.
- [10] Kaufman, S. 2009. Obama, Clinton condemn sentencing of Burma's Aung San Suu Kyi. U.S. Department of State, Bureau of International Information Programs. Available at: <http://www.america.gov/st/democracyhr-english/2009/August/20090811160723esnamfuak0.5395777.html>
- [11] Kessler, G. 2009. U.S. Diplomat, Burmese official meet White House is reviewing policy toward nation. Washington Post. Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/25/AR2009032503116.html>
- [12] Koldunova, E.V. 2012. Myanmar (Republic of Myanmar Union). In Encyclopedia guide. Moscow: Nauka.
- [13] Maletin, N.P. 2007. *ASEAN: Four decades of development*. MGIMO University.
- [14] Marciel, S. 2009. Burma: Policy Review. U.S. Department of State. Available at: <https://2009-2017.state.gov/p/eap/rls/rm/2009/11/131536.htm>
- [15] Marshall, A. 2009. Getting to know Burma's ruling general. Time. Available at: <http://www.time.com/time/magazine/article/0,9171,1929130,00.html>
- [16] Overview of Burma sanctions. 2009. BBC News. Available at: <http://news.bbc.co.uk/2/hi/asia-pacific/8195956.stm>
- [17] Pomfret, J. 2009. Visit by Burmese official hints at U.S. policy shift. Washington Post Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/22/AR2009092202911.html>
- [18] Shashkova, A.V., Rakittskaya, I.A., and Pavlov, E.Ya. 2017. Emergence and activity of legal entities in Russia in the pre-revolutionary period (comparative analysis). *Bylye Gody*, 46(4): 1333-1344.
- [19] Shengda, H., and Chenyang, L. 2009. *Myanmar*. Social Sciences Academic Press.
- [20] Shherin, S.O. 2011. Three different countries in one Asia. *External Affairs*, 4: 300-314.
- [21] Simony, A.O. 2017. History of the countries of Eastern and Southeast Asia after the Second World War. Publishing house Yurayt.
- [22] Smith, M. 2007. *State of strife: the dynamics of ethnic conflict in Burma*. East-West Center.
- [23] U.S. accession to treaty of amity, cooperation in Southeast Asia. 2009. U.S. Department of State. Available at: <https://honhuhai.wordpress.com/2010/07/28/secretary-of-state-hillary-rodham-clinton-at-hanoi-vietnam/>
- [24] U.S. extends sanctions on Myanmar. 2010. People's Daily Online. Available at: <http://en.people.cn/90001/90777/90852/6986279.html>
- [25] Yunfei, Z. 2009. Myanmar begins to give amnesty to more than 6300 prisoners. Xinhua News, Available at: http://news.xinhuanet.com/world/2009-02/21/content_10861622.htm
- [26] Zengerle, P., and Tarrant, B. 2009. Obama meets Myanmar PM, calls for Suu Kyi's release. Reuters. Available at: <http://www.reuters.com/article/idUSTRE5AE0EG20091115>



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ISSN: 2068-696X

Journal's DOI: <https://doi.org/10.14505/jarle>

Journal's Issue DOI: [https://doi.org/10.14505/jarle.v9.8\(38\).00](https://doi.org/10.14505/jarle.v9.8(38).00)